



BMG Research Report

Residents' Associations Focus Groups
March 2005

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Because people matter.

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1 Executive Summary

Overall the steps within the planning process are known by respondents. Key concerns however relates to the application of the process and the interpretation and handling of information within the process.

The three 'levels' at which planning decisions are made: delegation, area committees and Planning Committee, can introduce complications for respondents as it is not clear which application will be dealt with where. Objections can be made in principle in order to establish where a particular decision will be determined.

Respondents in two of the three groups raised concerns relating to the planning knowledge of Officers and Councillors. Views exist that some Planning Officers and Councillors involved in planning decisions do not know planning law sufficiently well.

Mixed views exist amongst respondents in the three groups in relation to satisfaction with contacting the Planning Service. In general respondents feel that members of the Planning Department are professional, supportive and courteous. This does however appear to vary with contact with different people in the department.

Within all three groups respondents hold strong views that the Council does not listen effectively to the residents in the City. Consultation exercises that have taken place are perceived as superficial and undertaken purely so the Council can be seen to have consulted.

Respondents in two of the groups feel that detail that is used to inform planning decisions can be inaccurate. They are concerned about the impact that this has on the decision making process.

Respondents feel there are some basic things within the planning process that need to be put right. Two specific aspects identified by respondents are the poor paper filing system and inaccuracies in the database of residents.

Respondents are concerned by the extent of informal interaction that takes place between the Council and developers before residents have the opportunity to have an input to the process.

Respondents feel that planning officers should decline to give an informal view until the relevant residents' association has been consulted.

Respondents in one of the groups identified a number of approaches they feel are operating successfully within the overall planning process. These are The Development Control Forum, The Considerate Applicant Scheme and the Considerate Contractor Scheme.

Within the planning process respondents feel that there are limited opportunities for residents to make representations on an issue. This not only relates to the 3 week period for comments on proposals but also the 3 minutes that are allowed during planning meetings.

Respondents do not feel that a holistic approach to development in the City is adopted. Developments appear to be considered on a piecemeal basis with little consideration of the wider consequences for matters such as infrastructure and transportation.

The lack of clear criteria on which planning decisions can be based make it difficult for objective comments to be made about applications.

To be able to provide support and exchange best practice the residents' associations within the City would like to operate as a coherent body and respondents feel that the City Council could do more to enable this to happen.

Respondents feel that the better informed and knowledgeable residents' associations are the more beneficial this would be to the consultation process and the City as a whole.

In general residents' associations see their role as being wider than planning matters. Some respondents view the role in relation to a community hub that can be involved with anything that affects the lives of people in the area.

Respondents feel that it is in the best interest of the Council to encourage and support the existence of residents associations for all of the community activities they can cover.

There is a desire amongst respondents to be partners in a process that protects the interests of Cambridge. To achieve this respondents recognise that residents' associations have to establish a reputation for being objective.

Earlier involvement of residents' associations is seen as a key improvement that could be made to the planning process.

Direct contact between developers and residents' associations is viewed as a positive action and respondents feel that it should be encouraged by the Council.

Although area committee meetings take place in the evenings and are considered accessible by respondents the meetings at which the major planning issues are discussed are held during the working day and respondents have to make special arrangements if they wish to attend.

Respondents feel that if residents' associations operated in a coherent joined-up manner across the City this would be beneficial to the City Council for activities such as communications and consultations.

Although some respondents identified that the City Council is putting more information on the web site, in general respondents feel that communications from the Council could be improved.

2 Background and Introduction

Cambridge City Council is keen to build positive and constructive relationships with everyone who comes into contact with planning services.

Residents' associations play a key role in ensuring the interests of local people are taken into account when new development is being considered in their area. The City Council has therefore commissioned BMG Research to conduct three focus group meetings with representatives from residents' associations to explore issues relating to planning in the City.

The residents' associations' focus group meetings are part of an overall approach to involve the community in the decision-making process and to encourage feedback from the public and others about the planning service and how it can be improved.

3 A Note on Qualitative Research

Qualitative research involves an interactive process between the researcher and those being researched. It provides a way of probing underlying attitudes and obtaining an understanding of the issues of importance. The real value of qualitative research is that it allows insight into attitudes, and the reasons behind those attitudes, that could not be probed in as much depth with a structured questionnaire. Group discussions allow respondents to share and explore their attitudes and experiences. The group dynamic allows participants to consider and respond to the views of others, illuminating diversity in perceptions. It represents an excellent way of mapping the range and extent of these attitudes and experiences.

However, it must be remembered when interpreting these results that they are not based on quantitative statistical evidence. The findings are based on a small sample, which is designed to cover a cross-section of Residents' Associations in the City, but this should not be confused with statistical representativeness.

It should also be remembered throughout this report that we are dealing with perceptions, not facts. Participants may hold views that are based on incorrect information; these perceptions are reported here. Members of group discussion use each other as 'spring boards', generating new ideas and concepts that may not come to light in a survey or individual depth interview.

4 Methodology and Respondent Profile

The Council provided BMG Research with a database of 117 representatives of Residents' Associations in the City. Invitations were sent on behalf of John Summers, Head of Development Services, to all contacts, with a form for them to complete and return indicating their availability for one of three focus group meetings, to be held on the evenings of 22nd, 23rd and 24th February 2005. The invitation identified the purpose of the consultation project and gave outline arrangements for the meetings.

The invitation explained that BMG Research would aim to include as many people as possible who indicated an interest in taking part, but that this was impossible to guarantee since the number of people in each group had to be limited to approximately twelve. In the event, all those who indicated an interest in taking part were able to attend.

Follow up letters providing full details of times and venues were sent to respondents who wished to attend, and the day before each meeting respondents were contacted by telephone to remind them of the event and to stress the importance of them attending.

A total of 33 people took part in the meetings providing representation of 28 different residents' organisations.

The meetings were programmed to last between one and a half and two hours and during all three meetings the same generic topic areas were explored. The respondents were advised that the intention was to hear about issues they feel are important and consequently the coverage of the meetings would be free-flowing. The general format for each of the meetings was as follows:

- Introductions, objectives of meeting and outline of areas to be discussed.
- Respondents' knowledge of the planning process.
- Experiences of dealing with the local planning authority.
- The role of Residents' Associations in the planning process.
- Communication.
- Contact with the Council
- Other messages to Cambridge City Council.

A copy of the topic guide used during the meetings is included in the appendix.

At the start of the meetings participants were assured that any comments made would be anonymous and that statements reported would not be attributed to individuals. On this basis members of the groups accepted the discussions being recorded for report writing purposes.

The attendance details for each of the meetings are as follows:

Group	Age range	Date and Start Time	No. of Participants	Gender		Venue
				Female	Male	
Group 1	All ages	22/02/05 7.00 p.m.	13	7	6	Parkside Pools Gonville Place Cambridge
Group 2	All ages	23/02/05 7.00 p.m.	11	7	4	Parkside Pools Gonville Place Cambridge
Group 3	All ages	24/02/05 7.00 p.m.	9	3	6	Gonville Hotel Gonville Place Cambridge

Where verbatim comments are included in this report they are reported in italics and attributed to the gender and group of the person who made the comment i.e. (*Female, Group 1*).

5 Main Findings

Residents' knowledge of the planning process

The extent of knowledge of the planning process amongst respondents in the three groups is varied and appears to range from very little working knowledge to expert knowledge.

'Some people have a lot of planning expertise, I don't but the secretary of our association does.' (Male, Group 3)

'I know that there is a planning committee but that's all I know.' (Female, Group 2)

Overall the steps within the planning process are known by respondents. Key concerns however relates to the application of the process and the interpretation and handling of information within the process.

'I know all the steps but I don't know that I understand what goes on!' (Female, Group 2)

'I am aware of how the planning process should work but in at least half of the cases I am aware of the process doesn't work as it should. There is always something that goes wrong particularly with regard to consultation.' (Male, Group 1)

The main source of planning related information for the majority of respondents is *'reading up'* on relevant matters as circumstances require.

In some situations professional advice has been purchased by residents' associations when they have felt it necessary to support objections to planning proposals.

The three 'levels' at which planning decisions are made: delegation, area committees and Planning Committee, can introduce complications for respondents as it is not clear which application will be dealt with where. It is felt by one respondent that an objection has to be made in principle in order to know where a particular decision will be made.

'The problem with local government is that it is incoherent. We have three levels at which decisions are made: delegated, area committees and planning committee, but you don't know which application is going where. Unless you make an objection in principle to find out what is going on you have to do a lot of homework.' (Male, Group 2)

The Council's knowledge of planning matters

Respondents in two of the three groups raised concerns relating to the planning knowledge of officers and councillors. Views exist that some planning officers and councillors involved in planning decisions do not know planning law sufficiently well enough.

'The fundamental problems come down to the skills in the Planning Department and the skills of the Councillors. Officers do not fully understand planning law.' (Male, Group 1)

'Our planning officers seriously do not understand planning law. Some of us know more about the law than they do.' (Male, Group 1)

'I think a number of people understand the planning process. We have a great deal of difficulty convincing our councillors and officers that they don't understand the process. In the case of a major development if our advice is correct what the officers are doing is illegal.' (Male, Group 2)

'There is a huge range of expertise in the Planning Department but I think recently we have lost some very well qualified officers.' (Female, Group 1)

'The councillors on the Area Committees do not all know the regulations.' (Male, Group 1)

A perception of one respondent in group 2 is that limited training on planning matters is provided for City Council Councillors. This is based on experience of working with a number of the London borough councils.

'A difficulty exists with the lack of skills and knowledge of the councillors on planning matters. The knowledge varies so much.' (Male, Group 1)

'A lot of the London boroughs provide significant training for councillors. My perception is that a lot of Cambridge councillors learn on the job. I think there is limited training for them.' (Male, Group 2)

Good and bad experiences of contact with the Planning Service

Mixed views exist amongst respondents in the three groups in relation to satisfaction with contacting the Planning Service. In general respondents feel that members of the Planning Department are professional, supportive and courteous. This does however appear to vary with contact with different people in the department.

'We have found the Planning Department and planning officers extremely courteous and professional.' (Female, Group 1)

'Our planning officer was very supportive in our case and pulled up the developer and the councillors on our behalf.' (Female, Group 3)

'The thing that strikes me is that the extent to which we are satisfied or dissatisfied depends to an extent on the particular planning officer.' (Male, Group 1)

'The service that people get depends on the planning officer that you deal with. There are inconsistencies.' (Female, Group 3)

'We are a bit worried about the extent that the planning advice is not even handed. In our experience it varies markedly depending on the officer.' (Male, Group 1)

One respondent in group 1 feels that the systems in place hinder the service provided.

'I have always found officers helpful and friendly, the problem is the system does not convert this into a proper communication.' (Male, Group 1)

Comments were made by a respondent in group 2 and also a respondent in group 1 that relate to a defensive attitude being adopted by planning officers.

'The officers adopt a defensive attitude.' (Male, Group 2)

'The Planning Department makes mistakes. If they would only say they were sorry it would make such a difference to public relations.' (Female, Group 1)

Respondents in group 2 have experienced problems getting planning officers and councillors to engage with them on planning matters. Experiences of working with other organisations have been more satisfying for these respondents.

'We have found it frustrating getting officers and councillors to engage with us. We want to ensure that the process that is gone through is rigorous, robust and auditable.' (Male, Group 2)

'We have found that dealing with other organisations such as the police has done us a lot more good than talking to elected councillors.' (Female, Group 2)

Effective listening by the Council

Within all three groups respondents hold strong views that the Council does not listen effectively to the residents in the City. Consultation exercises that have taken place are perceived as superficial and undertaken purely so the Council can be seen to have consulted.

'Officers have too often taken a view that they have to go through a consultation process but are not really going to pay attention to what they hear.' (Male, Group 1)

'They just want to be able to put a tick in the box for consultation.' (Female, Group 2)

'Consultation to the Council is a good idea provided they get the answer they want.' (Female, Group 3)

'We have found that there are other organisations in Cambridge who are much more receptive to residents than the City Council. The Council seems to have a 'jobsworth' attitude.' (Female, Group 2)

'If the City planners valued the contributions of residents' associations, and I think a lot of us need convincing they do, they (the planners) could provide support. If they value the dialogue the better the dialogue will be for them.' (Male, Group 3)

Perceptions of the effectiveness of consultation activities are conditioned by past experiences in which the Council has sought views and has not been seen to act on the outcomes.

'The 'Planning for Real' exercise came up with lots of ideas that were effectively put in the bin.' (Male, Group 2)

'It is my experience that usually the decision has been made before the application is put in. So there is no question of being listened to. They just go through the motions.' (Female, Group 1)

'Years ago we were involved in a joint meeting regarding the Phillips site. The planners asked us what we wanted and they got fantastic suggestions. We got nothing that was asked for.' (Male, Group 2)

Planning consultation exercises that ask people to identify preferences based on a number of given options are viewed by respondents as unrepresentative as they do not identify what people actually want and feel.

'I think the attempts to sound out opinions where you are given a series of options come across as naive. There is no box to fit your opinion. They can end up with a distorted view of what people think.' (Male, Group 3)

'When things are talked about in a theoretical fashion there is no understanding gained of what people actually think and want.' (Male, Group 3)

The value of this particular consultation project was questioned by one respondent in group 2. Other respondents welcome the activity and are pleased by the transparency.

'So what is the point of this meeting? Are they going to listen?'
(Female, Group 2)

'I think this meeting is very welcome and I am not cynical about it at all. The fact that it is being done very openly is good.' (Male, Group 2)

At the moment respondents feel that the lack of effective consultation in the planning process creates confrontation.

'The situation ends up being confrontational rather than constructive.' (Male, Group 3)

'The committee paper is accessible, the problem is by the time it gets to the committee paper there is a huge momentum behind what the proposals are. They hold many public meetings to discuss what they are going to do, but they are going to do it anyway.' (Male, Group 1)

Respondents would like to see meaningful consultation activities undertaken at a stage in the process that would enable residents' views to be properly taken into account.

'We should use the term 'meaningful consultation'.' (Male, Group 2)

'It is about the local authority listening and acting on what you say.'
(Male, Group 2)

'At the officer level they try to ensure some consultation. In practice the consultation doesn't work at all well. There needs to be a proper system in place to ensure the right consultation takes place at the right time.' (Male, Group 1)

Inaccurate recording of detail that may inform planning decisions

Respondents in groups 1 and 2 feel that detail that is used to inform planning decisions can be inaccurate. They are concerned about the impact that this has on the decision making process.

'The correct information does not get through to the decision makers. Time and time again we experience problems with this type of issue.' (Male, Group 1)

'It is a problem of getting the committee paper properly representative of the issues and opinions.' (Male, Group 1)

'I believe officer reports are very often deficient. They do not reflect the history of the site and do not take on board all the things that have happened.' (Male, Group 2)

'They provide some opportunities for a say but there is a problem with the process to accurately inform the decisions. Minutes of meetings are often not an accurate record of what went on.' (Male, Group 1)

Problems within the planning process

Respondents feel there are some basic things within the planning process that need to be put right. Two specific aspects identified by respondents are the poor paper filing system and inaccuracies in the database of residents.

'It comes down to lack of proper systems. Until they get the tools right there will be problems.'

'One of the reasons I think the process is not gone through effectively is that the whole paperwork system is an absolute mess, it is unbelievable!' (Male, Group 2)

'The City Council has got to sort their database of residents. It is not at all accurate.' (Female, Group 1)

Developers' involvement with the Council

Respondents are concerned by the extent of informal interaction that takes place between the Council and developers before residents have the opportunity to have an input to the process.

'It concerns me a lot when people in the Planning Department are extremely cosy with developers. It is sensible to have a degree of remoteness and formality.' (Female, Group 1)

'I am not sure that the opportunities for a say start early enough in the process. The impression I have is that developers and Council officials have had a lot of contact before residents get involved.' (Male, Group 1)

There is a perceived inequity in the process in that developers can spend a long time in discussions with planners and residents are only given 3 weeks in which to comment on proposals.

'The real objection is not about developers going to talk to the Council but that there are deals behind closed doors and you only have 3 weeks to comment on proposals that have probably taken months of detailed discussion.' (Male, Group 3)

'Developers should not be allowed to make preliminary enquiries. The first thing a developer should do is submit an application and the relevant residents' association would be notified.' (Male, Group 3)

There are views amongst respondents that the outcomes of the discussions between the Council and a developer, by virtue of any 'negotiation' that might take place, have the tacit approval of a planner. In these types of situations it is thought that it is difficult for a planner not to recommend approval.

'It seems almost inevitable that if a developer has the tacit approval of a planner for a development it will be very difficult to recommend to councillors not to accept.' (Male, Group 3)

'It almost seems as if the planning committee starts off on the side of the person that wants to develop.' (Female, Group 2)

Respondents feel there is a lack of transparency in the dealings between the Council and developers. Records of meetings between the Council and developers are not available.

'In the past when officers met developers they minuted the meetings and you could see what went on. Now you don't even know that a meeting has taken place.' (Female, Group 1)

'There is no transparency so that residents' associations or even individuals know what is going on.' (Female, Group 3)

'If a developer wishes to develop they go to the Planning department and say this is what we have in mind. This is unofficial and unknown to the residents' association. There is considerable give and take between the developer and the council at a very early stage.' (Male, Group 3)

Respondents feel that planning officers should decline to give an informal view until the relevant residents' association has been consulted.

'Not the Council refusing but the council officer declining to give an informal view until they have consulted the residents' association.' (Male, Group 1)

'A developer draws up plans and then goes for informal feedback from the planning officer. There should be a requirement that at this stage the planning officer consults the residents' association.' (Male, Group 1)

Positive approaches within the planning process

Respondents in group 1 identified a number of approaches they feel are operating successfully within the overall planning process. These are The Development Control Forum, The Considerate Applicant Scheme and the Considerate Contractor Scheme.

'The planning meeting is at the end of the process. There are other opportunities to get involved. The Development Control Forum exists to try and stop some things happening at the last point.' (Male, Group 1)

'The Development Control Forum process has been very helpful, the forums have worked well.' (Female, Group 1)

'The Considerate Applicant is a step in the right direction. I think a good suggestion is that they (developers) will get less advice from the officers if they are not seen to have done what they should.' (Male, Group 1)

'The Considerate Contractor scheme works well.' (Male, Group 1)

Limited opportunities for residents to make representations

Within the planning process respondents feel that there are limited opportunities for residents to make representations on an issue. This not only relates to the 3 week period for comments on proposals but also the 3 minutes that are allowed during planning meetings.

'I can't stand it when the University puts up plans in July with comments by the middle of August. You are on holiday and can't get at things. This makes me really cross.' (Female, Group 1)

'The 3 minutes that you get to speak is essentially too late in the process to have any effect.' (Male, Group 2)

'After you have had your 3 minutes you have to hear the officer's comments and you cannot come back to what they have said. You are powerless.' (Male, Group 2)

'You can actually badly influence your case if you upset the Chair by trying to take more than your 3 minutes.' (Male, Group 2)

Respondents feel that whilst developers have the opportunity to make last minute changes and can appeal against decisions, residents only have limited, constrained slots in the process in which they can comment.

'I have been in a situation where my objections went in late due to personal circumstances. Members of the public are not supposed to make late representations but it is OK for the applicant to change the details at the last minute.' (Female, Group 1)

'Once the decision has been made you have no comeback unless you are a developer and you appeal.' (Female, Group 2)

It is felt by respondents that the limited opportunities for representation effectively render residents 'powerless' in the planning process.

'It is also one's feeling of powerlessness.' (Male, Group 2)

A related concern of respondents is that the limited opportunity for representation can also mean that Councillors are not sufficiently well informed of the circumstances relating to an application.

'I came here tonight in a cynical frame of mind because despite all our objections the application went through this morning on a 5 to 4 vote. I doubt if the 9 councillors had the time to read and digest all the information. The problem is they are under such pressure.' (Female, Group 2)

A perceived lack of planning decision guiding criteria

Respondents do not feel that a holistic approach to development in the City is adopted. Developments appear to be considered on a piecemeal basis with little consideration of the wider consequences for matters such as infrastructure and transportation.

'The City Plan is very vague and the jargon is confusing.' (Female, Group 3)

'The City Council Planning Department is essentially responsive but there is no set of criteria on which to ensure consistent decisions are reached.' (Male, Group 1)

'Has the development been looked at as a whole in relation to transport and other services?' (Female, Group 3)

'Everything seems to be dealt with piecemeal rather than this is a whole city approach and this is what we would like.' (Female, Group 3)

The lack of clear criteria on which planning decisions can be based make it difficult for objective comments to be made about applications.

'It is very difficult to have any form of constructive input as you cannot object to the generalisations.' (Male, Group 3)

'How do you challenge against woolly criteria. There needs to be an open framework that will overcome the problems of developments taking place on a piecemeal basis.' (Female, Group 1)

A particular aspect respondents would like to see clear guidance on is that of housing density. They feel that the maximum density should be specified for each potential development location.

'Areas are designated for housing and there is pressure to put as many houses as possible in the areas.' (Male, Group 3)

'There should be a fairly strict planning brief on what is and is not acceptable to the City in terms of density. This is where it is appropriate to consult the residents' associations.' (Male, Group 3)

Section 106 money is felt by respondents to place adverse pressure on planning decisions and clear criteria to guide decisions would help overcome any problems in this respect.

'Section 106 money is a big pressure. A huge amount of commercial concerns put pressure on councillors with this.' (Male, Group 2)

Links between Residents' Associations

To be able to provide support and exchange best practice the residents' associations within the City would like to operate as a coherent body and respondents feel that the City Council could do more to enable this to happen.

'At the moment residents' associations are a disparate bunch. Outside of the City you have parish councils which have a lot of influence in planning matters. Somehow we need to get coherence amongst our city 'parishes.' (Male, Group 2)

'The main problem is we cannot support fellow associations with like problems within the area. We are unable to do this as we can't link up.' (Male, Group 1)

'It would be so good to have a super residents' association structure.' (Male, Group 2)

Respondents feel that the better informed and knowledgeable residents' associations are the more beneficial this would be to the consultation process and the City as a whole.

'There is a case to share best practice across residents' associations to raise the whole game of effective consultation.' (Male, Group 3)

'We are fragmented as residents' associations. It is Cambridge as a whole that we care about. There are things going on for which we are not the residents' association but it is still our City.' (Female, Group 3)

In the past when respondents have approached the Council for information about other residents associations difficulties have been experienced obtaining the information. The main problem appears to be restrictions placed on releasing information by the Data Protection Act. It is felt that the Council could overcome this by asking each of the associations if they would be willing for their contact details to be shared. All of the respondents attending the focus group meetings would welcome this approach.

'The City does not have a coherent list of residents' associations.' (Male, Group 2)

'I wanted to get a list and approached the City Council; eventually they gave me one which was incomplete and hopelessly inaccurate.' (Male, Group 1)

'When the list is updated they (the Council) should ask people if they would be willing for their contact details to be shared with other residents associations.' (Male, Group 1)

A number of joint meetings have been initiated by the Brooklands Avenue Area Residents' Association (BAARA).

The role of Residents' Associations

In general residents' associations see their role as being wider than planning matters. Some respondents view the role in relation to a community hub that can be involved with anything that affects the lives of people in the area.

'This is about anything that affects the lives of the residents within the residents' associations. A forum for the local community that can provide an opportunity to discuss and put things right.' (Male, Group 3)

'We fulfil a much wider role in the community than just planning matters. We work with the local police and churches. The planning activities are more of an off shoot of it all. Things like quiz nights and neighbourhood watch activities are as important to residents.' (Female, Group 2)

'We can provide the right input at the right time and to offer to the Council information that they might not otherwise have.' (Female, Group 2)

Respondents feel that it is in the best interest of the Council to encourage and support the existence of residents' associations for all of the community activities they can cover.

'Residents' associations are much bigger than just planning. It is in the Council's interest to encourage and support us. There are many aspects where we can share concerns with the Council.' (Female, Group 3)

'We have information that they (the Council) might not have, this has to be of value to them.' (Female, Group 2)

'The residents' associations have a wider role to play in relation to all the activities of the Council.' (Male, Group 2)

Not only can residents' associations provide objective feedback to the Council but they could also act as communication conduits into the local communities.

'We have been successful in feeding back information from the Council to the residents. We can be a conduit for communications.' (Male, Group 2)

'The residents' associations can play a role in distributing information to individuals on behalf of the City Council.' (Male, Group 3)

'We often get involved explaining things to individual residents and describing what the next steps are. The City Council does not do this, it is an unpaid service provided by the residents' associations.' (Male, Group 3)

Although there are some concerns that representatives of residents' associations can be involved in a lot of unpaid work in general if the outcomes are effective engagement and consultation it is considered worth the effort.

'Looks like more unpaid work for unpaid volunteers.' (Female, Group 2)

'If you can see that the involvement is working it is worth the effort.' (Female, Group 2)

Objectivity of Residents' Associations

Respondents recognise that within the present process they can be viewed as people who object for the sake of it.

'We seem to be viewed as people who are reacting against what is proposed rather than people who want to work with the Council and developers for the benefit of Cambridge.' (Male, Group 3)

'We are perhaps seen as the opposition rather than partners in the process.' (Male, Group 3)

'You feel at a disadvantage and that you are a NIMBY if you disagree with the proposals for a space.' (Female, Group 3)

There is a desire amongst respondents to be partners in a process that protects the interests of Cambridge. To achieve this respondents recognise that residents' associations have to establish a reputation for being objective.

'Residents' associations need to develop a reputation for being objective.' (Male, Group 3)

'There should be a considerate objector. There is an onus on us to not be unreasonable in our representations. It is for us to form the most effective way to get a point over.' (Male, Group 1)

'We as residents' associations have to recognise that the planning committee has to have a sustainable reason to be able to say no.' (Male, Group 2)

'The Council does not want to hear objections for the sake of it. They want a reasoned argument.' (Male, Group 2)

The urban parish equivalent

Respondents in group 2 feel that if residents' associations in the City had an identity similar to that of parish councils more notice would be taken of what they have to say.

'It seems to me that one of the reasons we are not effective is because we are little more than a group of people. In relation to parish councils we have no structure or legal entity. If the residents' associations could be formed like the parish councils we would be listened to and dealt with.' (Male, Group 2)

Whilst an urban parish type organisation and structure could provide advantages for residents in relation to representation, respondents would not like to lose the informality which they feel is a strength of the current set up. They would also not like to see residents' associations becoming political.

'There is a danger in becoming political. The informality of our associations can be a great strength. If we went to more formal urban parish council arrangements you would just get another layer of politics.' (Female, Group 2)

Earlier involvement of Residents' Associations in the decision making process

Earlier involvement of residents' associations is seen as a key improvement that could be made to the planning process. A number of ways this could be achieved were suggested by respondents. These are:

- Proactively sending information such as planning lists to residents' associations.
- Consulting residents' associations on planning briefs
- Using residents' associations' local knowledge at an early stage.

'In three words – involve us earlier.' (Male, Group 3)

'There is currently no mechanism within the City Council for informing residents' associations about planning applications. This would be quite a simple thing for them to institute. To be more proactive.' (Male, Group 1)

'Timing is a problem, it is probably too late in the process before we have an opportunity to say something.' (Female, Group 2)

'The issue is that the whole thing is organised before you know what is happening you are effectively presented with a fait accompli. You can probably tinker with it but can't make any major changes.' (Female, Group 3)

'We have always felt that when we have approached the planning officers they have given us time. The problem is that people on the ground know much more about their local area and the local history.'

Planners do not know the area and there can be a gulf there.'
(Female, Group 1)

'You will get better buy in and less opposition from residents if they can be included at the planning brief stage. The residents' knowledge can help make the planning brief more representative.' (Male, Group 3)

Residents' associations have to spend a great deal of time chasing information relating to potential applications. Within the current process this reduces the amount of time available for constructive comments.

'On occasions we have the feeling that unless we chase things up all the time we are not going to know.' (Male, Group 1)

'The timing is all wrong. There are masses of negotiation that can go on for months and months and residents' associations only have 3 weeks. If the list turns up a couple of days late this makes a big inroad into the time available.' (Male, Group 3)

'There should be more proactivity in terms of the list being sent out to residents' associations. Most people are very busy and don't have time to chase things.' (Male, Group 3)

Developers' involvement with residents

Respondents in all three groups identified situations in which developers have been or are currently in direct contact with residents' associations. In some situations this has been initiated by the developer and in others initiated by the residents' association.

Direct contact between developers and residents' associations is viewed as a positive action and respondents feel that it should be encouraged by the Council.

'I am involved in an application where the developer is talking to us pre-application. This is very good.' (Male, Group 2)

'We did not wait for the City Council to arrange a meeting. We called the developer to a meeting and if they chose not to attend they are likely to put the backs up of a lot of local people.' (Female, Group 1)

'The University is now calling us in as stakeholders, people who have an interest in a matter. This is happening for the West and North West Cambridge sites. They are seeking to find support through to a planning application.' (Male, Group 3)

'If developers listened to residents' associations it would be very beneficial to them.' (Male, Group 3)

Delegated decisions

Respondents are concerned that planning decisions that are made under delegated powers are not reported back to Councillors. By not reporting these decisions the full picture cannot be identified.

'80 to 85% of all decisions are taken under delegated powers and there is no reporting back. With delegated decisions and no reporting back councillors have no real access to what is going on.' (Male, Group 1)

'Decisions that are delegated are not reported in the minutes. Even if they were the minutes do not go on the web site.' (Male, Group 2)

Accessibility of meetings and information

Although area committee meetings take place in the evenings and are considered accessible by respondents the meetings at which the major planning issues are discussed are held during the working day and respondents have to make special arrangements if they wish to attend.

'I do think that it is good that the area committees and this meeting are held in the evening. If you want to contribute to a public enquiry you have to take holiday from your job.' (Female, Group 3)

'You have to have time to be able to take part. Our planning meeting was this morning at 9.30 and we had 5 working days notice. It's alright for planners, developers and developer's lawyers but the system is stacked against residents.' (Female, Group 2)

In addition respondents would like the facility to view planning applications outside of working hours.

'Planning applications are available during the working day there should be scope for some of these things to be available outside of the working day.' (Male, Group 3)

The role of Area Committees in planning decisions

Mixed views regarding area committees exist amongst respondents. Some feel that area committees operate effectively when it comes to dealing with planning matters others do not.

'I do think the new area committees are very valuable. Our experience of the Southern Area is it does enable people to make a contribution.' (Male, Group 3)

'The important thing is that the area committees are a forum. They are a significant improvement.' (Male, Group 3)

'We have the North Area Committee and we found it quite informal and did not feel restricted by time. It is the major planning applications that we feel we do not have enough opportunity to say what we feel.' (Female, Group 3)

'One of the problems of having planning at Area Committees is that the nature of the meeting changes dramatically when it comes to planning matters. What might be an open 2-way discussion becomes the Councillors sitting on high. It is very difficult to move back into discursive mode.' (Male, Group 1)

'We think that the planning process is one that should be separated from the work of Area Committees.' (Male, Group 1)

The key issue appears to relate to planning expertise. Some of the planning matters dealt with by area committees, although considered to be small, are felt by respondents to have implications for other parts of the City. Respondents wish to see more experienced councillors involved in determining applications with wider implications.

'Our association has been impressed with the Area Committee but if as the point has been made you would have more expertise if matters were handled centrally this would make me change my mind.' (Male, Group 1)

'Although the big applications are decided at the central committee some of the applications dealt with by the Area Committees are important and can be pivotal to the local area. You are asking local councillors with local vested interests to make decisions that might have ramifications for the rest of the City.' (Male, Group 1)

'They need to hold the planning applications at the Guild Hall and not in the Area Committees. The meetings also need to be accessible to people in the evening.' (Female, Group 1)

General information needs of Residents' Associations

As previously reported the extent of knowledge of the planning process and planning law amongst respondents is very mixed. In general respondents would like to see simple guides published that explain the planning process.

'It needs a simple guide to the process that is free from jargon and explains what will happen at the different stages.' (Female, Group 3)

'The steps are not made widely available. I have just found out about the Development Control Forum, this was after submitting a 50 signature petition. We were most upset when we were told that had we applied in time we would have got the forum.' (Female, Group 2)

'How does a planning brief come about? What is the procedure for a planning brief?' (Female, Group 3)

It is also felt that it would be helpful if guidance could be given by the Council on establishing and running a residents' association. This should include how associations can best work together.

'A simple how to do it for residents' associations so we are all doing the same thing. The City Council will find it easier to deal with us if we are consistent in our approach.' (Male, Group 3)

'We need a guidance pack for residents' associations.' (Female, Group 3)

Respondents feel that if residents' associations operated in a coherent joined-up manner across the City this would be beneficial to the City Council for activities such as communications and consultations.

Respondents would also like to know where to go to obtain expert advice on planning matters.

'We shouldn't have to understand every detail of legislation to be able to contribute. We have our day jobs. It is for the officers to explain.' (Female, Group 2)

'It is very difficult to find out who to go to for expert advice on planning matters.' (Male, Group 1)

Knowledge of what publications are currently available would help residents. A suggestion was made that this information could be included with the council tax notices.

'I think that we need to be told what documents are available.' (Female, Group 3)

'They could consider enclosing a list of all the available information leaflets with the coming council tax notices.' (Male, Group 3)

Support for Residents' Associations

In addition to the information needs of residents' associations identified above respondents in groups 2 and 3 feel that the City Council could provide some form of administrative support.

'Isn't a possible answer to have someone who is paid by the Council to administer the views of the residents' associations?' (Male, Group 2)

'Support could be provided to residents' associations by the Council in the form of providing rooms for meetings and copying information.' (Female, Group 3)

'They also need to help us with the comments that we have to make. We are amateurs in a situation with professionals.' (Female, Group 3)

Some of the charges that are made in connection with planning activities are felt to be unrealistic.

'You need to think about the cost of some of these things to the residents' associations. They charge £20 for the latest version of the local plan. You have to remember that the £20 plan has already been paid for by the people paying taxes.' (Male, Group 3)

'I am outraged at being charged 10 pence every time I want to copy in the Planning Office when every shop only charges 4 or 5 pence.' (Male, Group 3)

Respondents in group 1 feel that the City Council should do more to recognise and work with the residents' associations.

'We need more residents' associations recognised by the Planning Department to be able to get the knowledge of the planning process within the associations.' (Male, Group 1)

'My problem is the City Council doesn't work with the residents' associations.' (Male, Group 1)

Communications by the Council

Although some respondents identified that the City Council is putting more information on the web site, in general respondents feel that communications from the Council could be improved.

'The Council should be commended for the amount of information they are now putting on line. It is a positive step that we all welcome.' (Male, Group 3)

'They could use the web site to express their enthusiasm for involving residents' associations.' (Female, Group 1)

In particular respondents think that the glossy leaflets, putting communications in the free paper and the lay out of the web site are areas for improvement.

'They produce a great number of glossy brochures which are a waste of time.' (Male, Group 3)

'It is sometimes the practice of the Council to inform people by putting a leaflet in the free paper. This is not the way to do it; it is a most ineffective way of communicating.' (Female, Group 3)

'It is a badly designed web site; you have to go through 15 clicks to get a name.' (Female, Group 2)

A suggestion was made by one respondent in group 3 that the Council could consider installing strategically positioned notice boards in the City.

'The money (for glossy leaflets) could be better spent on having some strategically placed notice boards around the City. People don't read the leaflets.' (Female, Group 3)

Respondents' aspirations for Cambridge

Respondents in group 3 spoke of their aspirations for Cambridge. They are concerned that it is only the University buildings that are attractive and that the City Council does not question sufficiently the demands for housing made by the Government.

'If you took away the University buildings from the city the situation would be very poor. The civil population buildings are dreadful. The University buildings are beautiful, the town buildings are not. Take away the University and Cambridge City is a tip.' (Male, Group 3)

'I am not at all convinced that the City Council is making sufficient enough attempt to question what the Government is saying about the development for Cambridge.' (Male, Group 3)

Cambridge is considered to be a small pleasant City that is enhanced by the open spaces that exist. Respondents feel that over development will damage the City.

'What people want in Cambridge is a delightful place to live in.' (Male, Group 3)

'Why many people like Cambridge is because it is a small pleasant city. People are being sucked in and the view is there is over development.' (Male, Group 3)

'One of the things that makes a city civilized is to have a few open spaces. These are being filled in to an increasing degree and some of the things that make Cambridge pleasant are being lost for good.' (Male, Group 3)

'The allocation of car parking spaces is out of proportion to the number of cars that we know there will be. What will happen to them (the cars)?' (Male, Group 3)

Enforcement

Respondents in group 1 raised the issue of enforcement. They are concerned that regardless of the planning process and decisions, what is built is not always what is approved. They do not feel that the Council effectively tackles planning contraventions.

'Enforcement is a fundamental problem. We might get the decision we think is right but we may not get the building that is approved.' (Male, Group 1)

Consistency across Council departments

Respondents in group 1 raised issues regarding consistency across Council departments, in particular decisions made by planning and licensing. Conditions that are established at the time planning permission is given are not upheld by the licensing activity.

'Licensing is giving entertainment licences until 2.00 a.m. when planning has set a condition of 11.00 p.m. I was treated like dirt at a recent licensing committee. I was told that it was nothing to do with planning.' (Female, Group 1)

'What is being said to the Planning Department about proper consultation could equally be said to the Licensing Department.' (Female, Group 1)

6 Appendix

Topic Guide

Introduction

Introduce self and BMG – commissioned by Cambridge City Council as an independent research organisation

Many thanks for taking part in this group – time and assistance much appreciated

Explain confidentiality and microphone and seek permission to record

Objectives

Residents Associations have a key role to play in ensuring that the interests of local people are taken into account when new development is being considered in their area.

The Council is keen to build positive and constructive relationships with everyone who comes into contact with the planning service, including Residents' Associations. These focus groups are part of an overall approach to involve the community in the decision-making process and to encourage feedback from the public and others about the planning service and how it can be improved.

The group aims to get your feedback about how well you feel that the planning process is working and how it can be improved.

There are a number of areas we would like to cover, and the Council is particularly keen to hear your views about the part of the planning process that deals with applications for new developments (the development control service) but very much hope to hear about issues you feel are important, consequently the structure will be fairly free-flowing.

Everybody's views are welcome, and want to make sure everyone has an opportunity to put their views across.

Specific examples of your experiences are obviously relevant to informing the discussion, but would like to try and avoid focusing too much on individual instances, and focus more on ways to improve things in the future.

We will be preparing a report on the feedback and issues that arise from the groups mid-March, which will be considered by the Planning Department in order to identify next steps.

Warm-up

Names, approximate age and if working, what type of work

How long been living in Cambridge

Residents' Association representing – any 'special' characteristics/composition

How long been involved in Residents' Association, and what made you get involved?

Knowledge of the planning process

To what extent do you feel there is an understanding of the planning process and how it works?

Where does this knowledge come from? (The planning authority, word of mouth, colleagues, personal research etc?)

Do you feel there could be more done to help people understand the planning process? By whom? How?

Experience of dealing with local planning authority

To what extent would you say that Residents' Associations are encouraged to get involved in issues relating to new developments in their area?

What are the positives about how the local planning authority engages with Residents' Associations? Are there any factors that limit involvement?

Have you, personally been involved in any dialogue with the local planning authority about new developments that are planned for your area?

IF YES: What kind of dialogue did you have? How did the process work? Did you feel it was worthwhile/relevant? Are there any suggestions for improvement?

IF NO: If you wanted to get involved in such a dialogue would you know who/how to contact?

The role of Residents' Associations in the planning process

Currently what role do Residents' Associations play in the planning process when new development is being considered? How are they involved in the process?

At what stage are they involved? Is this appropriate?

To what extent do you feel the views of Residents' Associations are taken on board?

What other input would you like to have?

How could the role of Residents' Associations in the planning process be maximised?

Communication

How effective do you think the local planning authority is at communicating with Residents' Associations about issues relating to planning?

What means of communication does the local planning authority use to inform/consult you about planning issues? Are these timely and appropriate? If not, what methods would you prefer them to use?

How can communication between the local planning authority and Residents' Associations be improved? What methods of communication do you think would be most appropriate?

Contact with Council

In your capacity as a member of a Residents' Association, have you been in contact with the Council in the last year or so to discuss matters relating to planning in your local area?

Did you know who to contact?

How did you get in contact with them?

Was it easy to contact the person you needed to speak to?

How satisfied were you with the way that your query/issue was handled? Why?

How satisfied were you with the outcome of this contact? Why?

Other issues

Are there any other issues that you would like to feed back to the local planning authority? How do you think things should move forward? What actions should be taken?

Written comments provided by respondents at the focus group meetings

At each of the three focus group meetings the moderator was handed printed documents containing comments relating to the planning process. The documents received are appended below.

Concerns about the planning process in Cambridge City

City Council consultation with Residents' Associations, February 2005

Note prepared by Michael Chisholm on behalf of the Brooklands Avenue Area Residents' Association (BAARA)

In recent years, BAARA has been faced by a number of developments in the immediate area, most of which have been/are substantial in scale. The experience has left us with a deep sense of unease about the quality of consultation, the limited extent to which representations are in fact heeded, and the quality of advice which officers have been giving to councillors. The Bentley Road and Newton Road RA (BENERA) has shared these concerns: together, we have initiated a number of meetings over the past two years with other RAs throughout the City; some 28 have expressed support for the initiative to improve the process by which planning decisions are taken (20 were represented at the most recent meeting, with 8 apologies for absence). On behalf of the concerned residents' associations, the chairman of BENERA, John Green, and I asked for a meeting with the Leader of the City Council and the Chairman of the Planning Committee. The meeting took place on 20 October 2004. We laid out the concerns and handed over a file of documentation. We specifically asked for an external review of the Planning Department. Consequently, the present consultation with RAs, and the more general external review which has been promised, are to be welcomed.

At the most general level, the concerns that BAARA and others have are: the absence - or failure - of due process in too many cases, including the apparent ignorance of officers about basic planning law; and, until very recently (January 2005), the unwillingness of officers and councillors to acknowledge that anything is wrong. These concerns are illustrated by the following cases, all of which relate to a single ward in the City, Trumpington Ward.

Government Offices site, Brooklands Avenue

An Outline Planning application was submitted to re-develop the site from low density offices to provide a new office block for the same number of employees (c. 650) and for 382 dwellings. Although re-development was generally accepted, there were considerable objections to the scale of the development proposed, especially with regard to traffic. A fortnight before the Planning Committee was due to meet, there was a public meeting, attended by 81 members of the public, not all of whom lived in the immediate vicinity. Not a single member of the public spoke in favour of the proposals as they stood. The committee

paper referred to this meeting in just two sentences, which ran roughly as follows: "A public meeting was held on 12 June. The developers gave a presentation and there were then questions and answers." At the meeting of the Planning Committee, there was no summary by officers or councillors of the concerns raised by members of the public.

There was a big failure over traffic estimates for the residential component of the development, which therefore involved both the City and the County. The figures accepted by the two councils were for 2.76 daily car journeys per dwelling, with the provision of 1.25 car parking spaces per dwelling. The comparable figures accepted for housing developments of a similar size and distance from the City centre (York Street and Rustat Road) at the same time were 4.0 car movements with 1.0 car parking space per dwelling. With the help of the ward county councillor, I fought long and hard against the flawed traffic assessment, but to no avail.

When the Planning Committee considered the Outline Planning application, which included proposals for 382 dwellings, councillors believed that they retained the power to insist on a lower number of dwellings when the Reserved Matters planning application came forward. However, the developers got the number they had asked for. As we were advised when legal advice was sought about a judicial review, the Planning Committee had no power to insist on a number below 382. Officers had not advised councillors correctly.

Southern Fringe

Somewhat over two years ago, the City Council called a meeting of "stakeholders" for preliminary consideration of proposals to build about 3,500 dwellings in Trumpington and the adjacent part of South Cambridgeshire District Councillor. I was invited to represent BAARA, and a wide range of interests was represented at the meeting. We were presented with two possible geographies of the proposed development, which I will identify as A and B. It was a good meeting. But, when the notes of the meeting were circulated, objections regarding their accuracy were lodged by myself, the Cambridge Preservation Society and the Trumpington Environment Action Group to my certain knowledge (there may have been others). Two major concerns illustrate the problem, both relating to matters raised during the open discussion after the presentations:

a) Nobody apart from the officer chairing the meeting had spoken in favour of geography A, everyone firmly supporting geography B. Yet the notes said that "on balance opinion favoured B".

b) The point was raised, and received considerable support, that if the east- west road from Trumpington to Addenbrookes Hospital were to be built, then, in order to preserve the green space as much as possible, the road should be in a tunnel, even though this would be more expensive. This proposal, which was well supported, was not even mentioned.

The minutes were subsequently amended, but only after a meeting of officers and councillors from the City, the County and South Cambs, for which meeting the original notes had been appended to the papers.

Unex House City House, junction Hills Road/Brooklands Avenue

An outline planning application was submitted in 2004, for additional office space. I attended a meeting of the Development Control Forum in July. Officers advised the meeting that the application was only for the principle of office space, all matters being reserved. By the rules of the meeting, and not having the planning application to hand, I could not point out that this was incorrect, because the application specified the floor area and the car parking, so that were permission to be granted subsequently it would be for these details unless the Planning Committee explicitly specified otherwise. I wrote to the planning officer who was and is responsible for development control and who chaired the meeting, to point out the error. Eventually, he did write to the members of the Forum and of the Planning Committee to put matters right. Officers had failed to understand basic planning law.

46 Newton Road

Outline planning permission was granted for a 3-bed, single storey bungalow. When the reserved matters application was received in 2004, officers treated it as a full planning application. The planning file could not be located in the Guildhall but the chairman of BENERA was supplied with a copy of the decision notice which had been filed in the Planning Register, which is understood to be the summary record of planning decisions. At the same time, he obtained a copy of the decision notice which had been sent to the applicant's agent. These showed quite clearly that outline permission had been granted. The 2004 application quite clearly states that it was a reserved matters application. Nevertheless, officers persisted through several iterations of correspondence on insisting that the 2004 application was a full planning application. Ultimately, they conceded that in fact it was a reserved matters application. The significance of this that the 2004 application was for a 4-bed home of which one part would rise to the height of two storeys even though there was no floor inserted; it was not a 3-bed one storey bungalow.

Perhaps more disturbing, the two decision notices which had been obtained differ in both layout and in material substance. The one from the Planning Register referred to the grant of permission for a dwelling, whereas the one sent to the applicant's agent granted outline consent for a dwelling as specified in the planning application, i.e., a single storey 3-bed bungalow. In correspondence, officers first claimed that they saw no difference between the two versions and then later claimed that the computer system could not generate duplicate copies of decision notices. To the point that this cannot be the case, and that even it were the case then why not use a xerox machine, there came no answer. The matter was taken to the Monitoring Officer. Despite the obvious possibilities for corruption if a file goes missing and there are different versions of the decision notice in circulation, she declined to investigate. When the planning file was subsequently located, the decision notice contained therein was found to be identical to the one received by the applicant's agent, and therefore different from the one in the Planning Register.

It took a great deal of persistence on the part of BENERA to get officers to accept that errors had been made, the root of which lay in sloppy documentation. When faced with this kind of situation, it is difficult for members of the public to have much confidence in the planning process.

Clarendon House, Clarendon Road

This may seem another trivial case. Clarendon House is an office block in Clarendon Road, set well back from the street. In 2004, a Full Planning application was submitted for a single storey entrance lobby on the front of the building, which would come to the back edge of the pavement. I and other residents objected. Several of us pointed out that the back edge of the pavement was the outside boundary of a conservation area, which includes the road itself and the residential properties on the other side. The application was approved under delegated powers. The officer's report failed to include any mention of the representations about the impact on the adjacent conservation area; it also makes no reference to the existence of the conservation area anywhere in the document. I have had a considerable correspondence with officers, and have finally obtained a written confirmation that the existence of the conservation area should have been discussed in the report as a material consideration. I also have a written undertaking that in future the legal requirement to consider the potential impact will be observed wherever there is a development proposal adjacent to a conservation area. Our Member of Parliament has taken an interest in the case and been in touch with the City Council.

Cambridge University Press, Fitzwilliam Road/Clarendon Road

An application was submitted in 2003 for outline permission for housing, all matters reserved, including the number of dwellings. Subsequently, a traffic assessment was submitted, which baldly states the intention to construct 408 dwellings at 130/hectare. I quickly pointed out that, in the absence of setting some lower figure, the grant of outline permission would give the right to build 408 homes. Nevertheless, the paper prepared for the Planning Committee meeting on 20 October 2004 was written on the basis that the application was only for the principle of residential development, even though the figure of 408 is noted in the context of the traffic assessment. The report to committee recommended approval. I urgently drew the attention of officers to the situation. Officers tabled an additional condition, to the effect that the figure of 408 was not necessarily accepted. Councillors accepted the recommendations, in the belief that they were retaining control over the number of dwellings to be authorised at the Reserved Matters stage. I have legal advice that the additional condition is not enforceable, which implies that again the officers advised councillors incorrectly.

The outline consent carries a condition, that by 20 January 2005 a satisfactory Section 106 must have been completed. If the agreement had not been completed, the condition specifies that the matter must be reviewed and the application refused (no other option is provided for). The s106 was not completed by 20 January, but councillors/officers authorised an extension of time to 21 February. I am advised that this extension is not lawful, and I have written to the senior officer to point this out. So far, he has not accepted that the planning consent is now void and should be refused.

There was no Scoping Opinion regarding the need for an Environmental Impact Assessment (EIA), and no EIA was carried out. I have pointed out that in planning law there should have been a Scoping Opinion and, I believe, an EIA. I now have in writing from the senior officer concerned acceptance that there should have been a Scoping Opinion, and the assurance that one will now be prepared. I have also been told that procedures will now be tightened up for the future.

Quite clearly, officers have not understood basic planning law and have given incorrect advice to councillors. It should not fall to members of the public/residents' associations to point out such fundamental matters. The Cambridge University Press application is still in process. Our Member of Parliament has agreed to take an interest in matter.

Some other matters

If you examine some of the planning files, you will find that some of them contain loose papers, and papers which are unsigned and undated. In other words, the files are very difficult for anyone to use, whether officers or members of the public, and the files are liable to corruption because there is no running numbering of the papers and no list of contents. It makes 'consultation' with members of the public difficult.

The City Council does not have a proper list of residents' associations and does not readily give access to what it does have. A simple procedure would be to ask officers to agree that details may be divulged, which would then mean that disclosure would be in conformity with the Data Protection Act. Such a list could be up-dated annually without much trouble.

Objectors to a planning application may speak for no more than 3 minutes at the Planning Committee. I have done this a number of times. It has always seemed to me too late to be effective. Officers have already made up their minds, the committee paper has been written and (hopefully) read by councillors; so the whole momentum is with whatever the officers are recommending, against which a mere three minutes has little chance. Consequently, it is vital that the papers accurately present and fairly discuss the representations which have been received, but in practice, and in too many cases, this does not always happen. On the other hand, the Development Control Forum meetings seem to be much more useful. Objectors can ask for a meeting if they muster a petition with at least 25 signatures. The meeting includes a representative for the objectors, for the applicant, councillors and officers. It provides a good opportunity for serious discussion.

Please note that if you wish to have supporting documentation for any or all of the matters raised above, I would be happy to provide it. Finally, you have my full consent - indeed encouragement - for this document to be passed to the person or persons who will be reviewing the procedures and practices of the Planning Department.

Michael Chisholm
Secretary, BAARA
20 February 2005

Summary of comments from BENERA (Bentley & Newton Roads Residents Association) to the consultation on the City's planning processes

I write as chair of BENERA, a properly constituted residents association with some 60 subscribing member households from within an area of 105 households. We very much welcome this opportunity to contribute to this consultation; there has been a number of planning issues effecting this small area alone in which we believe there has been irregularity of process leading, in some cases, to improper outcomes. Our aim throughout has to be constructive in suggesting where there have been problems within the process, with an over-riding ambition to improve the process (and thereby the planning outcomes). Our frustration over the past two or more years at getting officers and councillors to engage has lead us to various measures: we now convene regular meetings of some 20 – 30 associations in the City, all of whom have had similar experiences to our own; we have engaged with Councillors and with our MP. The recent decision for this consultation may be a consequence of these actions – and if so we are grateful for the opportunity presented.

We are happy for this paper to be widely disseminated (and indeed would welcome it). All of the issues mentioned below have at least one (and in many cases more) planning application to substantiate the point; we are happy to provide full details of any supporting cases.

Overall our concerns fall into five broad areas:

- Quality of the consultation process
- Extent to which responses are taken seriously by officers
- Quality of advice by officers to councillors
- Rigour of paperwork & process
- Intransigence of officers in maintaining their position, despite being factually incorrect consultation process

Quality of the consultation process

Dates of the consultation period given in letters to neighbours & on posted notices are often inconsistent; those away when receiving a letter (which usually has a prior closing date) may not realise that the consultation is still open

Letters are often sent at random; though the officer announces that previous commentators will receive subsequent notices, it often does not happen and individuals have to be alert to what is happening

Timeliness – whilst an application may be under consideration by officers for many months, residents are given only 21 days to respond – this can be very short for a Residents Association to circulate its members, arrange a meeting, draw up & send a response, especially during holiday periods

Committee papers often fail to document responses to the consultation even when they are submitted within time; instead they are then added in a tabled supplementary paper – but of course that does not allow the

officer's report to address the issues raised – inevitably then the points are not taken into serious account.

Extent to which respondents are taken seriously

In order to enable this, there needs to be clarity as to the roles of the Planning Committee, the Area Committee, the Development Control Forum - when do applications get decided by delegated powers (indeed where are those powers defined?)

Similarly, there is a lack of awareness of the very helpful Development Control Forum, which any 25 signatories can convene, which could provide a truly effective forum for respondents' involvement

Residents are allowed to speak at meetings (for up to 3 minutes at chair discretion); but this is arbitrarily, and almost reluctantly allowed; e.g. I had sought permission to speak to an application; less than 24 hours before the meeting, I received an email from the clerk saying that I also had to speak on behalf of 2 other residents – I did not know who they were or the points they wished to make; during the meeting, the chair adjourned the meeting for 2 minutes for me to meet the other two people, to ascertain what they wished to say and to then make their points!

Officers often fail to engage seriously with points residents make; e.g. at one Area Meeting, I challenged some salient fact which the case officer was making; the case officer was speaking from memory (he hadn't even brought the file) and pressed his point – later he acknowledged, on reading the file, that he was incorrect – the point was substantive, he committee misled.

Quality of officers advice

Concerns over officers' understanding of basic planning law: e.g. over EIAs, TIAs, conservation area impact, requirements for screening & scoping; confusion over full and outline applications, including what the impact of "illustrative" is

Legal advice is often poor and fragmented, including on file

Officers reports to committee often fail to outline the planning history of the site

Officers continued failure to understand that, unless submitted for illustrative purposes only, then any element of an Outline Application becomes a legal entitlement of the applicant – this has given rise to serious consequences in terms of number of dwellings and traffic in several applications.

Rigour of paperwork & process

Haphazard, insecure files; loose-leaf papers; unindexed; no back-up

Contain handwritten, unsigned, undated memos; undated emails

No clear order to file

No sign-out process for files (and any member of the public could remove paper from a file)

Planning register (a legal record) is loose-leaf, no index, no tracking

No file tracing system – so impossible to know who has used a file when, or indeed where it might be at any one time

No indexing of multiple files (1/3, 2/3) so if a member of public asks for a planning file they may just get one of a number not realising there are others

Lack of securing papers within a file (together with lack of dates on many papers) make it impossible to create an audit trail of any thread of process within an application

There appears to be no standing process framework for dealing with standard elements of an application: e.g. how to prescribe a framework for consistent numbers to be used in TIAs – currently the numbers used vary from site to site and can be determined by the applicant (to suit their ends?); again there should be a simple flow diagram for a case officer to follow in order to decide whether a Schedule 2 application requires a screening opinion etc for an EIA; again there should be a standard process to ensure case officer takes account of any impact of such things as conservation areas. Currently it appears that each case is dealt with ad hoc and it is for each case officer to decide what they should be considering and how – this leads to error and omission as well as major inconsistencies between similar applications (such as traffic assessments).

Minutes of Planning Committee meetings are not on website

Delegated decisions are not reported to Planning Committee – how then can Councillors keep an overview of planning context?

In one instance a planning file went missing from which I needed to see the decision notice; my only recourse was to obtain a copy of the decision notice from the applicant themselves. Officers subsequently found the file and sent me a copy of the decision notice on the file – this differed *materially* from the applicant's copy. In response the officer wrote "the computer is not able to generate duplicate copies" and that explains why there may be different versions of the same document!

Intransigence (verging on arrogance) of officers
[We use these words carefully and have much evidence to support our belief that there is an inward-looking culture in the department which serves to shy criticism and to dig holes for themselves, sometimes deeper and harder to get out of]

In one dialogue in our suggesting ways in which to make the file-keeping more rigorous, the reason offered was because it would be simply too great a task to scan every application which came into the department – not much creativity is required to define a submission process which requires electronic and paper copy from applicant (as indeed is the ODPM recommended guidelines)

In one example, the officer wrote “you will never be happy with the replies you receive”; some weeks after, he had to concede a major fundamental factual mistake (which I was attempting to point out) but which he refused to address

In another, other officers went on record backing the opinion of another officer, without first checking the facts (the first officer was wrong)

Officers quote decisions made during their consideration of an application; but when one examines the file to obtain the evidence for that decision-making it is often not there or incomplete – instead officers rely on their memory (or perhaps post hoc rationalisation?); the lack of rigorous paperwork (e.g. no audit trail for whether or not an EIA is needed, or what numbers are needed for a TIA) leads officers having to defend their position in what can only be perceived as an arrogant way (since they have no audit trail to back up their position)

A recent application was incorrectly logged as a Full Planning application (FP) instead of a Reserved Matters (RM). It took me 5 letters, raising it further and further up the chain (ending up with the Monitoring Officer) before it was conceded – the frustration was that the matter was simple and factual – FP or RM (a mistake had been made reading the application) – but although the point was made and complaints made, no-one bothered to examine the rudimentary file and see for themselves – rather they continued to “toe the party line”, wrong though it was. The impact could have been considerable, both to values of properties as well as in scale of development.

In the case of the different decision notices (last bullet of \$4 above) the officers claimed that there was no consequence of having two materially different versions of the decision notice (which is after all a legal contract between two parties)!

Conclusion – benchmarking

Councils of which I have knowledge which are roughly comparable to Cambridge in wealth, socio-economic profile, size, strategic position etc (Oxford, Guildford) have processes which are much more rigorous and developed: for example the authorities in the top third (including Oxford, Guildford) have:

Standard protocols for case officers when dealing with applications, including how the officer sets parameters for a TIA, how it assesses whether an EIA is appropriate etc

Rigorous file management (dating & serial numbering of all documents, indexing, backup)

In accord with the ODPM guidance, requesting that planning applications be submitted in electronic (as well as hard, copy) in order to enable backup & electronic file management

Clearer & more comprehensive analysis and reporting to Committee of the relative constraints (legal, local plans etc) and of the responses to consultation

Reporting of all delegated decisions to Committee

Ongoing, structured training for officers and Councillors

John T Green

23 February 2005

Comments on consultation on Cambridge City Council's planning processes

Ronald Clifton, 6 Clarendon Road, Cambridge CB2 2BH

Chairman, Brooklands Avenue Area Residents' Association (BAARA)

I have had the advantage of reading the papers submitted by our Secretary, Professor Michael Chisholm, to the consultation on 22 February and by Dr John Green, Chairman of BENERA to that on 23 February. I entirely endorse their comments and I know that, certainly as far as BAARA is concerned, they reflect the views and concerns of our members.

Residents in these areas appreciate (in both senses) the high quality of the environment in which we live, and we are anxious to preserve, not only for ourselves but for our new neighbours, the nature of Cambridge as a pleasant place to live and work, but we do not suffer from the "not in my back yard" syndrome. We fully recognise the pressures on our region as a whole, and Cambridge in particular, to provide new housing, and that brownfield sites not required for industrial or commercial use are prime candidates for residential development. The impact on traffic, however, does not at present seem to be given sufficiently careful attention.

Our feeling is that, as regards major developments, residents could be brought more fully into the consultative process at an earlier stage, in order to engage constructively with the planning and development control process, and indeed with applicants. As Dr Green's paper says, "whilst an application may be under consideration by officers for many months, residents are given only 21 days to respond". It would be far more useful to all interested parties if residents were consulted before the Planning Brief for any new major development was prepared; that such a Brief should be as specific as possible in its requirements; and that all applications by developers should be more carefully scrutinised than at present to ensure that they comply with the requirements of the Brief. There should still be adequate time for these aspects to be debated between developers and officials before a formal application is submitted, and Residents' Associations are happy to provide constructive input to that debate.

Apart from one meeting with one officer, I do not have the personal experience which would entitle me to pass detailed comment on either the work volumes or competencies of officers on the planning team. It does seem obvious, however, that greater rigour is needed in the assessment of applications and in the preparation of advice to councillors (both oral and written) to ensure that points asserted as factual are indeed accurate, that issues such as Transport and Environmental Impact Assessments are carried out in accordance with statutory and regulatory requirements, and that points of view expressed by all relevant parties are taken into account. In the case of objectors, their concerns should be addressed in the written advice to councillors, and not merely noted.

In summary, planning decisions do have legal force and the methods by which they are reached must take fairly into account both the creative and imaginative solutions put forward by developers and the reasoned and balanced scrutiny of those solutions, not only by officers but also by those with local knowledge of particular areas - and not necessarily only councillors. Officers must have the time, training and resources to ensure that decisions are both properly and sensibly made, and fully and accurately recorded. The Council's recent decision to put much of its planning procedures on-line is a welcome step forward in this process.

Ronald Clifton

24 February 2005