

PRINCIPAL SCRUTINY COMMITTEE

26 April 2004

PUBLIC CONSULTATION INFORMAL GROUP - RECOMMENDATIONS

REPORT OF PUBLIC CONSULTATION INFORMAL GROUP – COUNCILLOR ALLGOOD

Contact Officer: David Blakemore    Tel No: 01962 848217 dblakemore@winchester.gov.uk

RECENT REFERENCES:

None

EXECUTIVE SUMMARY:

At its meeting on 9 December 2002 Principal Scrutiny Committee agreed to set up an Informal Group to review how the Council consults with the public.

The following were appointed to the group:

Councillors Allgood, Cook, Hollingbery and Wright (P).

In the new civic year starting in May 2003 Councillor Porter replaced Councillor Cook and Councillor Davies replaced Councillor Wright (P).

The following terms of reference were initially agreed:

- To review current methods of consulting the public in the Winchester district;
- To identify any overlap in this work – both within the Council and with consultation being undertaken by other agencies within the district;
- To make sure there are no gaps in the overall approach;
- To compare how similar councils carry out this corporate work;
- To make recommendations on how public consultation can be improved in the district;

- To review how consultation results are taken into account by officers in their work in formulating policy of the Council.

The Informal Group was later asked by the Leader of the Council to look closely at the public consultation into the community planning exercise at Highcliffe and Stanmore to see if there were any issues that need to be addressed.

At a later meeting of the Principal Scrutiny Committee the Informal Group was requested to look at certain aspects of local democracy – particularly in relation to the Local Democracy Week promoted by the Local Government Association - to see whether that needed to be taken into account or should be dealt with in a different way.

The Research Officer assisted the Informal Group in its work and it also gathered evidence required from Directors.

This report, with several recommendations, completes the work of the Informal Group and is submitted for consideration.

#### RECOMMENDATIONS:

That the Recommendations as set out in paragraph 8 of the report be endorsed and recommended to Cabinet as a way forward for a more meaningful corporate approach to public consultation.

OTHER CONSIDERATIONS:1. CORPORATE STRATEGY (RELEVANCE TO):

- 1.1 Relevant to the aims “ to encourage open debate and discussion about the future with our residents and our partners” and “to be a learning organisation, sharing best practice with colleagues and partners.”

2. RESOURCE IMPLICATIONS:

- 2.1 None directly.

BACKGROUND DOCUMENTS:

Minutes of the meetings of the Public Consultation Informal Group held:

- 8 April 2003
- 19 June 2003
- 7 July 2003
- 15 July 2003
- 29 October 2003
- 25 March 2004

APPENDICES:

None

## PUBLIC CONSULTATION INFORMAL GROUP – RECOMMENDATIONS

26 April 2004

### Report of Public Consultation Informal Group – Councillor Allgood

#### 1. Background

- 1.1 At its meeting on 9 December 2002 Principal Scrutiny Committee agreed to set up an Informal Group to review how the Council consults with the Public.

The following were appointed to the group:

Councillors Allgood, Cook, Hollingbery and Wright (P).

In the new civic year starting in May 2003 Councillor Porter replaced Councillor Cook and Councillor Davies replaced Councillor Wright (P).

#### 2. Terms of Reference

- 2.1 The following terms of reference were initially agreed:

- To review current methods of consulting the public in the Winchester district;
- To identify any overlap in this work – both within the Council and with consultation being undertaken by other agencies within the district;
- To make sure there are no gaps in the overall approach;
- To compare how similar councils carry out this corporate work;
- To make recommendations on how public consultation can be improved in the district;
- To review how consultation results are taken into account by officers in their work in formulating policy of the Council.

- 2.2 The Informal Group was later asked by the Leader of the Council to look closely at the public consultation into the community planning exercise at Highcliffe and Stanmore to see if there were any issues that need to be addressed.

- 2.3 At a later meeting of the Principal Scrutiny Committee the Informal Group was requested to look at certain aspects of local democracy – particularly in relation to the Local Democracy Week promoted by the Local Government Association - to see whether that needed to be taken into account or should be dealt with in a different way.

### 3. Work Programme

#### 3.1 The Informal Group met on the following occasions:

- 8 April 2003
- 19 June 2003
- 7 July 2003
- 15 July 2003
- 29 October 2003
- 25 March 2004

### 4. Evidence

#### 4.1 RESEARCH OFFICER

The Research Officer said that the Council's policy in relation to public consultation was prepared for the introduction of the Best Value regime in 1999. It was set out in the first edition of the Best Value Toolkit as a guide on how to consult and has been used since as the basis for most consultation.

4.1.2 Since the Toolkit was drawn up and agreed, the Council's Citizens Panel has been established (as referred to in the Toolkit) and the intention of the Council was to use this panel for most of the general consultation carried out by the Council. The target was to carry out three panel surveys each year.

4.1.3 A further change came with the requirement by the Government that Best Value Satisfaction studies needed to be conducted every three years. These were carried out in 2000 and in 2003.

4.1.4 For some time management policy has been that all proposals for public consultation should first be notified to the Research Officer so that they can be co-ordinated into the Council's consultation programme.

4.1.5 The Consultation Toolkit contains the following sections:

1. An overview of public consultation
2. The work of the Citizens Panel
3. How to consult
4. The Hard to Reach audiences
5. Tools
6. Ethical behaviour
7. Interpreting the results
8. Using the results

4.1.6 The Research Officer briefed the panel on the work of the Citizens Panel. This is a representative group of 1600 local residents who agreed to participate and answer a series of questionnaires – approximately three times a year. The results are analysed by the Research Officer and reported back to the panel, councillors, officers and residents. The intention was that the information gained helps the Council take into account local people's views and opinions when making decisions, forming policies, preparing strategies and planning for the future.

- 4.1.7 Members of the panel are not paid for their contribution although they are asked to choose a charity from five listed and the two most popular were given a donation of £100 each. Responses are generally good – about 1100 of the 1600 are returned.
- 4.1.8 The Research Officer said that the Best Value Satisfaction Surveys were national surveys that the Council was obliged to carry out every three years. The first was completed in 2000. The surveys were very prescriptive both in terms of the questions that had to be asked and the methodology to be used. In 2003 separate surveys had to be carried out looking at satisfaction with: housing, planning and benefits services and general issues (quality of life, community wellbeing, waste and recycling, cultural activities, information provision, overall satisfaction, complaints handling and anti-social behaviour.
- 4.1.9 At the time of the Research Officer's evidence, the first benefits survey had been completed and the second had been distributed. The housing survey was being distributed and returns were coming in. Both the Planning and General Issues surveys had been completed and the data was being analysed. Provisional results are now available, the Housing results have been reported to the Housing Performance Improvement Committee in March and preliminary results from the General survey have been reported to CMT in April. The results from the Benefits and Planning surveys are currently being considered by officers.

#### 4.2 DIRECTOR OF COMMUNITY SERVICES

##### 4.2.1 The Director made the following comments:

- He was not responsible for any statutory processes that embody consultation in the way that the planning and housing services require. There are no regular consultations as such with the public but he does make good use of the results of the Citizens Panel, having asked questions about community grants for example. The results of the Citizens Panel are used to help decide priorities and attitude rather than details of the service.
- There are a number of processes through which the department regularly consults people with an interest in services. These include customer surveys at the Tourist Information Bureau and feedback questions from the museums, the Guildhall and the River Park Leisure Centre. There are also face-to-face mechanisms such as the Meadowside Steering Group, the River Park Consultative Forum, Floral Winchester Group and the tourism forum. Winchester Area Community Action is used as a sounding board on some issues.
- Consultation is carried out on specific issues where the department wants to make sure it makes the right decision on behalf of local people. Examples include the location and choice of playground equipment, the provision of new facilities and survey work in community development such as the Winchester Neighbourhood Initiative. The purpose is to find out what matters to people beyond the broad issues. The location of a particular tree might be a key local issue to some people which no one would have imagined without a consultation. Putting the tree in the right place could be a minor issue to officers but a major issue for local residents.
- A good example of recent consultation was the work on the extension to the River Park car park. Various meetings were held with local residents to the point

of agreeing the number of brick courses on the boundary wall. The result was that residents felt engaged in the process. Another good example was the play polling day in Highcliffe to find out which of five playground designs is the most popular – a fun way to get local peoples' views.

- Consultation is far more difficult on general rather than specific local issues. For example the consultation on the cultural strategy was well designed but did not generate a great deal of public interest.
- There are currently no plans for a major consultation exercise but there will be a number of small scale exercises on local issues, such as skateboarding in Whiteley.

#### 4.3 DIRECTOR OF DEVELOPMENT SERVICES

4.3.1 The Director (at that time Mr Steve Bee) said the department consulted widely and in particular with the following:

- Planning Application Consultees such as the County Council, Environment Agency, English Heritage, water companies. We receive around 11,500 Planning comments, 45,000 telephone enquiries, and 27,000 visitors to the Development services reception every year.
- Planning applicants and/or their agents (the latest satisfaction survey showed a 72% satisfaction rate). Agents' Forums are held at least annually (feedback suggesting these are greatly valued).
- Parish Councils, events include a seminar for parish clerks on 7 February 2003, two meetings to gain parish views for the proposed South Downs National Park and visits to parishes. This will be repeated later this year (2004).
- Interest groups such as the City of Winchester Trust
- Local Plan consultees include a wider range of local groups including residents associations, neighbouring councils, utility companies, Network Rail, the police, NHS bodies, housing associations, the Church of England, SEEDA and chambers of commerce.
- People likely to be affected by the West of Waterlooville development and North of Winchester proposed development.
- Winchester Town Forum
- People likely to be affected by traffic orders.

4.3.2 He suggested there were several important pointers to good practice:

- Good preparation for displays and workshops was necessary to strengthen credibility in highly contentious areas.
- Staff need to be trained and briefed so they can tackle contentious issues in a constructive manner

- The need to respond quickly to requests to provide speakers and attend meetings at short notice. For example in response to Whiteley Parish Council a meeting on the District Local Plan was organised for local residents there.
- Arranging meetings at times to suit the public rather than officers.
- Games can be a good way to engage people, especially younger people.
- Where there are many topics to discuss, arrange it so that people get a chance to comment on everything rather than having topic-based groups.

#### 4.3.3 Potential failings in consultation are:

- Be aware of potential conflict with other events, such as major European football contests.
- Consultation is better carried out by officers than consultants.
- Avoid raising too high expectations as a result of a consultation event.
- Never suggest something that cannot be delivered.

#### 4.3.4 The Director emphasised the positive lessons from the West of Waterlooville consultation exercise. When newsletters or minutes were produced and distributed to those who had attended events or made comments in order for those interested to be kept up to date with the progress of the development plans. An important lesson was that it was perhaps inevitable that initially attitudes would be negative to any major development and so it was necessary to spend time countering and neutralising this.

#### 4.3.5 The Director noted there was an inherent conflict in the development process. On the one hand local authorities were being urged to extend public consultation. But on the other they were being urged to speed up determination of planning applications. Councils will now have to produce a statement of community involvement and explain how they will consult the public on new Local Development Frameworks.

### 4.4 DIRECTOR OF HEALTH AND HOUSING

#### 4.4.1 The Director reported that his department regularly consulted the following groups:

- Tenants of the council, through the TACT organisation, tenant associations and user forums.
- Specific forums were held for property maintenance issues and rents.
- Public bodies were consulted on strategic housing issues
- Customer satisfaction surveys were carried out, examples being on the community alarm services, private sector landlords and housing advice recipients.
- Customer satisfaction studies were made by the Environmental Health team



- Local residents were consulted each year about the Homelands pop festival
- Local residents were consulted each year on the state of cleanliness of their road or street
- Business was consulted through the Business Consultation Forum on health issues.
- Local residents were consulted following drainage or noise complaints.
- 200 customers were surveyed each year on the pest control service.

#### 4.4.2 Occasional consultation is carried out as follows:

- Owner-occupiers and leaseholders if they were likely to be affected by a proposal.
- Voluntary groups were sometimes consulted on housing issues.
- Residents are consulted on proposals for private sewer drainage problems.
- Occasional consultation was carried out for Project Integra.

#### 4.4.3 Examples of effective consultation were:

- Specific issues such as use of sheltered schemes, issues relating to the homeless hostel, pets in flats, lighting at Chester Court, padlocking of gates at Lisle Court and a proposed play area at Kilmeston.
- Makins Court consultation.
- The Tenant Satisfaction Survey is carried out every three years and generates a good response.
- The rent options consultation.
- The Homelands public consultation was considered to be particularly appreciated by nearby residents.
- Private sewer consultations help allay fears about possible costs of remedial works.

#### 4.4.4 Lessons learned:

- The more specific or localised the consultation the better the response.
- The supported housing consultation was overtaken by events.
- The Tenant Satisfaction Survey, while attaining a 60% response, nevertheless received few responses from younger tenants.

#### 4.4.5 Consultations in the pipeline:

- The Tenants Satisfaction Survey in January 2004.
- The revised TP Compact (now adopted).
- Private sewer projects.

#### 4.5 CITY SECRETARY AND SOLICITOR

4.5.1 The City Secretary and Solicitor's Department has a limited number of public groups that are consulted on a regular basis. It is more usual for consultation to be undertaken on an ad-hoc basis in relation to a specific project and this can often be linked to a statutory form of consultation.

#### 4.5.2 Groups consulted regularly:

- Hackney carriage/private hire associations where council staff attend meetings six times a year to discuss fees, rates, location of taxi ranks and policy changes.
- Licence applications where there is a public consultation procedure such as public entertainment, theatre, cinema, tables on the highway, late night refreshment and amusement arcades.
- Forward Plan is advertised in libraries, on the website and sent to parishes.
- Dates and times of meetings are advertised to facilitate public consultation.

#### 4.5.3 Occasional consultations include:

- Governance options for a Leader with Cabinet or elected mayor involved public consultation in 2001
- Parishes are consulted on Certificates of Lawfulness.
- Public is consulted on tree preservation orders.
- Traffic and off street parking orders require consultation
- Political parties are consulted on the relocation of polling stations.

#### 4.5.4 Effective consultation included:

- The governance consultation was regarded as successful and was not called in as unfair by the Deputy Prime Minister.
- There was widespread consultation discussion in Wickham parish about the suggestion that a separate parish council be created for Whiteley. A new parish council was created and elected.
- Homelands Festival raised a few issues that were solved by the Safety Team and generated few formal objections considering the large-scale nature of the project.

- 4.5.5 Public consultation where response was disappointing: despite advertising for parish representatives in the Standards Committee only three names were submitted.

#### 4.6 DIRECTOR OF FINANCE

- 4.6.1 Consultation was carried out as part of best value reviews with the following on council benefits, taxes and exchequer services:

- Council Tax payers
- Business rate payers
- Benefits claimants
- Cash Office users
- Customers who were debtors and creditors
- External agencies.

#### 5. Other Issues Discussed:

##### 5.1 Road Shows.

- The Group discussed the use of road shows and other consultation events. It was suggested that these tended to be expensive, with little meaningful results and carried out simply to show the Council was trying hard. The Group felt such events should be inspirational and well promoted.

##### 5.2 Community Planning Process

- The Group was asked to look at the recent community planning exercise in Winchester to see if any lessons could be learned.
- The Director said that the original brief of the Consultant, John Thompson Associates, did not include supported housing as being necessarily part of the process of community planning.
- The Group referred to the process involving the establishment of a women's refuge in Winchester and considered whether such a scheme could be compared to the supported housing proposals. It was noted that perhaps a comparison could be made in so much as both schemes were perhaps not appropriate to be communicated in an open arena.
- It was agreed that the whole process became blurred between the community planning process for affordable homes and the agenda for supported housing schemes.
- It was considered that another possible failing was a lack of internal communication between the Council departments. For example the Thurmond Crescent application in the opinion of planning officers would never be suitable for supported housing.

- The Group suggested that public consultation should have occurred well in advance before the deadline for the supported housing grant. Therefore pressures of time had confused the community planning process.
- It was agreed that there should be regular consultation with the Portfolio Holder on large-scale projects. It was noted the mechanisms for such were in place when initial discussions were carried out for the first part of the community planning process. However this was not continued especially after the two strands of the process had become erroneously drawn together.
- Some sites had been identified on the two City estates, following preliminary work, for inclusion in a bidding process for funding supported housing. The community planning process which started later, was looking at a range of issues on the estates, was delayed and as a consequence, the bid for supported housing funding, which could not be pursued until the community planning process had finished, came very close to the funding deadline.
- It was suggested that officers made an error of judgement as pressures mounted and the deadline for the supported communities grant bid deadline approached and that the two issues had become irretrievably mixed. It was agreed that the supported housing strand should not have gone into open debate.
- In summary it was agreed that officers should have more awareness and skills in politically sensitivity of issues and time lines. Officers should be more aware of member monitoring of issues as well as assistance for more junior officers.

### 5.3 Local Democracy

- The Informal Group was asked to see whether its remit should be widened to include issues of local democracy.
- The City Secretary and Solicitor advised the Group on several aspects of this subject. He made the following points:
  - A Best Value had been carried on issues of Democracy.
  - The Cabinet had discussed the various options for all-out postal voting.
- The Informal Group indicated that it wished to promote local democracy in general during the year and not just approaching election time or Local Democracy Week. It would like to see local residents, especially the young voters, should be engaged more. However, the Informal Group considered that it was not appropriate for the Council to arrange meetings for potential election candidates – as this was more a matter for individual political groups.
- It was agreed that the City Secretary and Solicitor should prepare a list of potential schemes regarding the promotion of local democracy – as undertaken in some other areas in Local Democracy Week - for a future meeting of the full committee. It was recognised that there was only limited resource for this and Member input would be required in any events.

#### 5.4 Written Evidence

5.4.1 In order to test the value given by councillors to the Citizen Panel results, approximately one third of councillors were asked:

- Did they know where the results of the Citizen Panel could be found?
- Did they look at the results?
- Did they make suggestions on questions to be included?

5.4.2 Almost all councillors consulted were unaware of where the results could be found on the Council's website.

5.4.3 Not one councillor had looked at the results.

5.4.4 Not one was aware that they could make suggestions on questions to be included in a future survey.

5.4.5 The eight members of the Cabinet were asked:

- Do you study the results of the Citizens panel after the results are recorded on the Council's website?
- Do you discuss the results with the appropriate Director?
- Have you asked for questions to be included?
- Do you discuss the results with other Cabinet members?
- Are there any examples when you have varied policy as a result of what the Citizens panel says?
- Do the views of the Panel influence you in setting priorities?

5.4.6 On the first question the Cabinet members do look at the results of the Panel and are particularly interested in views that relate to their portfolio. The Cabinet does not appear to be formally told when an analysis of the results have been completed.

5.4.7 On the second question the results are seldom discussed with the Director.

5.4.8 On the third question the Cabinet have sometimes asked for questions to be included, for example on housing and on the community strategy.

5.4.9 On the fourth question general issues such as fear of crime are discussed among cabinet members, but specific subjects such as ice creams in the close are left to the portfolio holder.

5.4.10 On the fifth question the results are in some cases useful in shaping priorities.

5.4.10.1 On the sixth question the Panel is seen as replacing the former MORI surveys as a way to test for hot spots of concern and satisfaction with the service. The results are regarded as a useful monitoring tool to examine how well a policy is working or an initiative reaching its target.

5.4.10.2 One Cabinet member however made the comment that the questions for the panel tended to get set according to a plan not shared with members.

## 5.5 Consultation Strategy

5.5.1 The Council's research officer had prepared a draft Consultation strategy and this was reviewed by the Group before being submitted to the Cabinet for approval.

5.5.2 The Strategy covers these main points:

- What is Consultation?
- Why Consult?
- Government Guidelines
- The Role of Councillors
- Purpose and Aims
  - Guiding Principles
  - Co-ordination of Consultation
  - Guidelines for Consultation
- Conclusion
  - Sample Consultation Plan

5.5.3 The Group was broadly in agreement with what is proposed.

5.5.4 The Research Officer made the following points:

- The strategy was to provide guidance to officers and was not intended to decide what was consulted on. It was intended to suggest best practice.
- It remained the responsibility of the Director regarding the quality of the work undertaken.
  - Timing is vital in achieving good consultation.

5.5.4 The Group made several suggestions, some of them matters of wording, others requesting clarification. The strategy has now been adopted by Cabinet.

## 6. Comparisons with other Local Authorities

6.1 The Research Officer carried out a brief investigation of public consultation procedures used by other similar sized local authorities in Hampshire.

6.2 His findings included:

- Most local authorities have similar bodies to our Citizens Panel. Test Valley's was formed in 1998 and consisted of one-topic surveys.
- New Forest had an open recruitment for a similar body via its website.
- East Hampshire was currently consulting in respect of the design of its website.

- Gosport had a Residents Panel that was consulted once a year.
- Neither Hart nor Havant's websites contained any mention of public consultation.
- Basingstoke carried out consultation on single topics.
- Eastleigh published an indicative consultation plan for the forthcoming year.
- Hampshire County Council developed a consultation strategy in December 2001 and this is published on Hantsweb. The kind of activity reported was a residents survey every three years, best value surveys, research among the business community and evaluation of published material.
- Hampshire Police Authority introduced a consultation policy in 1985 and revised this in 2001. The police authority has a duty to ensure that local communities have a say in how they are policed and to oversee on behalf of the people the work of the police force. The authority therefore obtains the views of the public through meetings in its area.

## 7. CONCLUSIONS

- Public Consultation seems to work best when it is specific and local. It is less successful when general.
- There are some good examples of public consultation in the Council, but the overall impression is that this is not consistent and not co-ordinated.
- Not enough is done to make sure that the consultation is effective and useful.
- Business Plans would be strengthened if they included a section on proposals for public consultation for the coming year.
- Better feedback to members is needed, especially on the results of the Citizens Panel.
- Few councillors are involved in the Citizen's Panel exercise.
- We are not getting the best value from the Citizens Panel exercise.
- There was no evidence that the Council was duplicating the consultation of other public bodies such as the County Council, the Health authorities or the voluntary sector.
- Road shows were considered to be costly.
- The Community Planning exercise in Winchester wards was not successful and generated public concern because two separate exercises were intertwined and should have remained separate.
- The issues relating to local democracy are considerably wider than the general remit of public consultation and could be pursued in another report .

## 8. RECOMMENDATIONS

### 8.1 Public Consultation

1. We recommend that there is a Public Consultation section in all business plans. This had been agreed in principle by the Cabinet and is part of the current draft plans. It remains to be seen how effective this section becomes.
2. From the departmental plans an overall corporate consultation plan should be prepared on the lines of the Eastleigh Borough Council's plan.
3. The new public consultation strategy is welcome. This needs to be reviewed in one year to see how effective it has proved.
4. In order to give more prominence to the Citizens Panel an annual report on the questions, the results and how they were used should be prepared for members.
5. Members should be advised when each Citizens panel exercise is completed and that the results were now available on the website.
6. A review of the Citizens Panel procedures is being conducted by Internal Audit, following the request of the Chairman of Principal Scrutiny Committee, to check that it is operating effectively and any recommendations from this review should be considered.
7. The results of the few Best Value Satisfaction Surveys carried out in 2003/04 should be carefully analysed by the relevant performance improvement committees and their views on any service improvements required should be reported to Cabinet.
8. A Cabinet member should be in charge of public consultation.
9. A proforma needs to be prepared for use by chief officers to be completed prior to and after a major public consultation exercise. The pro-forma would set out:

#### In advance of the exercise

- Why the public consultation exercise is being carried out
- Who it is intended to engage with
- How information obtained will be used

#### To evaluate the exercise

- How well the target audience were engaged
- The approximate cost of the exercise?
- What use was made of the information collected
- Was the exercise voluntary or compulsory?

10. The public should be consulted on its perception of how well the Council consults them. This could be carried out during the 2004-5 municipal year with Principal Scrutiny Committee involved in the process.



11. The Council should seek, through the Local Strategic Partnership, to ensure that public consultation carried out by different agencies is, where possible, co-ordinated, with results shared between agencies.

## 8.2 Community Planning

12. Greater care needs to be exercised when dealing with highly sensitive subjects that are likely to generate a substantial amount of public concern. It is recommended that major public consultation exercises e.g. potential sensitive issues should be outlined in more detail as to how they are being undertaken within the Forward Plan and that the relevant portfolio holder and ward members should be kept informed.

## 8.3 Local Democracy

13. The City Secretary and Solicitor should prepare a list of potential schemes for promotion of local democracy.