

To Mr Mark Davies

Lancaster City Council Chief Executive

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Dear Mr Davies,

On 9 January 2023 I wrote to you with a complaint about the public consultation on Topic Papers for the SLAAP. I have received a response from Mark Cassidy and am obliged to him for providing a detailed reply. However I am not satisfied that this provides an adequate answer to either of the 2 main issues that I raised in my original email - first, the difficulty in understanding the Topic Papers and secondly the secrecy surrounding Lancaster City Council's involvement in the Housing Infrastructure Fund (HIF) bid. Accordingly I am taking my complaint to Stage 2. My reasons for so doing are set out in the following 2 sections:

1. Topic Papers - excessive length and incomprehensibility
2. Secrecy surrounding HIF bid involvement

1.Topic Papers - excessive length and incomprehensibility so difficulty in understanding

The core of Mark Cassidy's response (see Appendix A) neglects the importance of readability and clarity in public consultation. The sentences are too long for easy assimilation and understanding and do not comply with [Gov.UK guidance on sentence length](#). Excessively long sentences make the consultation especially difficult for members of the public. This was particularly so for those without personal broadband and/or relying on a smartphone or tablet. I recognise that the papers have wide professional circulation, as well as to the public. But this is not an acceptable explanation for the unwieldy nature of the consultation with documentation over 200 pages in length. In addition, while some of the questions are short, many are not and require a disproportionate amount of effort to assimilate and understand the topic concerned. Even the shorter questions required the reader to work through extensive materials to make sensible answers and comments.

In March 2021 Councillors agreed that 'subsequent South Lancaster Area Action Plan should include structured questions and provide feedback to those registering comments/objections'. Questions that are often unclear and buried in details fail to comply with this Council resolution.

What evidence supports this aspect of the complaint?

Successful public engagement involves making the message clear, easy to assimilate and understand. The more complex the consultation the more important it is to make it easily digestible. This is because **when you write more, people understand less**.

The guidance from Gov.Uk is clear : sentences should be short and not over 25 words :

When average sentence length is 14 words, readers understand more than 90% of what they're reading. At 43 words, comprehension drops to less than 10%.

<https://insidegovuk.blog.gov.uk/2014/08/04/sentence-length-why-25-words-is-our-limit/>

The 25 word sentence rule applies whether writing for a technical audience or the general public because people scan rather than read. Having to slow down to make sense of the message is a cause for frustration.

1. Even in 2023 there are older people without access to the internet.
2. Those that have access to the internet may not have a PC or Laptop and may be accessing from either a tablet or a smartphone.
3. Comprehension levels are lower when text is read on smart phone than on PC because less text visible at a time and so hard to keep track.

The following table shows that the majority of sentences in SLAAP consultation are over 20 words.

South Lancaster Area Action Plan Topic Papers Analysis.

Topic Number and name	Number of Sentences	Number of sentences over 20 words
Topic 1 Establishing a Development Strategy	555	403
Topic 2 Travel, Transport and Securing a Modal Shift	556	410
Topic 3 Addressing the Climate Emergency	724	423
Topic 4 Biodiversity Net Gain	527	324
Topic 5 Water management	449	280
Topic 6 Sustainable Places	533	367

Table created using [Plain English tool](#)

A more detailed analysis shows many sentences of 50 words or more and some with little or no punctuation For example, in Topic Paper 1: Establishing a Development Strategy for Growth in South Lancaster, the following sentence of 65 words is not punctuated. How is it possible to quickly work out the meaning?

38 14.4 The Council recognise that they have a key role to play in ensuring that implementation is considered in a holistic manner and will seeking to facilitate the necessary and important engagement between all parties in order to prepare an Implementation Strategy which will set out how all those who have interests in land in the 'Broad Location for Growth' for either development or non-development purposes.

Detailed analysis of Topic 2 Transport (which I read in depth) shows 48 sentences over 50 words. This includes questions such as this unpunctuated near exam question of 52 words:

Question T2.1: Do you feel the evidential basis towards transport and highways described in this section represents a logical approach to the assessment of implications of proposed development within the 'Broad Location for Growth' and establishing the Council's ambitions around the delivery of modal shift? If not, please explain the rationale to your answer.

If this was a case of a few isolated examples I would agree that better editing would have solved the problem. 30 examples of largely unpunctuated sentences of over 50 words (see Appendix B) shows that this is a fundamental problem which renders the consultation problematic.

2. Secrecy and denial of responsibility by Lancaster City Council

The other element of the complaint relates to secrecy and Lancaster City Council's involvement in the Housing Infrastructure Fund (HIF) bid. Public trust depends on transparency and consistency. This is further undermined when the City Council consistently denies responsibility for the consequences of the HIF grant. Mark Cassidy's reminder that Lancashire County Council are the architects and holders of the £140m Grant is disingenuous. The bid was written because Lancaster City Council were developing Bailrigg Garden Village as part of the Local Plan. Their officials were involved at every stage.

Mark Cassidy's Reply

Secrecy surrounding the HIF grant As you are aware, the HIF funding bid was compiled by Lancashire County Council, in their role as the transport authority for the district. The HIF grant is also payable to the County Council. It is ultimately a matter for the County Council to determine whether they wish to publish the grant determination agreement that they have with Homes England.

The implication of this reply is that Lancaster City Council had very little responsibility or involvement in the HIF bid. This is not born out by a Freedom of Information request (4678) I made to Lancaster City Council in April 2022. I asked for the email exchanges between Lancaster City Council and Lancashire County Council between January 1 2019 and March 31 2019. This is the period over which the HIF bid was

finalised. The exchanges show clearly Lancashire County officers worked with Lancaster City officers to compile the bid. Clearly Lancashire County Council is the HIF Grant recipient as the Transport Authority. In the case of Cumbria, Carlisle City Council is a signatory of the agreement between Homes England and is the Recovery Beneficiary. Was this the case for Lancaster City Council?

Two of my questions remain unanswered:

QUESTION Why was there no press release either by Lancaster City Council or Lancaster County Council in March 2020?

QUESTION Why did HIF only become openly discussed during the summer of 2021, shortly before the vote on the Collaboration Agreement between Lancaster City Council and Lancashire County Council?

1. 9185 housing

Mark Cassidy's reply

You are correct that the funding bid submitted by the County Council refers to a figure of 9185 houses. It would be a matter for the County Council to provide further information on this business case funding figure, and whether they considered any public engagement regarding it.

My FOI 4678 to Lancaster City Council in April 2022 revealed that:

'The estimated 'unlocked' housing figure on which the award of £140m was made was 9,185. This was the number of dwellings that Homes England and MHCLG felt could be demonstrably linked to the new infrastructure proposed.

The implication of Mark Cassidy's reply is that development of the business case for 9185 houses was something that was the responsibility of Lancashire County Council rather than Lancaster City Council. My **FOI request to Lancaster City Council 4678** also shows that throughout the winter of 2019 Lancaster City Council Officers were involved in regular meetings of a Steering Group. South Lancaster Growth Catalyst HIF Business Case Steering Group began meeting on 25 January 2019 and continued through to the submission of the bid in March 2019. (see Appendix C)

Question: Why, given the implications of the business case for Lancaster residents, did the City Council not inform residents of the 9185 between March 2020 and June 2021?

It is unfortunate, given the hopes raised in March 202, that there is yet to be demonstrable improvement in the consultation process and in the transparency of the South Lancaster Growth Catalyst.

I look forward to a response to this Stage 2 complaint.

Yours sincerely

Mary Breakell

Appendices

- A. Extracts from Mark Cassidy's letter
- B. Plain English Analysis
- C. FOIs

Appendix A Mark Cassidy Letter Extracts

I do not agree that the style of language used is generally difficult to read and understand.

I accept that there are technical terms used in places and I would agree that some of this could have been reduced, but the general tone and direction of the Papers is, in my view, logical and many of the questions are short and ask for comments.

The Papers have to be capable of being read and responded to by a wide audience, including professionals working for agencies like the Environment Agency or the development industry who will wish to know that topics are being considered in accordance with planning guidance.

In hindsight, I consider that the topic papers would have benefitted from further editing and the provision of an Executive Summary. However given continuing time constraints, including for other development projects elsewhere in the district, this time is not always available. Nonetheless the comments that you make in your complaint are helpful and are noted, and they will help inform any future consultation preparation.

Appendix B Examples of sentences of more than 50 words for Topic 2 Transport

Examples over 50

1. The Paper highlights the work which is ongoing in relation to the provision of new road infrastructure as part of the South Lancaster Growth Catalyst, which includes the provision of a new reconfigured junction 33 of the M6 and a new road which connects the A6 with the A588 through the 'Broad Location for Growth'. **55 words one comma**
2. Whilst Lancaster City Council is not the highways and transport authority for the area, the Paper reflects on the importance of strong positive collaboration between the two authorities in relation to all forms of travel, building on the ambitions of the Lancaster District Highways and Transport Masterplan, published by the County Council in 2016. **54 words 1 comma**
3. The Paper reflects that, in the context of the Area Action Plan, further evidence work is required in relation to both highways and sustainable travel to fully inform the context of a future draft Action Plan, particularly in relation to any further local highway improvements which will be required to address any evidenced impacts on the road network. **58 words 1 comma**

4. Lancaster City Council are working on the preparation of a new Area Action Plan for South Lancaster which will guide future development in this area and provide direction in terms of allocation of land for development and non-development purposes and a series of planning policies which will be applicable to all proposals in this area. **55 words no comma**
5. The Paper reflects on how improvements could be explored to both the cycling and walking network across the 'Broad Location for Growth' and wider within the South Lancaster area, boosting connectivity for pedestrians and cyclists both within new development but also improve connections between South Lancaster and Lancaster City Centre. **50 words one comma**
6. The Area Action Plan will seek to provide certainty to all, certainty to the local community over how and where development will evolve in the South Lancaster area, certainty to the development industry and local landowners over the requirements that will be placed on development proposals and certainty to key stakeholders that development will meet the necessary standards to achieve sustainable growth in this area. **65 words and 2 commas**
7. 1.1.3 Policy SG1 and the designation of a 'Broad Location of Growth' reflected the City Council's bid in 2016 for garden village status for Bailrigg Garden Village and the opportunity it presented to meet the areas future development needs and address the changes around infrastructure constraints in the locality, particularly in relation to highways. **53 words and 1 comma**
8. 1.1.4 The policy sets out a 'Broad Location of Growth' in South Lancaster in which development will be considered, it sets out a minimum expectation towards the levels of development which could be achieved within that broad location, and it also sets a series of 'Key Growth Principles' which are considered to be the basis of any future development in this area **61 words and 2 commas**
9. Delivering a wide range of market and affordable housing, in terms of type and tenure to ensure that opportunities to live in the Garden Village are available to all sections of the community and contribute significantly to the creation of cohesive, balanced communities and thereby assist the district in meeting its evidenced housing needs within the Local Plan period. **(59 words and 1 comma)**
10. The sympathetic masterplanning of new facilities and growth within the campus of Lancaster University for a range of educational facilities, student accommodation, visitor accommodation and ancillary uses located primarily at the Bailrigg Campus, the Lancaster University Health Innovation Campus and in appropriate locations within the wider University estate in the context of its sensitive landscape setting. **56 words and 2 commas**
11. To support the delivery of growth in the South Lancaster area, including development of the Bailrigg Garden Village, there will be a requirement for a wide range of both locally important and strategically important infrastructure, including new highways, public transport network, education provision, new local centre(s), open spaces and green network. **52 words and 4 commas**
12. In adopting the Local Plan in 2020, the Council committed to a Partial Review³ of the Plan in the context of the Climate Emergency (which was declared in January 2019 too late to influence the preparation of the original plan which had already been submitted to Government by that time) **50 words and one comma**

13. Policy SG3 underscores the need for development in South Lancaster to address the individual and cumulative impacts on local infrastructure in a fair and equal manner and sets out the key elements of infrastructure which will be required to achieve sustainable development in South Lancaster, this includes a series of transport related interventions. **53 words one comma**
14. In delivering strategic growth in South Lancaster and the Bailrigg Garden Village it is critical that the necessary strategic infrastructure can be delivered, at the appropriate time, to make development acceptable in planning terms and to ensure that both the individual and cumulative impacts on local infrastructure are fully addressed. **50 words and 2 commas**
- 15.2.3.1 With regard to understanding the strategic context of highways and transport in the district, in 2016 Lancashire County Council (as highways and transport authority for the district) published the 'Lancaster District Highways and Transport Masterplan'9 which sets out a clear direction for how travel movements would be managed moving forward. **50 words one comma**
- 16.3.1.2 The assessment was based on the proposed level of growth as set out in Policy SG1 of the Strategic Policies & Land Allocations DPD11, looking at the existing capacities on the road network and the potential local interventions which would be required to facilitate development within the 'Broad Location for Growth' in order to address any potential issues in relation to highway capacity and highway safety. **65 words 1 comma**
17. It lacked the specific detail over the total number of houses which could be delivered within the designation and did not provide details on the scale of supporting uses which would be provided to supplement new residential development, nor did it provide parameters on the scope of employment uses within the locality. **52 words 1 comma**
- 18.4.1.2 In order to improve accessibility to the motorway network, Lancashire County Council (as highways authority) are working with National Highways to create a reconfiguration of Junction 33 of the M6 and in order to provide greater capacity on the local road network a new road is proposed through the 'Broad Location for Growth' which will link both the A6 corridor and A588 corridor. **63 words one comma**
- 19.4.3.2 The creation of the new road will be a key route through the South Lancaster providing the vehicular links between the new development within the 'Broad Location for Growth' and the existing road network, providing vehicular access to Lancaster City Centre, to the motorway network and to the south via the A6. **52 words 2 commas**
20. The City Council have been and will continue to be involved in the evolution 13 Designations and constraints - Lancaster City Council Topic Paper 2: Travel, Transport and Securing Modal Shift 18 November 2022 of the road design to **ensure** the ambitions of future development in the 'Broad Location for Growth' can be realised. **53 words 1 comma**
- 21.4.3.5 The County will continue to advance the preparation of a planning application for both the new road and the reconfiguration of Junction 33 of the M6, which is described in more detail through Section 4.2, which an application anticipated to be determined by the County Council in early 2023. **53 words 1 comma**
22. However, new roads on their own are not simply the answer in addressing these challenges, wider consideration will be needed within the local highway network in

order to address potential pinch points, traffic displacements and how the highway is managed to ensure that any changes in traffic patterns are fully considered. **51 words 1 comma**

23. In this context, the City Council as local planning authority, will support the County and provide a critical link ensuring the implications on the network are considered in a holistic manner considering the implications on the new road infrastructure but also considering the implications of new growth on the network. **50 words one comma**
24. Next Steps 4.5.1 At this stage the Council have no fixed views on the proposed approach to highway matters, with the assessment work which is being carried out for both the new strategic road infrastructure, led by Lancashire County Council, and the assessment work which will be undertaken by Lancaster City Council in relation to the proposed growth in South Lancaster. **58 words 3 commas**
- 25.6.7.1 It is considered that the starting for investigating how cycling should be promoted within the Action Plan should be Approach C where the high levels of cycling infrastructure within the area of growth are supported by the upgrading of the existing network between the city centre and the AAP area. **50 words no commas**
26. 8.0 Vehicle Parking 8.1 Background Context 8.1.1 The Council recognise that vehicle parking will be a key consideration for new development within the 'Broad Location for Growth' both in terms of the demand for parking arising from differing types of development and the implications that vehicle parking have on the design and layout of new development. **50 words no comma**
- 27.8.1.2 Consequently, the Action Plan will have to consider the role of vehicle parking within new development can consider how this can be effectively managed through the plan-making process to ensure that this necessary component of new development does not have a detrimental impact on the wider development proposals in the South Lancaster area. **55 words no comma**
28. 8.3.3 Alternatively, the Council could seek to investigate alternative standards which could either encourage greater levels of car parking, through greater number of spaces in new development or, given the wider ambitions of the Council, standards which seek to reduce the opportunities for car parking in a reasonable and pragmatic way, reflecting the reality that people and business will still need to use private vehicles to move around both locally and beyond the district. **76 words 3 commas**
29. <https://keepconnected.lancaster.gov.uk/ls-tp> 8.5 Next Steps 8.5.1 It is considered that the starting point for how car parking should be managed in South Lancaster should be Approach C which seeks to re-investigate the car parking standards in the 'Broad Location for Growth' to look to pragmatically reduce opportunities for car parking in tandem with the provision of sustainable transport measures which look to promote sustainable means of travel, particularly in the context of local journey within the locality and to Lancaster City Centre. **83 words 1 comma**
30. In understanding how this could be achieved, the Action Plan will be able to make informed decisions on the realism of achieving different levels of modal shift within the South Lancaster area, particularly in the context of the scale and type of development which is proposed and the implications that it may have on development viability. **56 words 1 comma**

Appendix C

From FOI 4678 April 2022 to Lancaster City Council

Private and confidential

SOUTH LANCASTER GROWTH CATALYST

HIF BUSINESS CASE STEERING GROUP

Meeting to be held on Friday the 25th January, 2019 in Committee Room 'C', Lancaster Town Hall, commencing at 10.00am

Agenda

1. Introductions

2. Latest position regarding the Local Plan process and revised timetable

3. HIF Business Case timetable

3.1 General update/progress with the preparation of templates etc.

3.2 Issues raised during recent discussions with Homes England

• Scoring of projects – the three tests – BCR, Deliverability, Strategic Fit •

BCR process

• Highways Agency 'approval'

• Evidence to support deadweight position and therefore the additionality being claimed

• Optimism Bias – not to be included in project cost estimates – looking for Quantified Risk Assessment ('QRA')

• If HIF approved, Homes England appear to want a 'Partnership Development Agreement' with developers, tying them in to delivery

3.3 HIF Estimates

• Outline of what infrastructure has been costed along with total costs • Comparison with the EOI position, HIF £100m, LAs £26.25m (inc. LGF £16m), S106 £8.75m Implications for the bid – Value engineering; Local contributions; amounts sought from developers?

3.4 Discussion around refining the shape of the preferred option

3.5 Discussion around the shape of a reduced option

4. Schedule of key sites, residual valuations and land value uplift – progress report and next steps

5. Infrastructure Projects – progress reports

5.1 Transport model update

4.2 Junction 33

5.2 Bus Rapid Transit

- 5.3 City Centre Movement Strategy
- 5.4 Cycle Superhighway
- 5.5 BGV – Strategic Infrastructure
- 5.6 Provision of Educational capacity
- 5.7 Provision of Health related capacity

6. Any other business

7. Date of next meeting