

CYNGOR CYMUNED PENARLÂG

HAWARDEN COMMUNITY COUNCIL



Colin Everett
 Chief Executive
 Flintshire County Council
 County Hall
 Mold
 FLINTSHIRE
 CH7 6NB

22ND November 2019

Dear Colin

PUBLIC CONSULTATION PROCESS: FLINTSHIRE COUNTY COUNCIL, LOCAL DEVELOPMENT PLAN

At its meeting on Monday 11th November, Members of the Community Council resolved that I write to you to express their utter dismay and disappointment at the way in which the recent public consultation process has been undertaken. I set out below some of the complaints that Members, on behalf of local residents, have asked that I relay to you:

- Flintshire County Council (FCC) has seemingly ignored sections of its own Preferred Strategy document and supporting documents (SA including SEA) for the Local Development Plan (LDP). In relation to the proposed Ewloe and Mancot sites the LDP fails to ensure that the 'well-being of its communities' is maintained and that the impacts of the development and use of land are managed and mitigated sustainably. Indeed, there appears to have been no actual assessment of local facilities including medical practices, schools and transport infrastructure. It appears that incorrect information has been used to justify land allocation.
- A key feature of the LDP process is the opportunity for engagement with a variety of stakeholders from early on in the process in order that they can be afforded the opportunity to influence the plan as it progresses. "How was that engagement facilitated?". FCC pledges commitment to the National Principle for Public Engagement in Wales and the Core Principles for Public Engagement and Consultation"; it appears that that these principles have been somewhat ignored.
- Residents have argued that throughout the various stages of the process such as candidate sites, SEA/SA Scoping, preferred strategy and indeed the Deposit plan itself, "direct mailing" to residents should have been undertaken as outlined in the Delivery Agreement. Apparently this did not happen at any stage but more importantly during the recent public consultation. Indeed "printing and postage" had been cited as one of the resources to be used to consult effectively. Residents and Councillors believe that this process has not been transparent and in accordance with the National Guide.
- Despite Ewloe being a primary site and a key part of the LDP, residents and members believe a more pro-active consultation should have taken place.

/Cont....

[REDACTED]
 Clerc a Swydddog Cyllidol Clerk & Financial Officer

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SWYDDFEYDD Y CYNGOR

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- Councillors have received numerous complaints about the consultation portal including the lack of “user friendliness” and “confusing to follow” as well as technical issues, leading to Councillors advising residents to bypass the portal and submit objections either in writing via post or email.
- The Community Council understands that [REDACTED] had technical issues on the Thursday before the close of the public consultation which he discussed with officers. He went on to point out that there was no link from the text to the registration log on point. He was later telephoned and told that the website had been amended to overcome his concerns. *Does this mean that for the five/almost six weeks prior to the deadline, members of the public had been unable to use the portal?*
- Individual complaint attached from [REDACTED] a local resident. *(consent to share has been approved)*
- A number of residents and Members have indicated that they felt that the Officers from FCC Planning Department have dealt with this whole issue in a very defensive manner.
- I also attach a copy of a statement read out at the Community Council meeting last Monday evening from a concerned resident, [REDACTED] on behalf of all Ewloe residents which indicates potential flaws in the consultation process. Members fully endorsed this statement which includes some particular concerns about the consultation process at particular locations and asked that it form part of the complaint.
- Some residents and members query whether this LDP, particularly the Ewloe site, has been “developer driven”?

I look forward to hearing from you, in due course, in relation to the comments above.

[REDACTED]
Clerk and Financial Officer

Copied to:

Andrew Farrow, (Chief Officer Planning, Environment and Economy)

Gareth Owens, Chief Officer (Governance)

Andy Roberts, Service Manager (Strategy)

[REDACTED]

From: [REDACTED]

Sent:

13 November 2019 12:32

To:

mail@hawardencommunitycouncil.gov.uk

Subject:

Hawarden Communities Complaint to Chief Executive of FCC

Good Afternoon,

Just a quick email on behalf of many, many residents in the community and of course myself to make sure that Hawarden Community Council are still sending a very strongly worded letter of complaint to the Chief Executive of the Council in regard to the Flintshire Local Development Plan, particularly the consultation process which was not morally, legislatively and soon to be found not legally carried out in the correct and expected way of any good standing council. Importantly including the conduct of [REDACTED] [REDACTED] during this consultation.

We kindly urge you to really fight on our behalf at Hawarden Community Council.

Many thanks,

[REDACTED]

COUNCIL MEETING

MY NAME IS [REDACTED]

I AM HERE TODAY NOT JUST TO REPRESENT ME I SPEAK ON BEHALF OF RESIDENTS OF EWLOE GREEN, GREEN LANE, HOLYWELL ROAD, LIVERPOOL ROAD AND SURROUNDING AREAS.

I WOULD LIKE TO PUT FORWARD OUR OBSERVATIONS AND OBJECTIONS TO THE LOCAL DEVELOPMENT PLAN REFERENCING THE PROPOSED SITE H1.7 EWLO17/EWL020 HOLYWELL ROAD /GREEN LANE, THE PROPOSAL OF 300 RESIDENTIAL HOUSES.

WE ARE EXTREMELY DISAPPOINTED IN WHAT WE BELIEVE IS FLINTSHIRE COUNTY COUNCILS MISMANAGEMENT OF THE CONSIDERATION OF THIS SITE.

THE PLAN FOR THIS SITE LACKS DUE DILIGENCE BY THE PLANNING DEPARTMENT AS IT IS FUNDAMENTALLY FLAWED.

EXAMPLES OF THIS ARE;

THE INFRASTRUCTURE IS NOT SUSTAINABLE FOR A DEVELOPMENT OF THIS MAGNITUDE;

THE ROAD CONGESTION IS ALREADY TO THE LIMIT, NOT WITHSTANDING THE TRAFFIC EMISSIONS THAT CHILDREN AND ADULTS HAVE TO ENDURE WHEN WALKING TO AND FROM SCHOOL ALONG THE ROUTE.

THE 3 PRIMARY SCHOOLS ARE FULL TO CAPACITY, AS IS THE HIGH SCHOOL.

THERE IS NO GP SURGERY IN EWLOE. IN GENERAL, RESIDENTS FROM HAWARDEN WANTING TO USE THE HAWARDEN SURGERY ARE NOW DIRECTED TO BROUGHTON DUE TO CAPACITY ISSUES. EWLOE AND BUCKLEY RESIDENTS USE THE 2 BUCKLEY SURGERIES , NOTWITHSTANDING THE RECENT DEVELOPMENTS IN THE BUCKLEY AREA. A NON URGENT BUT NEEDED APPOINTMENT CAN TAKE UP TO 4 WEEKS TO SECURE. THE SERVICE IS AT BREAKING POINT. AND THERE IS ONLY ONE NHS DENTAL PRACTICE IN EWLOE WHICH SERVICES EWLOE HAWARDEN AND SURROUNDING VILLAGES.

THE REMOVAL OF THE GREEN BARRIER WHICH WILL IN ESSENCE THEN CREATE URBAN SPRAWL AND ALSO HARM TO WILDLIFE WHICH IS ABUNDANT ON THIS PROPOSED SITE....BATS, BADGERS, NUMEROUS BREEDS OF BIRDS, FOXES AND INDEED NEWTS. IT WOULD ALSO ENTAIL THE REMOVAL OF THE ANCIENT HEDGEROWS WHICH ARE THE HABITAT FOR THIS WIDLIFE.

THE WATER TABLE IS EXTREMELY HIGH IN THIS AREA, (SURFACE WATER FLOOD MAP -NATIONAL RESOURCES WALES, SHOWS A HIGH SURFACE WATER FLOOD RISK IN VARIOUS AREAS OF THE SITE. THIS IS REFERRED TO AS ZONE C2 AREAS) . THE

INCREASED HARD SURFACE AREA DESPITE SUDS (SUSTAINABLE URBAN DRAINAGE SYSTEM) WOULD HEIGHTEN THE RISK OF FLOODING. (PG 28 OF THE STRATEGIC FLOOD CONSEQUENCE ASSESSMENT FORM , WITHIN THE LDP SUPPORTING DOCUMENTS ACTUALLY STATES THAT ZONE C2 AREAS SHOULD NOT BE ALLOCATED FOR DEVELOPMENT.

THE FCC HAVE CONTRADICTED THEIR OWN POLICIES IN BRINGING THIS SITE FORWARD AND DESPITE SEVERAL OF THE CANDIDATE SITES HAVING THE SAME ISSUES THEY HAVE BEEN ASSESSED DIFFERENTLY. IT WOULD APPEAR THAT THIS SITE HAS BEEN A QUICK FIX TO A SOLUTION FOR THEM TO DELIVER THE LDP.

THE TEST OF SOUNDNESS FOR THIS SITE FAILS MISERABLY AS IT HAS BEEN BROUGHT FORWARD WITHOUT FULL ASSESSMENT AS NOTED IN THE ARCADIS REPORT WITHIN THE LDP. ALSO THERE HAS NOT BEEN A TRAFFIC OR HIGHWAYS SURVEY COMPLETED.

THE CONSULTATION PROCESS TO THE PUBLIC WAS SHODDY AND ONLY THE BARE MINIMUM WAS OFFERED BY THE FCC.

Buckley Library

AS A COMMUNITY, WE FEEL THAT THIS IS NOT A LOCAL DEVELOPMENT PLAN AS THERE HAS BEEN NO EFFORT FOR THE COMMUNITY TO BE ADVISED OR CONSULTED EARLY ON IN THE LDP PROCESS. IF THE INFORMATION HAD BEEN DISPERSED FROM THE ONSET OF THE SITE PROPOSAL IN A REASONABLE MANNER, NOT JUST THE DAILY POST OR THE FCC WEBSITE, THEN THE RESIDENTS AND PUBLIC COULD HAVE HAD AN ACTIVE INTEREST AND INPUT INTO THE PROPOSED SITE.

MATTERS WERE NOT HELPED, WHEN THE MEET THE PLANNERS PUBLIC CONSULTATION WAS HELD IN WOODSIDE COMMUNITY CENTRE ON 9/10/19. WE WERE MET WITH HOSTILITY AND ARROGANCE. FLY AWAY FLIPPANT COMMENTS FROM [REDACTED] THE PLANNING CONSULTANT ONLY EXACERBATED THE SITUATION WHEN RESIDENTS WERE SIMPLY TRYING TO GET INFORMATION.

WITH REGARDS TO THE TRAVELLERS SITE ON MAGAZINE LANE, EWLOE WHICH SITS IN THE LDP. NEARLY EVERY CONDITION IMPOSED ON THIS SITE HAS BEEN BREACHED AND FAR FROM BLENDING IN WITH THE COUNTRY LOCATION IT OCCUPIES , IT NOW STANDS OUT GARISHLY, AND HAS BECOME ALMOST A NO GO AREA. PLANNING ENFORCEMENT HAS BEEN NON EXISTENT AND WE ARE LEFT WITH THE IMPRESSION THAT COUNCIL OFFICIALS ARE TOO INTIMIDATED TO TAKE ANY ACTION.

IN VIEW OF THESE POINTS RAISED, THE LACK OF TRANSPARENCY THROUGHOUT THIS LAST 5 YEARS IS DEPLORABLE AND IN ESSENCE WE HAVE LOST FAITH IN THE FCC AND THE LDP .

I RESPECTIVELY REQUEST THAT THIS BE OFFICIALLY RECORDED INTO THE MINUTES OF THIS COUNCIL MEETING.

Colin Everett
Chief Executive
Prif Weithredwr



Sharron G. Jones
Clerk & Financial Officer
Hawarden Community Council
Council Offices
113 The Highway
Hawarden, Deeside,
Flintshire, CH5 3DL

Your Ref/Eich Cyl
Our Ref/Ein Cyf 1911-707322
Date/Dyddiad 13 December 2019
Ask for/Gofynner am Colin Everett
Direct Dial/Rhif Union 01352 702101

Dear Sharron

Local Development Plan (LDP) Consultation Process

Thank you for the recent letter.

This is the first of two replies. Andrew Farrow will follow shortly with a second response on the specific planning issues that the Community Council have raised.

Any consultation process on such a significant issue as the Local Development Plan (LDP) will be challenging for all parties. We have followed the consultation plan approved by the County Council and have worked with local partners, such as yourselves, to host local meetings and to reach local communities. Any major consultation process is open to criticism that more could have been done. Some of the expectations members of the Community Council have expressed here on consultation practice are not realistic. We have not knowingly breached any principles of good consultation practice. We rightly expect town and community councils to take some responsibility for engaging their local communities on our behalf on big consultations - as we have discussed in the preliminary work on the LDP at the County Forum - and as per our local Charter. We value the role your Community Council has tried to play here.

The on-line portal we have used is an industry standard piece of software. It has been used by 170 planning authorities in the United Kingdom for such consultations. It is fit for purpose. We had uploaded a guide for users onto the website – hard copies of which we gave out at the meeting the Community Council hosted. We also operated a helpline to advise and guide consultees. We trust that the Community Council referred consultees to the correct place for advice if they received any complaints about the portal, in good time.

We are not aware that anyone choosing to use the portal experienced a technical failure which prevented them from making their response, noting that we offered the

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The Council welcomes correspondence in Welsh or English
Mae'r Cyngor yn croesawu gohebiaeth yn y Gymraeg neu'r Saesneg

more traditional media of email and written letter for those who were less comfortable using a digitised system from the outset. All media were treated equally and email and letter were not regarded as fall-backs. Councillor David Mackie has had a separate reply on his individual experience. We made a small adjustment to the location and size of an on-screen icon based on David's helpful feedback. This was a small improvement for ease of accessibility we chose to make based on feedback and was not in itself a systems fault.

We have received over 2,000 responses to the LDP consultation which would suggest that we have been successful in its promotion, and in engagement, with the portal being a primary medium for consultation feedback.

Officers do not mean to be defensive. However, they are there to defend as well as to explain a draft LDP which has been carefully researched and developed and constitutes a set of formal proposals which have been approved by the County Council, as their employer, for public consultation. They do need to explain and defend the quality and integrity of a Plan which has been preceded by several years of detailed work. Unfortunately, some of the public behaviours at local consultation meetings, including those held in your community area, were extremely critical if not aggressive, and at times personalised. Indeed, one of the complainants you refer to in your letter has sent private email correspondence which 'crosses the line' in undermining the professional reputation of named officers, for example in calling for a local 'vote of no confidence' in them. This is not acceptable. It is human nature for anyone to show defensive qualities when under such challenge.

I would expect County Councillors to show empathy for their officers in such circumstances and to stand up for the commitments they have made to resist personal harassment and abuse whenever they see it, whilst welcoming constructive criticism and challenge. I would expect the same of Community Councillors who are not also County Councillors.

Whilst we welcome constructive challenge we would also ask that you support us in working towards a sound LDP which will both facilitate and control development in the future.

A second letter will follow from Andy Farrow.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Everett', with a horizontal line underneath.

Colin Everett
Chief Executive

Andrew Farrow

Chief Officer (Planning, Environment & Economy)

Prif Swyddog (Cynllunio, Amgylchedd ac Economi)



Mrs Sharron G Jones
Clerk & Financial Officer
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CH5 3DL

Your Ref/Eich Cyl

Our Ref/Ein Cyf AF/tg

Date/Dyddiad 17th December 2019

Ask for/Gofynner am Andrew Farrow

Direct Dial/Rhif Union 01352 703201

Fax/Ffacs

E-mail/e-bost andrew.farrow@flintshire.gov.uk

Dear Sharron

Public Consultation Process: Flintshire County Council, Local Development Plan

Thank you for your letter dated 22nd November 2019. Colin Everett as Chief Executive is replying in tandem.

I am responding to a number of specific points you have raised.

Point 1

It is unclear from your letter as to how you consider that the Council has ignored sections of its own Preferred Strategy, how the principles of public engagement have not been followed, or how a more proactive consultation process should have taken place. Perhaps you could expand if you would like further advice.

On stakeholder engagement - it was set out at the pre-briefings to Town and Community Councils and the County Forum (which your Community Council hosted) and at all of the drop-in sessions – that all of the key infrastructure providers had been consulted on the proposed LDP allocations and none had raised fundamental concerns that would have otherwise prevented the sites from being so allocated.

Points 2, 3 and 4

On the consultation process itself, you were emailed a link to a copy of the Public Notice of the deposit consultation in advance of the start of the consultation. The notice states that we could receive representations via a number of routes – the portal being only one – as well as by letter to the Chief

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We welcome correspondence in Welsh. We will respond to correspondence received in Welsh without delay.

Rydym yn croesawu gohebiaeth Gymraeg. Ymatebwn yn ddi-oed i ohebiaeth a dderbynnir drwy gyfrwng y Gymraeg.



Officer, by email to the development plans inbox, or by using the standard comments form made available at all deposit venues, at all of the drop-in sessions, or as a download from the website.

The LDP Regulations require the plan and relevant documents to be made available at suitable locations for the public to view and to make a form available to make comments with. We have gone above and beyond the minimum requirements of the regulations, having provided a number of equally valid ways to make comments on the plan, and having spoken to around 800 people across all of the drop-in sessions. We do not understand what you mean in saying that we have ignored the "Principles for Public Engagement and Consultation". Again, perhaps you could explain on this matter if you would like further advice.

Between Colin and I, we have answered the questions as fully as possible based on the contents of your letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Farrow', written in a cursive style.

Andrew Farrow
Chief Officer (Planning, Environment & Economy)
Prif Swyddog (Cynllunio, Amgylchedd ac Economi)