
Attachments:Our Tottenham Planning Policy Complaint 3.2015.docx

From: Dave**Sent:** 25 March 2015 22:59**To:** LDF; Kelly Stephen; Cllr Demirci Ali**Subject:** Formal complaint re the Local Plan documents consultation process**Our Tottenham Planning Policy Working Group**www.ourtottenham.org.uk**Formal complaint re the Local Plan documents consultation process, calling for the consultation to be halted and re-scheduled**

To: Cllr Ali Demirci, Mr Stephen Kelly and LDF team - LBH Planning

As we approach the end date for the consultation period on Haringey Council's planning policies and related document I write from the Our Tottenham Planning Policy Working Group (active on behalf of the Our Tottenham Network) to request that the consultation be halted and re-scheduled because the process is fundamentally flawed.

We have done our best to publicise and explain the consultation process to all our contacts throughout Tottenham, despite our lack of resources and capacity and the extremely challenging material we are encouraging public responses to. However, despite our best efforts, we have found this an impossible task to do effectively for the reasons set out below.

Fair and lawful consultation

Haringey Council's Consultation Charter states that the Council undertakes consultations "*so that people who live and work in the borough have a say in the Council decision making process and know that their views have been taken into account.*"

In the recent Moseley judgement against Haringey Council by the Supreme Court the judges set out the conditions for fair consultation. These are: "*First, that consultation must be at a time when proposals are still at a formative stage. Second, that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response. Third,... that adequate time must be given for consideration and response and, finally, fourth, that the product of consultation must be conscientiously taken into account in finalising any statutory proposals.*"

The Supreme Court unanimously agreed that the Council acted unlawfully by not telling local people what all the options were [regarding consultation over planned Council Tax charges], misleadingly implied that there were no possible alternatives, and gave no information about why they had decided to implement their planned new system targeting the borough's poorest residents rather than spreading the burden more evenly across all residents. The consultation had made it seem that the Council had no choice, which was incorrect, and was so unfair that the Court declared it to be unlawful.

Fundamental flaws in the current consultation

We argue below that this current consultation breaches all the four conditions set out by the Supreme Court, and the Council's own Consultation Charter. In making this formal complaint we provide the following

evidence of how the consultation has been flawed in engaging residents in the decision-making process and outline the concerns collated in comments from many organisations in the Our Tottenham network.

1. A version of the latest draft Site Allocations document was submitted during the previous statutory consultation process in 2010 - this process culminated in the Examination In Public for the Haringey Local Plan. On 25th June 2010, the Haringey Federation of Residents Associations objected that the then consultation over proposed Sites was 'Not Compliant or Unsound' for the following reasons:

- a. We have reviewed the entire document and find that the information provided is so incomplete and inconsistent from site to site that coherent response is not possible.*
- b. As a minimum the site diagrams should be to a constant scale, indicate North points, all road and street names be clearly labelled, building numbers shown, and adjacent sites in the same ownership identified.*
- c. The Local Authority should also have adequately researched the ownerships and made clear that all building owners and residents of these sites have already been informed of the Local Authority's proposals with regard to them.*
- d. We would wish to comment on each site when a coherent document is available.*

As a result of these complaints made by the HFRA and others at the Examination In Public in 2011 the Council agreed to withdraw the document.

2. However, the current Site Allocations DPD and Tottenham Area Action Plan documents are similarly flawed. The Site Allocations and TAAP documents contain 'typos' - mistakes that give the impression of a project that is being rushed. They include no street names and hence most Haringey residents will be unable to ascertain what exactly they cover. The sites information is hopelessly sketchy and this makes it meaningless to comment on vague information. There are many spelling mistakes and maps that are wrong. The documents contain serious content mistakes such as some sites being in one document but not in the other. The failure to provide detailed, accurate and/or unbiased information prevents or restricts the ability of residents to comment on the proposals.

The information is sometimes biased and/or appears to be deliberately misleading in hiding the intentions. For example, the information about Broad Water Farm (SA63) portrays what the Council must have known are highly controversial proposals as being '*Potential improvements of the housing estate to improve stock, design of the site and routes through the area.*' This may sound innocuous. Yet local community reps' conversations with planning officers revealed the real agenda is to promote mass demolitions of homes, accompanied by house-building on the neighbouring park. Further, no information is provided on why the 3 Housing Association estates in the northern part of the 'zone' are included - but it transpires that the Council want to promote future Tall Buildings across these relatively recently-built low-level estates.

3. The process is not offering a genuine status quo on the identified SA sites, and across the board the presumption is to build something new on the sites rather than keep, improve and/or refurbish the current buildings and/or usage. This mirrors the notorious and unlawful Council Tax consultation, and contravenes the principles which led to the recent Supreme Court judgement against the Council.

4. The process is flawed because on some sites extensive work has been done by the Council or organisations working for it to draft and develop plans. For example, the pre-design brief workshop on Friday 20th March to discuss the initial brief for a building on Tottenham Leisure Centre car park. How can this be allowed when the site is out for consultation? It all suggests this is a done deal – at least in the minds of the Council. Similarly, the Council is progressing with the demolition of the Love Lane Estate and has issued the initial public notice. Yet, the council claims nothing is fixed and being included as a site doesn't mean there will be any development there.

5. In choosing to have only a six-week consultation the Council are not giving adequate time for local people to consider complex changes of deep and long-term significance in making decisions about planning and development in the borough. The voluminous 'supporting evidence' was not published sufficiently in advance of the documents and these proposals cannot be challenged without first understanding and

analysing this evidence. As you must appreciate it is difficult to do this work with a longer and more comprehensive process, let alone in the very short time line you have set.

6. There has been conflicting information provided on when the consultation actually ends. Various official sources have the closing date as 23rd, 25th, and 27th March. In addition, the consultation is not valid because of the failure to individually inform affected business and affected residents by letter. We request a list of all the addresses in Tottenham formally notified in this way.

7. There have been very little pro-active attempts to engage with residents. As far as we know there was only one special public meeting (as opposed to a few 'drop-in' sessions) - held at 163 Park Lane on Wednesday 11th March - for the entire Tottenham, and possibly for the whole borough. We are aware of the formal complaint made about this meeting and trust you will be taking that into account. But for the record the key points are set out here. The meeting was scheduled to start at 4pm. People attending the meeting were left waiting on the street until the officers arrived with the keys. The building was not opened until 4.18pm when the officers had just arrived. They then had to set up the room. In other words, a good part of the allocated time was wasted; it was ill-prepared and showed scant respect or regard for the residents and local community who had come to the meeting. Given that the issues are so serious and the implications for our neighbourhoods so immense, this was entirely unacceptable. Would developers be treated in the same manner? In addition, officers were not wearing their name badges, to differentiate them from people attending the meeting, and it is still not clear if there were full and proper minutes taken to record local views.

8. Other important opportunities to engage with local people were actually rejected by the Council. For example, the Tottenham and Seven Sisters Area Forum was cancelled despite other area forums being held. Again, entirely unacceptable, especially since Tottenham Hale ward is at the centre of many of your plans. Reasons given to residents for cancellation were risible and are again set out for the record. First, that the March 9 meeting was too close to the previous meeting; second that the date was close to the general election, and third that all the ward councillors were consulted and agreed it should be cancelled as they had several other meetings to attend. As residents we would ask, shouldn't having a dialogue with residents about the plans be a top priority for the Council since they will form the basis for the developments you wish to undertake? This was deeply disrespectful to residents as though their views and comments do not matter. The council has not organised any other meeting for residents as far as we know, and we would argue that this was and remains your responsibility given that these are your plans, your proposals about our neighbourhoods. You have the money, the officers and the resources to organise these meetings, yet they have not taken place.

9. The meeting now called for Tottenham Hale is for March 28th after the close of the formal consultation, and is described as an 'information day'. We do not accept this is adequate or indeed, constitutes consultation. A meeting for residents of Chestnuts Estate where major developments are proposed which could lead to loss of people's homes was called at the last minute and neither they nor the ward councillors were properly informed.

10. The Council has failed to promote residents' involvement as fully as required, even in its own communications channels. The e-alert Haringey People Extra on Friday 20th March did not mention that the consultation process was soon to close. Neither do the communications do more than present a positive upbeat picture of these changes to residents, rather than signposting to them the key issues which might concern them, such as loss of public housing, fewer socially rented homes, effects on green space, lack of local social infrastructure etc. That would be fairer and a more transparent approach. The Council is fully aware of Tottenham's demography but has not tailored its consultation to take account of this.

11. The consultation period also saw the publication of 15 large supporting documents. Given the task of understanding the four main documents, it has been impossible to both read and understand the supporting documents in the six weeks of the consultation. This restricts the ability of residents to make informed contributions to the consultation.

12. No accessible version of the documents has been provided and this is a serious failure to obtain the widest involvement of residents. In addition, the online documents were provided as pdfs and not in Word versions. This makes it very time-consuming for respondents to draft their responses to the documents. The council should be enabling involvement, not hindering the ability of residents to access the format of the documents.

13. According to p10 of the Tottenham AAP, para. 1.17: '*Initial consultation on the broad proposals for Tottenham was undertaken in January 2014. A number of public consultation events were also held that attracted over 80 residents and stakeholders. The full report is available on the Council's website [www.haringey/localplan/tottenhamaaap](http://www.haringey.gov.uk/localplan/tottenhamaaap) but in summary the comments received highlighted a number of common themes:*'

That link is invalid. Where is the report referred to? It does not seem to be here either: <http://www.haringey.gov.uk/housing-and-planning/planning/planning-policy/local-development-framework-ldf/tottenham-area-action-plans-aaps> The documents and links fail to evidence how Haringey Council's Tottenham AAP new draft and Sites Allocations take into account the comments received to the consultation in January 2014. However, absolutely no indication or evidence of how, whether and to what extent any of the comments, feedback and objections received by the Council during that previous consultation has altered the Council's preferred course. It is impossible to know whether any comments made by any resident or community group in Tottenham were taken on board. As far as the response submitted by the OT Planning Policy Working Group in March 2014 is concerned, most if not all comments, suggestions, objections and requests were ignored. This contrasts with the practice during consultations over previous iterations of the Local Plan (Unitary Development Plan and Local Development Framework) in acknowledging, responding to and publishing the details of each individual response to the draft Plan, adding what changes had been made (if any) as a result.

Consultation rescheduling

All of the flaws means the consultation is an unfair and unlawful attempt to force the Council's pre-determined agenda on residents. The odds are stacked against residents and local businesses being able to effectively engage and respond unless they can afford to hire lawyers or consultants to do so for them.

A. For the reasons above we request that this consultation be halted and replaced by a fresh consultation later in the year with improved documentation, adequate time to consider them, and a fresh programme of events organised by the Council to pro-actively engage people in the decision-making process. The period until the introduction of the fresh consultation should include briefing events on the numerous supporting documents.

B. In the alternative we call for an additional 6 weeks starting from 28th March in which the above activities can be organised.

We as a network are happy to help promote and be partners in effective and fair consultation processes.

We await your acknowledgement of the complaint and how the council will respond to the concerns and flaws in the consultation process.

Yours sincerely,

Dave Morris
- for the Our Tottenham Planning Policy Working Group

Note: The Our Tottenham Planning Policy Working Group is active on behalf of the Our Tottenham network. Organisations affiliated to the network include (as of 23.3.2015): Bull Lane Playing Fields Campaign / Weir Hall Action Group, Chestnuts Community Centre, Clyde Area Residents Association, Day-Mer, Defend Haringey Health Services, Dissident Sound Industry Studios, Dowsett estate Residents Association, Efiba Arts, Find Your Voice, Friends of Downhills Park, Friends of Lordship Rec, Growing-In-Haringey network, Haringey Alliance for Public Services, Haringey Defend Council Housing, Haringey Federation of Residents Associations, Haringey Friends of Parks Forum, Haringey Green Party, Haringey Housing Action Group, Haringey Independent Cinema, Haringey Justice for Palestinians, Haringey Left Unity, Haringey Living Streets, Haringey Needs St Ann's Hospital, Haringey Private Tenants Action Group, Haringey Solidarity Group, Haringey Trades Union Council, Living Under One Sun, Lord Morrison Hall / Afro International, Lordship Rec Eco-Hub Co-op, N. London Community House, Peoples World Carnival Band, Selby Centre, Taxpayers Against Poverty, The Banc, Tottenham and Wood Green Friends of the Earth, Tottenham Chances, Tottenham Civic Society, Tottenham Community Choir, Tottenham Community Sports Centre, Tottenham Concerned Residents Cttee, Tottenham Constitutional Club, Tottenham Rights, Tottenham Theatre, Tottenham Traders Partnership, Tower Gardens Residents Group, Tynemouth Area Residents Association, Ubele, University and College Union at CONEL, Urban Tattoo, Wards Corner Community Coalition, 1000 Mothers' March Organising Group, 20's Plenty for Haringey

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