

FEBRUARY 2025

The monthly summary of
consultation matters by
Consultation Guru –

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Consultation Catch-up



Several visits to the High Court in recent months have demonstrated how campaigners still use legal challenges when they don't think they have been lawfully heard. The Prime Minister has made it his mission to *'take on the blockers'* and recent proposed changes to the consultation stages of the Major Infrastructure planning regime reflects his aims. Technical adjustments to the current complex process may be fine, but anything that prevents key stakeholders from criticising or seeking improvements to huge project proposals must remain. (See page 2 for details)

Best of the Blogs

Will consultees respond well to community benefits. (Blog 91)



In recent days, Government Ministers have told the world how keen they are to build infrastructure – come what may! Part of their thinking is that 'community benefits' will reduce the scale of opposition, but we are still kept guessing as to how these will work. Are they a serious attempt to compensate 'host communities' for being inconvenienced? Or are they merely palliative sweeteners designed to make major projects more attractive? Do we need some standards? In this Blog, I explore some of the issues – and the likely implications for public consultations. SPOILER ALERT: It's a challenge!

VIDEO: Tractivity's stakeholder priorities for 2025

(1) Shielding stakeholders from Surprises.



My latest analysis for Tractivity, partly-inspired, I confess by watching President Trump destabilise his relations with international 'stakeholders' !! but that's politics and more orthodox stakeholder management needs a different approach! Key takeaways are how to define a 'surprise'; the rationale of expectations, the needs for impact assessments – and handling surprisingly good news! Read [here](#)

Another bad day in Court for Government lawyers defending an unlawful consultation. (Blog 90)



New Year; Old Problem. Government conducts a botched consultation, and 15 months later, the Courts declare it unlawful. This judgment is about as clear-cut as it gets.

For proposals that could have meant that 424,000 disabled people might lose £416 per month in benefits – the consultation paper neglected to mention it. The Government naturally wanted to save £ millions from the welfare budget, but pretended that its main aim was to help people back to work. It assumed that only 15,000 of those who would lose benefit would actually get jobs,

but decided not to reveal that information. Oh, and the Judge found it was too short to enable people to respond. And there wasn't an Impact Assessment! Why, oh why did Liz Kendall allow public money to be wasted in defending the indefensible? WE NEED REFORM OF PUBLIC CONSULTATIONS!

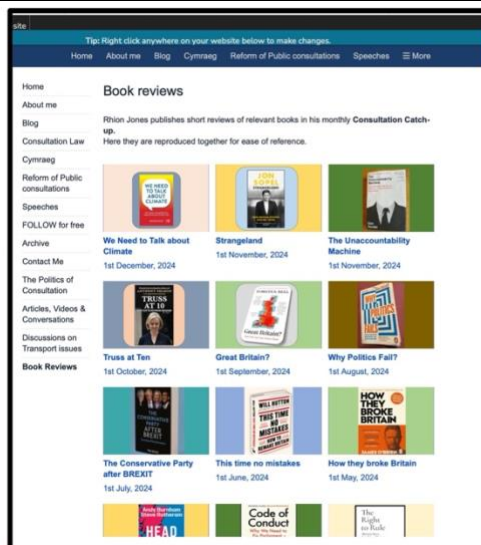
**On Page 2 this month, more on infrastructure planning changes,
the consultations on live events ticketing, East-West Rail and the Welsh Air Ambulance.
And a round-up of last year's Book Reviews...**

Instant insights

- To understand what all the fuss is about re **Nationally Important Infrastructure Projects (NSIPs)** – read [this useful summary](#) from lawyers, Osborne Clark. The changes are mostly technical, and are sold as making consultation more ‘proportionate’. Stopping the ‘gold-plating’ of consultations sounds plausible till you realise that some of the criticised ‘re-consultations’ are because of major changes to projects that affect different people or the same ones in different ways. I’m quite pleased to see ‘principal areas of disagreement statements’ if they mean focusing appropriately on those matters over which the *consultor* ACTUALLY has discretion, but not if it reduces consultation to a yes/no *take-it-or-leave-it* exercise. The Government is in danger of creating an environment where the bigger the issue, the less is your scope to influence it. Both planning professionals and the political community will need to look at these proposals very carefully lest we inadvertently throw out the essential baby of public consent with the bathwater of perceived bureaucracy.
- Lest anyone think that all consultations are faulty, may I commend two recent exercises – excellent in different ways. I think [Putting fans first – the resale of live events tickets](#) is a good example of an issue being consulted upon early enough in the policy-making cycle. Well-presented, offering just the right level of information, sensible options and good questions, it runs till 4th April and is worth a look by those planning similar policy-related consultations. A different one, but also a sound role model was the [latest East-West Rail consultation](#). Like all other NSIPs – a complex six-stage process towards Development Consent, but with a readable, comprehensive document. If you look at the way it presents the options for a controversial station intersecting the north-south railway at a projected new town at Tempsford, I think it’s as good as it gets. Those undertaking consultation on major linear projects might find this worth study.
- In Wales, a long-awaited legal challenge has been mounted against the [Welsh Air Ambulance decision to close bases](#) in mid and north Wales. It continues the recent trend towards campaigners questioning the underlying arithmetic published in the relevant consultation. In Court last week, counsel for the claimants insisted that the costs of ground-based alternative options were incorrect, so we will watch out for the outcome. Yet another example of how vulnerable *consultors* can be when impact assessments are not rigorously carried out.
- The **Football Governance Bill** starts its Commons progress just as the Prime Minister decides that regulation is something he’d like less of ... not more! For enthusiastic supporters of statutory fan consultation, this becomes a little awkward. I discussed this – and the cultural impact on football with Kevin Rye of [Think Fan engagement](#) in a **new video** you can find on the Consultation GuRU Latest videos page. Or click [here](#) to watch it

Straws in the wind

The Reading List



Over the last 12 months, 12 books were reviewed on the **Consultation Catch-up**. They are now all on the [Book Review page](#) of the website.

However, these are my Top Tips:

Best Read in 2024:

[Truss at Ten](#) by Anthony Seldon

Most surprising book:

[Zero](#) by Jeremy Hunt

Best political analysis:

[Why Politics Fails](#) by Ben Ansell

Most useful book for public engagement specialists:

[We Need to Talk about Climate](#) by Graham Smith

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