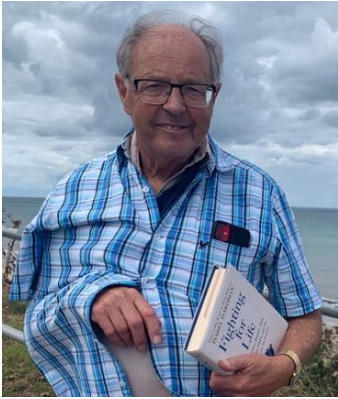


September 2023

A monthly summary of consultation matters by Consultation Guru – Rhion Jones.

Consultation Catch-up



August did not go according to plan, and a heartfelt ‘thank you’ for those of you who have expressed concern at my recent accident. Three fractures resulted from my over-enthusiastic game of cricket with my wonderful grandsons. The eldest – Raphael, whose batting induced me to leap for an improbable catch on Cromer beach, sensitively approached me a few minutes later asking, “*Is this a career-ending injury?*” He may be right as far as medium-paced right-arm bowling is concerned but I am glad to reassure readers that consultationGuru will continue with undiminished verve and commitment.

Best of the Blogs

Cosmetic consultations; not just Botox



The Government has launched a consultation on non-surgical cosmetic procedures - a step towards regulating Botox and related treatments. Surely a good use of public consultation - or is it just a case of better late than never? Are we good enough in responding to public health and related campaigns and are consultations a help or a hindrance?

The antidote to political evasion



Why **Rob Burley's** fascinating book on political interviews strikes a chord with those of us who see public consultation as a defence mechanism against the dumbing down of contemporary politics! I recommend it to anyone with an interest in politics and I also enjoyed **Anthony Seldon's** merciless account of Boris Johnson's premiership. Taken together they reinforce my view that we badly need consultation as a reliable failsafe for our democracy.

Making ULEZ more acceptable: learning about ‘Just transition’



ULEZ remains a divisive issue, but I think there are great learning points from the exercise. In this blog, I'm reflecting on the aftermath and the search for greater fairness when challenging changes are required to our behaviour. We need to get smarter at working out what people will consider to be ‘fair’. It's about '**Just transition**' but I have concerns

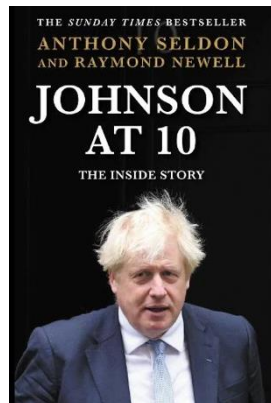
about the way the term is applied. This will be relevant to anyone working on air quality, ‘net zero’ and other ‘wicked issue’ choices. It needs a much more strategic approach to public consultation.

Instant insights

- Almost unnoticed, this summer, the Dept of Levelling Up, Housing and Communities has been consulting on new [Best Value guidance](#) for local authorities. Replacing a document that goes back to the days of Eric Pickles, the new Statutory Guidance seems inspired by Ministers' distress as to having to bail out several Councils which mismanaged their finances or, (as in Thurrock) invested in failed ventures. Having previously relied upon vague and largely unenforceable notions of best value, the new Guidance proposes far more precision – identifying seven best value 'themes' – 1. Continuous improvement; 2. Leadership; 3. Governance; 4. Culture; 5. Use of resources; 6. Service delivery; 7. Partnership & Community engagement. For each of these, the Guidance proposes "Characteristics of a well-functioning authority." as well as "Indicators of potential failure."
In respect of Theme 6, the Guidance includes the failure indicator - *Consultation is perfunctory with a focus on complying with statutory minimums*. In its response, the [LGA points out](#) that it's perverse to suggest a Council is failing – provided it is meeting 'statutory minimums'. Fascinating debate – but this area needs more clarification and the new [Office for Local Government](#) needs to get a grip.
- Following a highly controversial consultation by the Greater Cambridge Partnership, and featured by ConsultationGuru in December 2022 (['Cambridge Congestion Charging illustrates challenges facing many towns and cities ...'](#)) proposals have been considerably watered down, so that the planned £5 charge only applies at peak time. Despite this, the political commitment now seems to be wavering, and taken alongside the reaction to the Mayor of London's ULEZ, questions are emerging as to whether communities are being adequately consulted, and whether [The Politics of Consultation](#) are being sufficiently considered
- Around 500,000 people are reported to have responded to the [Rail ticket office consultation](#). But will this figure be beaten in the coming months by the promised [public consultation on a memorial for the late Queen Elizabeth II](#)? I'm less sure about this. It depends upon whether citizens really want to express their thoughts on such a question. And is a consultation the best way of gathering the public's views? Based upon a strict reading of the recent Court of Appeal decision on the Gunning Principles, they might not even apply unless specific proposals are tabled in the consultation. Could be interesting!

Straws in the wind

The Reading List



This is not for the squeamish. Boris-fans will, of course, insist that Seldon is irredeemably biased against their hero. However, his forensic dismemberment of any remaining confidence of the former PM's abilities or suitability for the role is comprehensive. For those of us interested in public consultation, the most dispiriting aspect is to see how important decisions were taken at the highest levels of Government. With the possible exceptions of policy towards the Ukraine and the vaccine roll-out, policies and actions that should have been evidence-led (or influenced by consultation) appear to have been taken by whim, by personal self-interest or in a chaotic vacuum where 'who shouts loudest' wins. As a primer in how not to do it, this cannot be surpassed. It is also a clear encouragement of finding better ways to embed good consultative practice in the UK – so as to become Boris-proof.

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