

Calderdale Local Plan: Questions about the changes made to consultation document CC132 (air quality impacts)

Response from Council to submission from community and environmental groups participating in the Local Plan Examination – 7 June 2021

Q1 Will the council confirm that the text of the report was changed at some time after 8th April?

Answer: This issue has arisen as a draft CC132 report was sent to the Council's Webteam on Tuesday 6th April to be uploaded for the commencement of the consultation on Friday 9th April in order to meet the deadline. The final report was sent to the Webteam for uploading Monday 12th April, but went live Wednesday 14th April. The accompanying final report WSP stated: *"This final draft includes the exam library references provided by Philip [Dawes], removal of the draft watermark and a few minor alterations."* It is accepted that the publication of the report should have awaited the final version irrespective of timescales even if the changes were not substantive. It is also accepted that a News item on the Local Plan News and an email should have been sent to respondents informing them of the update. Unfortunately, on this occasion it was missed. We apologise for this oversight.

I have attached as **Appendix 1** the email exchange between WSP and the planning officers concerning the finalisation of the documents, which shows the timeline of events.

We have introduced a version control and authorisation process for the submission of documents for publication to avoid a repeat situation arising.

Q2 Who made these changes?

Answer: WSP made the changes to improve the readability of the report. Please note that the changes were not instigated or requested by the Council – i.e. they were necessary refinements that WSP identified themselves independent of any communication with the Council.

I have attached as **Appendix 2** an analysis of the changes prepared by WSP – each change is accompanied by a comment explaining its reasoning.

Q3 Who in the Council authorised these changes being made to the published consultation document, and during the consultation period?

Answer: The Council published a draft document and then published an updated 'final' version. As indicated above, we have introduced a version control and authorisation process for the submission of documents for publication.

Q4 On what date during the consultation period was the substitution made?

Answer: This is addressed in the answer to question 1.

Q5 Further to the previous question: why does the quality control statement included in the second version of the report record that it was signed off on the same day and time as the first version, but just 10-20 seconds later?

Answer: As will be noted from **Appendix 1**, the draft document was sent by WSP to Richard Seaman on Thursday 1 April; there was then a 6 day gap because WSP were waiting for the Council to confirm a number of document references before they could finalise the report. Philip Dawes provided the information on Wednesday 7 April.

At **Appendix 3** I have attached pasted images of the quality control sheet from the draft and final report versions. It can be seen that the draft version (sent to Richard Seaman on 1 April) did not have final quality control dates input.

Q6 Why, and for what reasons within the report preparation process, were the changes made?

Answer: I have attached as **Appendix 2** an analysis of the changes prepared by WSP – each change is accompanied by a comment explaining its reasoning.

As indicated above the Council did not ask WSP to make amendments to the report. In this respect, the changes simply reflected that fact that the text was refined and reviewed by members of the consultant team. It should be noted that the air quality modelling itself had been finalised prior to the draft report being issued, and that changes related to narrative rather than the outcomes of the modelling.

Q7 Related to the previous question: what is the *significance* of the changes made between the two versions of the report?

Answer: WSP have prepared a separate note that responds to this question and this is attached as **Appendix 2**. This appendix will form part of the forthcoming additional consultation on CC132.

Appendix 2 confirms that the changes are non-substantive and do not change the conclusions of the impact assessment work.

Q8 Why has the council not advised consultees that, at some unknown date during the consultation period, the first version of the report was substituted by the second version?

Answer: This was an error as stated in the answer to question 1.

Q9 Has the planning inspector been advised of this substitution?

Answer: The Inspector is fully aware of the position. I believe she has responded to interested parties via the Programme Officer.

Q10 Have councillors been informed about this substitution?

Answer: The outcome of our review and the attached appendices have been shared with councillors.

Q11 Since the council has apparently chosen not to disclose very significant changes to one particular evidence report it has submitted to the EiP, have there been other items of evidence that have also been amended without that change being disclosed?

Answer: It is incorrect to imply that the Council took a deliberate decision not to disclose changes to the evidence. Officers have acted in good faith throughout the process. It should be noted that documents prepared by consultants are initially sent to the Council in draft form for our approval, and ordinarily it would only be the final version that is published. The draft version was watermarked as such, so it should be obvious that this was a case of a draft document being updated. As indicated above, we are amending our procedures to ensure that this does not happen again.

Q12 If the answer to the previous question is that ‘the changes to CC132 are an isolated incident, and that there haven’t been other examples of undisclosed changes to Council evidence’, how are firstly consultees and secondly councillors to know that this is a true statement?

Answer: As stated above, a draft document has been updated to its final version, as is often the case and an error was made in uploading the draft document even if it was clear that the document was a draft. I am not aware of any other examples of this happening, and process improvements have been implemented as outlined above.

Conclusion

It is acknowledged that a weakness around document version control has caused avoidable confusion in this case. The Council has apologised this and committed to introducing measures to prevent this from happening again. There is no evidence to suggest that there was any intention to mislead interested parties or manipulate the outcome of air quality modelling. The evidence suggests the contrary, as supported by the appendices accompanying this response.

As stated on the Council’s website there will be a further period of consultation on the air quality evidence after the stage 3 hearings, the results of which will be fed back to the Inspector.

A copy of this response will also be sent to the Inspector via the Programme Officer for information.