

Formal Complaint Lodged Against BCC re Local Plan Consultation Preferred Options Process 111024

I am writing to lodge a formal complaint on behalf of the residents of Central Ladywood regarding significant failures in the Birmingham Local Plan Consultation – Preferred Options process, specifically in relation to the accessibility and usability of the consultation document.

Despite the **legal obligation** for public consultations to be inclusive and accessible, as set out under the **Planning and Compulsory Purchase Act 2004** and the **Local Planning (England) Regulations 2012**, there have been persistent barriers preventing residents from accessing the Birmingham Local Plan Consultation – Preferred Options. As noted in email correspondence (attached), many residents encountered **technical issues when attempting to access the consultation document via mobile devices**, including the absence of interactive comment boxes. These technical failures have effectively excluded a large segment of the community from participating in this critical consultation process.

Key Issues:

1. **Mobile Access Problems:** A significant number of residents who rely on mobile phones were unable to access or engage with the consultation document, compromising the principle of **equal access**.
2. **Inadequate Public Notice:** Residents of Central Ladywood were not adequately informed about the consultation, despite the importance of the Ladywood Regeneration Project. Those unable to access the consultation due to system flaws, particularly on mobile devices, were not provided with clear alternative methods by the Council. This lack of communication undermines transparency and fails to ensure inclusive participation.
3. **Unfair Exclusion of Responses:** The failure of the consultation software means that many residents were unable to submit formal responses. Despite offering to accept informal feedback, Birmingham City Council's refusal to consider these as formal representations compromises the **integrity and legality** of the process.
4. **Lack of Timely Rectification:** Despite these issues being raised, the council has not extended the consultation period or taken adequate steps to rectify the problem for those affected.

Given these issues, the current process fails to meet the requirements for **fair and inclusive public consultation**. The exclusionary impact of the faulty software compromises the legal validity of the process. Furthermore, under the **Equality Act 2010**, the Council is obligated to make reasonable adjustments to ensure full participation, including the ability to submit formal representations—an obligation that has not been met in this instance.

It is also unreasonable to expect residents to visit libraries to access the consultation, particularly after the deadline had passed, and no adequate provisions were made. This is especially concerning given that a **significant portion of Ladywood's population speaks English as a second language**, reflecting the area's diverse ethnic makeup. The lack of tailored support for these residents further undermines the inclusivity of the consultation process.

Action Requested:

- **Rectify the technical issues immediately** and ensure that the consultation document is accessible to all residents on mobile devices.
- **Extend the consultation period** to allow affected residents to submit their formal responses.
- **Ensure that all feedback, including informal submissions**, be treated as formal representations to uphold the integrity of the consultation process.
- **Provide clarification** on how the residents of Central Ladywood were informed of the consultation in the first place.
- **Implement language support measures** to ensure that all residents can fully engage with the consultation process.

Failure to address these concerns will leave us with no alternative but to escalate the matter to the relevant **planning ombudsman** for investigation and potential judicial review of the consultation process.