Consultation from the Ministry of Housing, Communities and Local Government, Reforms to the statutory consultee system

Civic Voice response

05-01-2026

Preliminaries

1. What is your name?
Professor Barry Goodchild
2. What is your email address?
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3. What is your organisation?
Civic Voice, the national charity for civic societies (https://civicvoice.org.uk/)
4. Please indicate in what capacity you are responding to this consultation (please only select one)
(Required)
Local planning authority
Parish or town council
Developer/landowner
Business (other than developer or landowner)
Planning professional
Professional association/industry representative
Statutory consultee
Amenity society
Community/residents organisation
Voluntary/charitable sector
Member of the public
Other

Question 1
Are there other key areas we should be considering in relation to improving the performance of statutory consultees?

1.1 To summarise: Civic Voice accepts the need to avoid unnecessary paperwork in the administration of planning applications. The definition of good performance for statutory consultees is best defined as the ability to process a number of decisions promptly whilst maintaining the quality of decision making in relation to the basic aim of promoting sustainable development. Technological innovation and the provision of adequate staffing and other resources are both vital in securing good performance. Promoting the performance of consultees should not be at the expense of shifting responsibilities to local planning authorities (LPAS) and others that lack resources. The burden on all parties would

be greatly reduced if Local Plans were clearer and easier to interpret as to their development implications and are always up-to-date.

1.2 To explain the position of Civic Voice in more detail. Performance is not defined with any clarity in the Consultation statement. For Civic Voice, performance is not simply a question of the speed of making decisions. A rushed decision that undermines a key aspect of sustainable development would not constitute good performance. Performance is instead the ability to process a number of decisions promptly whilst maintaining the quality of decision making. The Consultation Note states that performance indicators will be prepared later. These performance indicators should be published and should make explicit reference to the three pillars of sustainable development- environmental, social and economic.

1.3 The assessment of performance should encompass the use of information technology, including the use of artificial intelligence. Once systems are in place, the application of artificial intelligence will increase the efficiency of statutory consultees and LPAs in dealing with routine referrals and routine applications. Government should encourage statutory consultees to use artificial intelligence and should assess its use as part of a performance review.

1.4 Increasing the use of artificial intelligence and other similar systems presupposes the introduction of clear criteria for referral to statutory consultees. These criteria may be either quantitative, referring to the size of the proposal or locational, referring to its proximity to infrastructure and heritage assets and capable of being mapped. The Open Consultation document refers to some quantitative criteria, for instance in relation to Conservation Areas for Historic England. Locational criteria deserve more attention, along with the relationship between the need for referral and the form of the Local Plan.

1.5 There are good reasons why statutory consultees have been established and why they should continue into the future. They can counter local parochialism and offer staff with more specialist expertise than LPAs possess. They possess a store of knowledge and experience that LPAs must be able to access where and when they need it. Expert bodies must also be notified of proposals which raise issues of concern to them so they can comment even where they have not been directly consulted.

1.6 Provided that LPAs can seek technical advice and the relevant bodies are notified of relevant proposals, the distinction between ‘statutory’ and ‘not statutory is, in some ways, of limited importance to the administration of development applications. However, status as a statutory consultee may prove crucial in other ways. The status is a signal to LPAs to consider very carefully the advice they receive. There are particular concerns for example, that LPAs will not listen to calls for the retention of playing fields, if the status of Sport England as a statutory consultee is downgraded. Status is also significant in justifying public funding, as well as the scale of that funding. The review of the role of statutory consultees should not be a prelude to cuts in their funding. The provision of adequate staff resources is a precondition for a body, whether statutory or non-statutory, that is charged with advising on planning matters or on making good quality decisions without delay.

1.7 Funding does not have to come wholly from government. A proportion of the financial support for statutory consultees could come from developers so long as this does not reduce

the independence of the consultees. Local LPAs should not pay for advice from statutory consultees. Any such measure would deter LPAs from seeking advice.

1.8 The performance of statutory consultees should be considered in relation to the performance of other aspects of the planning system. Shifting decisions from statutory consultees will shift responsibilities to LPAs or to the Planning Inspectorate in case of refusal or delay. LPAs and the Planning Inspectorate have only limited staff resources. The consultation note does not state whether the impact on staff resources outside the statutory consultees has been considered.

1.9 Many of the delays in the planning system in England (and other UK nations) stem from the discretionary character and often vague or contradictory contents of Local Plans. Matters have to be referred to an expert decision, either in the relevant LPA or in a statutory consultee because the Local Plan does not provide a clear answer. The burden on LPAs, statutory consultees and the Planning Inspectorate would be reduced if the Local Plan were made less discretionary on the model of the planning system in most other economically advanced countries.

1.10 Making the planning system in the UK completely 'non-discretionary' is probably impossible. Discretionary judgments are, for example, intrinsic to the acceptability of heritage proposals. However, government should, in all policy advice, seek to make the current Local Plans more precise and less ambiguous and in doing this make the planning system less fragmented. Local Plans should specify the conditions and the locations where it is necessary to consult a statutory consultee. Specifying such conditions for referral is an aspect of transparency and desirable in its own right. Specifying the conditions in a Local Plan will also simplify administration, facilitate the introduction of automatic referrals and help justify any additional fees, payable by the developer.

1.11 The Consultation stresses the importance of statutory consultees, and others, being involved in preparing Local Plans and policies and producing guidance for LPAs to apply in decision making. This is welcomed. However, the involvement in plan making should be extended to an involvement in the preparation of design codes and design guidance, especially for Active Travel England. The savings for statutory consultees and developers as a result of a clearer, more precise Local Plan would probably dwarf the savings realised from the measures included in this Consultation document.

Question 2

In exploring reforms to the system, we have so far focussed more on key national statutory consultees. Is there more that government should do in relation to smaller scale and local statutory consultees?

2.1. Civic Voice is unsure what is meant by a 'local statutory consultee'. If government wishes to create local statutory consultees much more discussion will be necessary.

2.2. In its present form, the Consultation document underestimates the significance of the voluntary sector in supporting LPAs, if necessary acting as a 'critical friend'. The proposals remove the role of the Gardens Trust as a statutory consultee. The Gardens Trust relies heavily on regional networks of volunteers. In addition, the Consultation document says nothing about the role of local civic, heritage and local history societies in advising LPAs on

conservation matters or on local nature groups in promoting an interest in the natural world. There is also nothing about how national amenity societies can help in the assessment of the performance of statutory consultees (question 26).

2.3. The government has a policy to encourage volunteering and as part of this a policy 'to support the sustainability of the voluntary, community, and social enterprise sector'. (as stated in Parliament by a spokesperson for the Department of Culture, Media and Sport in a written answer to question UIN 13035, 14 November 2024). The Consultation document should reflect that policy and seek to strengthen the role of voluntary groups both at a local and a national level, especially in relation to those fields of work such as heritage and neighbourhood quality, where local groups are already active.

2.4. Supporting local voluntary action presupposes transparency in decision making. Local civic societies have reported that some LPAs no longer publish their comments on the Planning Portal. A few LPAs, whether by design or maladministration, do not publish the comments of statutory consultees. Civic Voice has already published its concern about the concealment of online comments at https://civicvoice.org.uk/. The government should prepare and publish new rules for online, digital democracy in planning

Question 3
In light of the proposed mitigations, do you support the removal of Sport England as a statutory consultee?
support
oppose
neutral

Oppose

Question 4
In relation to notification requirements, should substantial loss of an existing playing field be defined as:
20%
a figure below 20%
a figure above 20%
an alternative approach
Please explain your answer/reasoning if possible.

4.1. An alternative approach is necessary. The reference to 20% of a playing field, more or less, shows a lack of understanding of how sport is played. Most playing field areas have different minimum size dimensions for different sports, football, rugby, cricket etc. A loss of even 1% of the area of a tennis court would, for example, prevent its use and so amount to a substantial loss.

4.2. A qualitative and locational rather than quantitative assessment of playing field/ sports area provision is required. A qualitative assessment would involve an assessment of the impact on the specific sport for which a playing field is intended. In addition, a qualitative assessment would be greatly facilitated through locational and site specific tests included in a Local Plan. A Local Plan should indicate clearly the location, shape and size of a playing field or similar sports facility. Any reduction in the area shown in the Plan should constitute a

material change to the Local Plan and should trigger an automatic notification to Sport England. In the absence of an up-to-date Local Plan, one less than five years old, all applications affecting playing fields should be referred to the Sport England as at present.

4.3. Civic Voice opposes removal of the status of Sport England as a statutory consultee partly because of a lack of explanation of the implications of a non-statutory or 'prescribed consultee'. The role of 'prescribed consultees' should be discussed in more detail, with an explanation of how they differ from statutory consultees and how they will be financed.

Question 5
Are there impacts of the removal of Sport England as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

5.1. Civic Voice is pleased that a final decision has not been made about the future of Sport England as a statutory consultee. Sport England has undertaken much valuable work and should be retained.

5.2. The Consultation Document is accompanied by a press statement that seriously under estimates the value of Sport England. The press statement is entitled 'News story: Bureaucratic burden lifted to speed up building in growth agenda.' (https://www.gov.uk/government/news/bureaucratic-burden-lifted-to-speed-up-building-in-growth-agenda) The statement justifies the removal of Sport England as a statutory consultee with a reference to a dispute about the impact of cricket balls close to a cricket pitch in Bradford. A single dispute, even if badly managed, does not justify scrapping an agency. Every agency makes mistakes, including those statutory consultees that are proposed to remain. Moreover, the mistakes include a failure to underestimate the negative impact of some proposals. The press statement then goes on to note 'the broader role that statutory consultees play within the planning system in facilitating high quality development.' The role of Sport England is not to promote 'high quality development'. It is to protect playing fields from development and to ensure that young people have access to playing fields. The impression given by the government's press release is that the impact of downgrading the status of Sport England has not been thought through.

5.3. Under existing policy, the loss of playing fields on any site requires compensatory provision elsewhere. Assessing whether the compensatory provision is adequate in terms of type of sport, location and access is often a complex task that draws directly on the experience of Sport England staff. Civic Voice is also not convinced that LPAs, as currently organised, have sufficient internal expertise to assess proposals that will impact on sports provision, including playing fields. If Sport England loses its status as a statutory consultee, which Civic Voice opposes, LPAs must still be encouraged to ask the successor not statutory consultee for advice, whenever they feel they lack expertise.

5.4. Civic Voice welcomes a provision that Sports England will have a recognised role in local plan preparation. That role should be taken further through a requirement that Local Plans show the location of existing sports facilities, including playing fields and that Local Plans should seek to promote access for all communities. Sports England can and should have a

role is assessing the provision of playing fields and similar sporting provision in local districts, so supplementing the work of LPAs.

5.5. In their present form, however, local plans can and are overridden. The Civic Voice preference is for a less flexible style of local plan, but this is for the longer term. In the 1980s local councils sold off playing fields for financial reasons. Local councils are now even more in need of additional finance. Other public bodies, notably the National Health Service, independent schools and educational companies own land that is or has been used for playing fields. Without a national body charged with their protection, the risk exists that more playing fields will be lost.

5.6. The loss of playing fields will have a particularly detrimental impact on young people and especially on young people whose parents lack time and money. Poorer communities are already disadvantaged by a lack of sporting facilities. A brief desk-based search has found, for example, a recent case study of Birmingham. (Chen, S. *Playing fields for all: Examining the opportunities of sports infrastructure in disadvantaged communities,* 2024. [https://www.thebritishacademy.ac.uk/publications/social-and-cultural-infrastructure-for-people-and-policy-discussion-papers]). There will be other scientific papers to the same effect.

5.7. No decision on the future of Sports England should be made without first determining the impact on young people and poorer communities. More research should be undertaken on access to sports facilities, including playing fields for different communities. More research should be undertaken on this subject, irrespective of the proposals on statutory consultees. The present proposal makes such research an urgent priority. The government, extending beyond the MHCLG, has a responsibility for promoting access to sports facilities and playing fields and this responsibility is at present not recognised.

Question 6
In light of the proposed mitigations, do you support the proposals to remove The Gardens Trust as a statutory consultee?
Support
Oppose
Neutral

Oppose

Question 7
Are there impacts of the removal of The Gardens Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

7.1. Under the proposals, Historic England would act as a statutory consultee in relation to Grade 1 and Grade II* parks and gardens, as at present, but the role of the Gardens Trust would be removed. Since the Gardens Trust is also notified for development that impacts grade II listed gardens, there will be no national body assessing proposals for gardens in this latter category and this will be a loss for those LPA areas, most likely the majority, where Grade II gardens outnumber Grade II* and Grade 1.

7.2. The benefits of the Gardens Trust go beyond its regulatory activities. Though the Gardens Trust has a core of full-time staff, it is mostly run by a network of volunteers and seeks to promote public involvement and interest in gardens. The reliance on volunteers makes the Gardens Trust a similar body to Civic Voice. The Government's Consultation Document shows that the Gardens Trust makes decisions promptly. The proposals go against government policy to promote volunteering. In its present form, the Consultation document does not envisage any role for the Gardens Trust, not even as a so-called 'prescribed' organisation.

7.3. Because much of the work of the Gardens Trust is undertaken by volunteers, the cost to the public purse is less than equivalent work undertaken by paid staff. The burden on paid staff in Historic England will be increased by the present proposals, without any commitment to make additional resources available. The Consultation document notes there is duplication between the Gardens Trust and Historic England. To the extent that there is duplication, the Gardens Trust should be clearly identified as the lead body, much in the same way as is envisaged for the Theatres Trust. Devolving full responsibility to the Gardens Trust would better fulfil the aim of creating a more efficient network of statutory consultees.

Question 8
In light of the proposed mitigations, do you support the removal of Theatres Trust as a statutory consultee?
support
oppose
neutral

Neutral

Question 9
Are there impacts of the removal of Theatres Trust as a statutory consultee, or the proposed mitigations, that you think the government should take into account in making a final decision?

The Consultation Document recognises that 'theatres have high community value' and that it will 'review the implementation of planning policy and guidance with Theatres Trust'. The changes are stated as a 'smaller change than that proposed for Sport England or The Gardens Trust.' Civic Voice remains concerned about a lack of explanation of the implications of a non-statutory or prescribed consultee.

Question 10
Are there other statutory consultees for which we should consider removal? What evidence would support this approach?

No

Question 11
Do you support the proposed changes to National Highways' referral criteria?

Yes

Question 12

Is there anything else we should consider in relation to National Highways as a statutory consultee?

Highways England should cooperate with LPAs in identifying areas where consultation is necessary or likely. These should be mapped and the map published as part of a Local Plan. There have been cases where developers have submitted an application, only to discover at a very late stage that the site is affected by constraints identified by Highways England.

Question 13

Do you support the changes to Active Travel England's proposed referral criteria?

The proposal is for ATE to be notified only on medium sized or large residential areas, from a minimum of 150 to 200 units. That is acceptable if accompanied by the publication of new guidance, including local design guidance and design codes. Civic Voice also welcomes the proposed involvement in plan preparation and the introduction of new referral criteria relating to school and highway development. There are significant omissions, however. See the response to question 14.

Question 14

Is there anything else we should consider in relation to the role of Active Travel England as a statutory consultee?

14.1 Active travel offers huge economic and social benefits and yet, as a nation, we continue to prioritise car infrastructure which makes us all poorer while damaging our health and the environment. The promotion of active travel and the work of ATE should cover proposals for new city transport hubs, large industrial areas and large office parks. The journey to work is a crucial influence on active travel and, so long as most cars involve an internal combustion engine, it is also an influence on the incidence of carbon emissions and air pollution. Large industrial and office parks are covered by existing notification criteria but will be excluded under the proposals. They should be reinstated as a necessary and automatic form of consultation.

14.2 To reduce the administrative burden on ATE, LPAs should be asked to modify their existing design codes and design guidance so that these consider how to promote active travel in their areas. If LPAs already possess a design code and design guidance, they should report back to ATE and discuss its adequacy. The role of ATE should be about supervising the adequacy of design codes and guidance rather than a multiplicity of separate planning applications.

Question 15

Are there other actions that the government and/or Natural England should be taking, to support their role as a statutory consultee?

15.1 It is difficult to comment on the status or role of Natural England as much depends on the level of funding and the allocation of responsibilities following the Planning and Infrastructure Act. It is also possible that Combined, Mayoral authorities responsible for the preparation of Local Nature Recovery Strategies will have increased responsibilities in the future. Regulations already allow Natural England flexibility to direct resources to strategic matters. This approach will be enhanced

15.2 The relationship between Local Nature Recovery Strategies, Spatial Development Strategies and Local Plans needs to be worked out clearly and in detail, with recommendations and examples for use in plan preparation. The impact risk zones prepared by National England should be published in map form in a Local Plan alongside the map showing SSSIs.

Question 16
Are there other actions that the government and/or the Environment Agency should be taking in relation to the Environment Agency's role as a statutory consultee?

16.1 The Environment Agency has not succeeded in quieting the fear of flooding from those living in or close to flood risk zones or who have businesses located in such zones. In making a decision on a planning application, the Environment Agency should always make clear the implications for downstream properties. However, the Environment Agency should also take a larger role in plan preparation. The avoidance of flooding should be an explicit aim of Local Plans, with a clear explanation of the planned actions for existing at-risk properties. The Environment Agency flood risk map should also be published within the Local Plan or as an Appendix so that developers and the public can consult a single document rather than different web pages.

16.2 See the answer to question 25 in relation to the role of the Environment Agency in managing minerals operations and waste disposal.

Question 17
Do you support the changes to Historic England's proposed notification criteria?

17.1 The proposals are not acceptable in their present form, but may be acceptable if accompanied by ways of increasing or guaranteeing the quality of professional decision making.

17.2 At present Historic England must be consulted on planning applications and listed building applications that involve the demolition, in whole or in part, or the material alteration of a Grade I or Grade II* listed building; that are likely to affect Grade I and II* registered parks and gardens, or any registered battlefield; or that are likely to affect the site of a scheduled monument. In addition, Historic England is notified about development involving the erection of a new building or extension of an existing building and the area of land in respect of which has a footprint of more than 1,000m2 in a conservation area.

17.3 The Consultation document has sought to streamline the work of Historic England through limiting their involvement in development proposals in conservation areas and in listed building consent applications. It is proposed that consultation should be confined to proposals for total demolition of grade II buildings, and for partial or complete demolition or material alterations to Grade II* and Grade I buildings. Notification requirements in relation to conservation areas would be raised from development of 1,000m2 to development of 2,000m2.

17.4 Civic Voice agrees that Historic England is consulted on many Grade 2 applications when all they do is advise that it is up to the Conservation Officer to decide. There have also been applications where Historic England has declined to be involved yet we would have expected them to comment. The figures in the consultation proposals show that 87% of these are decided in house anyway

17.5 To justify its proposals, the Consultation document states
'Given that local planning authorities must already decide nine tenths of these applications

relying on in house expertise, the government believes that this could be extended, and the notification requirement removed.'

17.6 The assumption is that LPAs possess adequate in-house expertise. The possession of in-house expertise is only half the story, however. There are still shortages of Conservation Officers in local government. Moreover, local civic, heritage and history societies already supplement the work of council Conservation officers in providing expertise. The role of voluntary groups should be recognised and encouraged.

17.7 There is a qualification. While the involvement of local voluntary societies helps improve the quality of decision making, LPAs may ignore the advice. LPAs may also ignore the advice of a Conservation officer. Notifying Historic England is a means of checking on the professionalism of LPAs and this check will be reduced in scope if the proposals are implemented. The loss will be particularly marked in areas where the stock of historic buildings is grade II listed.

17.8 If the proposals are to be implemented, other measures are necessary. These measures might include a requirement for all LPAs to employ a Conservation officer, for additional training (provided by Historic England without charges) for all relevant parties and for the introduction of a procedure whereby a local voluntary society could submit complaints to Historic England about the quality of local decision making.

Question 18

Do you support changes to align the listed building consent process in London with the process that applies elsewhere?

No comment

Question 19

Is there anything else we should consider in relation to the role of Historic England as a statutory consultee?

Historic England should not feel it needs to respond to a notification if it has nothing to say. If it does respond it should say clearly in all correspondence whether it supports, objects or has a neutral view of the proposal, neither supporting nor objecting. Too often. Historic England writes to a LPA in response to an application simply to say it has nothing to say and the LPA takes the lack of objection to mean support.

Question 20

Do you support the changes to the Mining Remediation Authority's proposed referral criteria?

No comment

Question 21

Do you support the proposed changes in relation to the Mining Remediation Authority commenting on the discharge of conditions?

No comment

Question 22
Is there anything else we should consider in relation to the MRA as a statutory consultee?

No

Question 23
Are there other statutory consultee referral criteria we should consider amending? What evidence supports this?

No

Question 24
Is there anything further government should consider in relation to voluntary pre-application engagement and for any statutory consultees in particular? What evidence supports this?

Pre-application engagement should be kept to a minimum and the comments of the statutory consultees should be published. This is not an issue of evidence. Transparency in decision making is essential as a principle of good governance.

Question 25
Is there anything further government should consider in relation to statutory consultee engagement in post-approval processes, such as agreeing that planning conditions have been fulfilled? What evidence supports this?

LPAs usually have sufficient knowledge and expertise to assess whether conditions have been met. However, some conditions affecting minerals extraction and waste disposal require specialist officers. Waste disposal responsibilities need an urgent review to ensure that the specialist officers are available in LPAs. Poorly managed waste disposal can cause real problems for residents. Systems should be put in place so that the relevant statutory body responds quickly to complaints.

Question 26
Do you have suggestions for how government can effectively incorporate appropriate developer and local authority feedback into consideration of statutory consultee performance?

Civic Voice notes the question about feedback stops with developers and local authorities. Attention should be made to the systems of feedback from voluntary, amenity groups. (See the response to question 2, paragraphs 2.2 and 2.3.)

Question 27
Do you agree with this approach?

There is insufficient detail to provide a response.

Question 28
Is there anything else the government should be doing to support local planning authorities in their engagement with statutory consultees?

The Ministry should undertake further work to help LPA's prepare Local Plans so that they minimise referrals to Statutory Consultees. See the response to question 1 (paragraphs 1.9,

1.10 and 1.11). For Active Travel England and Historic England, supplementary Local Plan policies such as design guides, design codes and Conservation Area policies should be elaborated, with the provision of more advice.

Question 29
Are there best practice examples from local authorities that help support statutory consultees and developers, for example, checklists/proformas for environmental issues?

The identification of good practice examples is best undertaken through a separate research project. A longer, more detailed study is required.

Question 30
How might best practice be expanded to support statutory consultees, including through reducing the volume of material which developers have to produce?

See the response to Question 29

Question 31
How best can government and statutory consultees support the increase in capacity and expertise of local and strategic authorities?

Government and statutory consultees should provide training programmes for council officers, members and relevant voluntary organisations.

Question 32
Do you agree that these criteria clearly set a framework for decisions on future statutory consultees?

What criteria? The question is too vague. As is stated in the response to question 1 (paragraphs 1.9, 1.10) the criteria for reference to statutory consultees should be stated and approved in Local Plans.

Question 33
Should the government maintain the moratorium, subject to periodic review, or adopt criteria for consideration of new statutory consultees?

The government should retain an open mind. Unexpected events may occur. What statutory consultees might be considered?

Question 34
Is there anything else the government should consider in relation to the criteria?

See the answer to question 31.

Question 35
Are there any equality impacts in relation to the proposals in this consultation that the government should consider?

In relation to the downgrading of the role of Sports England, see the answer to question 5, dealing with the impact on young people and poorer communities.

Question 36

The government considers that these measures would have a deregulatory impact. Do you have evidence from engagement with statutory consultees under the current system of the impact this may have?

The impact of the various changes, including the impact of the revised NPPF, will require careful monitoring. The impact of the various changes is not easy to predict, given their scale and the impact of other factors outside the planning system- for example, the current sluggish rate of economic growth or changes in the housing market. Government has a responsibility to encourage independent research into the continuing impact of a changing planning system. That research should consider the impact on nature, heritage and local democracy, as well as the economic impact.

Question 37

Based on the proposed changes to referral criteria, would statutory consultees expect to see performance improvements? Please explain your reasoning.

strongly agree
agree
neutral
disagree
strongly disagree

Neutral.

37.1. The workload for Historic England will be reduced in relation to Conservation Areas and Listed Buildings, but at some risk for the detailed scrutiny of proposals that affect heritage. The workload of Historic England will be increased through the acquisition of additional responsibilities for historical parks and gardens. Devolving full responsibility to the Gardens Trust would be a more cost effective alternative. For other statutory bodies, the impact does not look significant.

37.2. As explained in the response to question 1, paragraphs 1.3 and 1.4, performance is not clearly defined, but should be expected to improve as a result of technological progress. Referral criteria can be modified so that they are better suited to automatic decision-making, subject perhaps to some appeal decision system. However, referral criteria are more about defining the criteria for accessing statutory consultees and not so much about the performance of those consultees.