

Introduction to Comments referenced 1 – 5

I was the person who initiated the process of a neighbourhood plan for my parish of Scopwick and Kirkby Green and was elected chairman of the Neighbourhood Plan Group at its inception. I have headed up an architectural and planning practice for many years including housing projects and could see the rightness of what the Government's Locality Act aimed to achieve for the social wellbeing and prosperity of communities.

The key principle of the Neighbourhood Plan set out by Government is that it is driven by the people of the parish through their being involved in its formation and development. Where this is absent the Plan becomes the product of the wishes of a steering group who, however well intentioned, make the mistake of merely requiring the community to comment on what is presented by the group for their consideration. Matters outside their preferred choices are treated as off the agenda, never to receive the communities views on them. This practice is also refuted by Locality in its guidance on the development of neighbourhood plans.

In the case of the Scopwick and Kirkby Green Draft Neighbourhood Plan that approach taken by the Neighbourhood Plan Group was challenged on several occasions who on every occasion refused the challenge, sometimes even refusing to offer any reason for doing so.

I have therefore felt obliged to oppose the Plan at this consultation stage.

In doing so it is not my wish to see the Plan totally rejected by an Examiner. If the Examiner were to suggest ways where some of those errors were put right, then clearly that would be acceptable.

In making these statements at the Consultation stage it is also hoped that the Examiner refer the issue to the Secretary of State responsible for Neighbourhood Planning drawing his/her attention to the defects in the application of the proper procedures such as here outlined that may all too often be common practice in producing neighbourhood plans.

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Comment 1

This relates to the Consultation Statement Introduction.
This is here being Opposed.

Details

The Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government guidance on the Localism Act states

Where a parish or town council chooses to produce a neighbourhood plan or Order it should work with other members of the community who are interested in, or affected by, the neighbourhood planning proposals to allow them to play an active role in preparing a neighbourhood plan or Order.

Furthermore, Paragraph: 015 Reference ID: 41-015-20160211 states

What is the role of the wider community in neighbourhood planning?

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order
- is made aware of how their views have informed the draft neighbourhood plan or Order.

And furthermore, Locality, the organisation set up to administer the implementation of neighbourhood plans, advises against proposals simply being presented to communities for their approval by a steering group committee which Locality views which they describe as merely “tokenism” and not proper involvement by the community.

Against this advice the Neighbourhood Plan Group (NPG) has failed to act appropriately to allow active engagement in the emerging Plan.

This is further demonstrated in the ensuing comments.

Comment 2

This relates to the Consultation Statement Pre-Regulation 14 Consultation.
This is here being Opposed.

Details

Pre-Regulation 14 Consultation

Para 2. States that Meeting Agendas and Minutes were posted on the PC website.

For the most part the NPG relied on the PC website to keep the community informed of ways forward in the formation of the Plan.

These largely consisted of the records of the meetings of the NPG which were dealt with as Action Minutes and for the most part omitted to record the actual discussions that led to the decision taken at the meeting.

This method prevented the public having a full understanding of the issues involved or any options or alternative ways forward being discussed and their ability to understand the options involved and diminished their ability to become fully engaged.

Comment 3

This relates to the Consultation Statement Pre-Regulation 14 Consultation..
This is here being Opposed.

Details

Para 12. Objectives.

The establishing of Objectives is a stage in the formation neighbourhood plan that significantly affects the parameters to its eventual outcome.

A proposed draft Vision and a set of Objectives (V&Os) was prepared by the NPG and put to the community via the website. There was no initial involvement by the the community in this. In order to help the community better understand the significance to the neighbourhood plan and its purposes a proposal was put to the NPG to include a briefing paper that explained these issues in plain English (Minute 4 NPG meeting 06.07.20), but this was not supported by the NPG.

Responses to the proposed V&Os were not made public and there was no evaluation made summarising the results of this consultation. Appendix E in the Statement makes no reference to this. The consequences are that it is doubtful that the community understood or were able take much interest. In the matter.

Comment 4

This relates to the Consultation Statement Pre-Regulation 14 Consultation.. This is here being Opposed.

Details

Site consultation.

13 Invitation to landowners (i)

At an early stage in the formation of the plan a proposal was put to the NPG for the development of two adjacent areas of land on each side of the Beck to the east of No 36 Brookside and backing onto Main Street to convert to public amenity space extending existing eastward the existing green amenity area surrounding the Beck.

The NPG initially refused to consider this proposal. The Chairman noting the merits of the proposal, (it made use of unused land), asked for it to be put to the NPG specialist planning consultant, [REDACTED], a meeting was arranged for her professional view on the matter. The Chairman was prevented from attending the meeting. The minutes of this meeting made no reference to the matter and the members of the NPG who attended it refused to give any report on it to the Chairman of the NPG. There after the matter was considered as closed by the NPG.

Subsequently the matter was raised again at the time of the NPG,s letter inviting landownes to offer sites for development. The NPG again refused to enter into any discussions with the landowner regarding the proposal (site Scop 14).

Recognising that the NPPF, the CLLP, and the policies of the Draft Neighbourhood Plan support the creation and enhancement of amenity spaces within settlements the NPG have ignored the communities right to be consulted at all on this matter..

Comment 5

This relates to the Consultation Statement Pre-Regulation 14 Consultation.. This is here being Opposed.

Details

Site consultation (ii).

The NPG issued an invitation to all landowners to offer sites or development and these were assessed by AECOM who rated each site as either green, amber or red, sometimes also adding a comment that these might be evaluated were measures to mitigate a sites drawbacks. The record of the NPG meeting on 08.06.20 stated that landowners with sites coded amber or green should be contacted, but there is no record of this having been actioned.

Instead ,at a meeting of the NPG on 05.10.20 the NPG para.6 resolved on identifying six preferred sites, three of which were coded amber, and to hold informal discussions with their respective owners. it was also also agreed that remaining amber sites were thought to have valid and reasonable scope for development.

Subsequently a document setting out proposals for the development of sites was issued in the form of a questionnaire was issued to all to all residents for consideration. Site KG 4 was not included in this document. Despite being coded amber and reported by AECOM to be possible for development with the addition of suitable measures in place to mitigate its drawbacks.

On his own initiative the landowner of site KG 4 approached the NPG with an offer to limit development on his site to two dwellings and to offer to transfer the remaining land to the community for use as amenity space. At a meeting of the NPG the NPG refused to even consider this offer or to enter into discussions with the landowner. Despite it being pointed out that the proposals matched those that were being put forward for sites Scop 3 and 4 which the latter had received a code red in the AECOM report.

The Vice Chairman of the NPG took the matter to a meeting of the Parish Council for decision. Four members of the PC were present, two of which were members of the NPG opposing the inclusion of site KG 4. The PC resolved to agree with the decision of the NPG and exclude site KG 4 from consideration by the community.