

SWANTON MORLEY NEIGHBOURHOOD PLAN STEERING GROUP

A meeting of the Swanton Morley Neighbourhood Plan Steering Group was held in Swanton Morley Village Hall on Tuesday 30th January 2018. The meeting commenced at 7pm.

Present: Mr R. Atterwill (Swanton Morley Parish Council) Chairman
Ms Y. Hendry Greengate Resident (Vice Chairman)
Mr G. Curran (Keith Road resident and parish councillor)
Mr L. Brooks (Keith Road resident)
Mr S. Westbury (Hannah Road resident and parish councillor)
Mr S. Taylor (Liberator Close resident)
Mr D. Sadler (Town Street resident)
Mr G. Palmer (Rectory Road resident)
Mr S. Vincent (Neighbourhood Plan Consultant)
Mr J. Rodrigues (parish councillor)

Also in attendance were Mr B. Marsham, Mr K. Tidman and Mr S. O'Dowd (parish councillors observing proceedings), Mrs F. LeBon (Clerk) and three members of the public

Time Allocated to the Public

No matters raised.

1) Welcome

Mr Atterwill welcomed everyone to the meeting and thanked them for attending.

2) To Receive Apologies for Absence

Apologies were received from Mr J. Keen (parish councillor)

3) To Receive Declarations of Interest

No declarations made

4) To Agree Minutes from 24th April 2017 as a True and Accurate Record of the Meeting.

Mr Atterwill apologised for the delay in the draft minutes being sent out. Mr Palmer proposed that these minutes be a true and accurate reflection of the meeting, seconded by Mr Curran and carried. Mr Atterwill signed the minutes. Mr Taylor expressed his concern at the length of time taken to provide minutes of the previous meeting.

5) To Receive Matters Arising from Minutes 24th April 2017

None raised.

6) To Consider Action(s) Resulting from Neighbourhood Plan Examiner's Report

The Examiner's Fact Check report, the Parish Council's response and the Examiner's final report had been sent to all members of the Steering Group.

Mr Palmer thanked Mr Atterwill and the Clerk for all the meetings with George Freeman MP and all associated correspondence related to the Examiner's reports.

Mr Atterwill reported that the Examiner had disagreed with many aspects of the Neighbourhood Plan, guided by Breckland District Council's sixty page submission of objections to the Neighbourhood Plan. All of the policies that were in the plan to benefit the people of Swanton Morley, such as the extra land allocations, Swanton Morley people being given priority for affordable housing, a better housing mix in the village and the Parish Council being signatories on section 106 agreements, had been removed by the Examiner.

Mr Westbury commented that all policies were put in the plan after a substantial amount of research and there was evidence provided of these policies being in place in other areas in the country. Mr

Atterwill added that the Examiner had even tried to remove an objective from the plan, which was way beyond his jurisdiction. The Parish Council had managed to get this decision reversed and the Examiner admitted he had been overzealous.

The Clerk added that, in the case of land being allocated as local green space, the Examiner had even gone against a legal precedent as set down in a judicial review of the St Quinton and Woodlands Neighbourhood Plan. The Examiner's comment to this was 'this remains a matter of judgment I have made in my report, right or wrong.' The Examiner has wielded the power he has, with no thought for what is right and what is wrong.

Mr Atterwill reported that Swanton Morley Parish Council has sought legal advice about the appointment of the Examiner and the lack of consent the Parish Council gave for this appointment. The Parish Council's solicitor has advised that Breckland District Council has acted unlawfully.

On Friday 26th January, Mr Atterwill and the Clerk had attended a meeting at Breckland District Council to discuss this matter. Also in attendance were George Freeman MP, William Nunn (Leader of Breckland District Council), Gordon Bambridge (Executive Member for Growth) and two of Breckland District Council's officers. Mr Freeman showed full support for the Swanton Morley Neighbourhood Plan and William Nunn appeared quite disturbed at what the officers had done in the name of Breckland District Council. In this meeting, Mr Atterwill asked Breckland Council to consider their power under Section 13 of Schedule 4B of the Town and Country Planning Act 1990, by which they are able to take a different view to the Examiner.

Mr Atterwill reported that George Freeman MP had hosted a Parliamentary debate today, in which he had strongly complimented the Swanton Morley Neighbourhood Plan and raised concerns about the way communities are being treated in the process.

A subsequent email from Breckland District Council received today had stated that the authority does not believe it acted unlawfully over the appointment of the Examiner. He added that two of the options for the Neighbourhood Plan are to go to referendum in its amended form, or to withdraw the plan and go back to Regulation 16.

Mr Westbury suggested an alternative option would be period of negotiation with Breckland District Council, the same way as the Parish Council did with Harkers Lane. The result of which was the correct work done for local people, with a small investment from the Parish Council and other compensatory measures from the other parties involved. A new examination could be done using this method. Mr Atterwill agreed, but for a new examination to take place, Breckland District Council need to be more conciliatory with their Regulation 16 comments.

Mr Taylor suggested amending the Neighbourhood Plan as per the examiner's comments so the Steering Group could better see what the resulting document looked like. This was not supported.

Mr Vincent advised that with Breckland District Council's help the Parish Council could go back to the Regulation 16 stage. Without Breckland District Council's help it would have to be Regulation 14. In this case the policies can be reworded but kept fundamentally the same.

It was noted that it was a shame there were no local elections this year for positions on Breckland District Council.

Mr Atterwill commented that George Freeman was continuing to support the Parish Council and was attempting to arrange a meeting with the Minister for Housing and Planning.

Ms Hendry suggested that some of the Examiner's comments should be considered as she personally agreed with some of them.

Mr Curran stressed the need to ensure that Intelligent Plans and Examinations know where the examiner working on their behalf has overstepped his jurisdiction. Mr Westbury agreed, in that the Examiner's role is to check that the Neighbourhood Plan is legal, not to give his personal opinion.

7) To Agree Items to be Considered by Swanton Morley Parish Council

Formal complaint to Intelligent Plans and Examinations.

Finance associated with next course of action.

Legal Advice

8) To Agree Date and Time of Next Meeting

To be confirmed.

Further Time Allocated to the Public

Mr Marsham advised that Parliamentary debates are open to the public, therefore there will soon be an awareness of the Examiner's report.

Mr Woolnough expressed his disagreement for any rise in the precept for legal fees in this matter. Mr Atterwill advised that he would not be supportive of using precept money for a judicial review.

The meeting closed at 8pm

(Chairman) _____ Date