

Turvey Neighbourhood Plan Steering Group
Response to Cllr Poll's submission re NDP Conduct and Process
29th September 2020

Section 1. Introduction

Background & context

Steering Group members are shocked and dismayed by the complaints and allegations made by Cllr Poll in regard to Neighbourhood Plan Steering Group processes and the conduct of Steering Group members.

All members of the Steering Group have acted in good faith and with integrity throughout the whole process. They have given very many hours of their time voluntarily to help create the plan. Their only motivation is to use their best efforts to deliver a Neighbourhood Plan that is supported by residents and brings real benefits to the village. The process of developing and agreeing the submitted Neighbourhood Plan has been open and democratic.

The development of the plan began in 2017. The policies and site allocations contained in the plan have been based on independent professional advice and have been the subject of extensive consultation with residents.

The Parish Council has been consulted at all key stages, given support to the approach taken, agreed all key decisions and approved the draft plan for formal consultation in September 2019. The submitted plan was agreed by the Parish Council in June 2020.

At this stage, any intention to consider making significant changes to the plan would require further informal consultation and a repeat of the formal Regulation 14 consultation. This will take at least a year, probably longer.

Bedford's Local Plan requires that Neighbourhood Plans must be submitted by January 2021. If this deadline is not met, the Borough Council will choose the locations for new housing.

Without a plan, Turvey will forfeit the greater levels of certainty and protection against speculative planning applications that a Neighbourhood Plan provides.

Summary of Steering Group response to Cllr Poll's complaints

The complaints and allegations levelled against the Neighbourhood Plan Steering Group by Cllr Poll are largely a matter of interpretation and opinion. No supporting evidence of any deliberate or careless wrongdoing has been provided.

This response is a combined response from the Steering Group, who have considered the issues carefully and evidenced the responses as far as possible. The reply to these allegations can be summarised as follows;

Communications issues

- The comments made in Newsletter 6, highlighting matters of inaccuracy and distortion in the anonymous flyer, are entirely accurate and reasonable.
- The 2 complaints reported about Steering Group member conversations with residents about the flyer have not been investigated and were resolved by agreement between the Parish Council Chair and Steering group Chair. No finding of wrongdoing by Steering Group members can be assumed.

- The parish clerk can confirm that the correspondence referred to was addressed to the Parish Council and not the Steering Group.

Finance & Membership

- The Parish Council and Steering Group are jointly responsible for ensuring that accountability arrangements are satisfactory. The Steering Group have acted in line with their reasonable interpretation of the Terms of Reference.
- If the Parish Council was dissatisfied with the way the Steering Group were interpreting their accountability obligations, this should have been brought to the attention of the Steering Group long ago.

Decision making process

- Records of Steering Group meetings show that no decisions were made at non-quorate meetings; any decisions that were needed at these meetings were held over to the next meeting which was quorate.

Limited Disclosure

- The Borough Council Monitoring Officer's advice confirms that Cllr Jenkins' involvement in CPRE Bedfordshire does not represent a 'conflict of interest' in relation to the Neighbourhood Plan business of the Parish Council.
- Post-Regulation 14 consultation amendments to the plan were presented to the Parish Council for endorsement on 25th June 2020. The planning consultant engaged to support the Steering Group and Parish Council attended this meeting to advise the Parish Council and to ensure that the process by which the proposed submission documents were considered was in keeping with the legal requirements.
- The amended plan agreed by the Parish Council on 25th June 2020 is the version submitted to the Borough Council.

Dereliction of duties

- The expectation that all Steering Group members must abide by the principles and practice of the Parish Council Code of Conduct has been recognised and acted upon by the Chair of the Steering Group
- Cllr Jenkins was never tasked to carry out a 'Carlton Road parking survey'
- The detailed sequence of events, which are supported by reports to the Parish Council and Parish Council minutes, demonstrate that the exercise put forward by Cllr Jenkins was a consultation about options to improve traffic flow on Carlton Road.
- Progress on this consultation was curtailed when the Parish Council Chair and other parish councillors supported a suggestion that a village-wide parking survey should be undertaken instead.

Proposed confidence motion

No evidence has been produced to support the allegations of misconduct and failure to follow proper processes.

The Steering Group's response to Cllr Poll's allegations which follows, demonstrates that the complaints made are completely unfounded.

The allegations do not justify a vote of no confidence in either the Steering Group or Cllr Jenkins as Chair.

Section 2. Steering Group full response to Cllr Poll's concerns and complaints

1. Communications

a. Clarity of Policy T11: Transport

Cllr Poll's Comment/Complaint

Part 1

Cllr Poll's submission maintains that paragraph 5.106 of the interpretation section of Policy T11: Transport, is in direct conflict with the T11 policy statement, T11 says NO impact.

Part 2

The issues set out in the first 2 paragraphs on page 3 of the submission, concern changes made to the plan following the Regulation 14 Consultation.

Steering Group response - summary

Part 1

The issue raised here is not about 'Communication' and does not relate to the Conduct and Process of the Steering Group. The complaint is about alleged inconsistencies in the content of the plan, which was agreed as satisfactory for submission at the Extraordinary meeting of the Parish Council of 25th June 2020.

A response to these issues is provided in 'Appendix 1: Matters raised regarding suggested inconsistencies between the wording of Policy T11: Transport, and paragraph 5.106.'

Part 2

The issues set out in the first 2 paragraphs on page 3 of Cllr Poll's submission, concern changes made to the plan following the Regulation 14 Consultation. A response is made later under 'item 5.b Final submission document.'

Explanation

Part 1

- i. The issues set out on page 2 of Cllr Poll's submission suggest that paragraph 5.106 of the plan, which is part of the interpretation section of Policy T11, is in direct conflict with the T11 policy statement.
- ii. This is not a matter of Conduct and Process. The matters raised here concern the content of the plan, which was agreed as satisfactory for submission at the Extraordinary meeting of the Parish Council of 25th June 2020.

- iii. Matters of clarity and consistency of the submitted plan are now in the hands of the planning inspector who will examine the plan and no longer a matter for review and reconsideration by the Parish Council.
- iv. Nevertheless, a response to these issues is provided in Appendix 1: 'Matters raised regarding suggested inconsistencies between the Transport Policy T11 and paragraph 5.106.'

Part 2

- i. The issues set out in the first 2 paragraphs on page 3 of the submission, concern changes made to the plan following the Regulation 14 Consultation.
 - ii. The matters raised here are addressed later in this response under 'item 5.b Final submission document', where other issues about amendments made to the plan following the Regulation 14 Consultation are considered.
- b. Leaflet/Newsletters

Cllr Poll's Comment/Complaint

Cllr Poll's submission maintains that there were statements in the Newsletter 6 that were untrue, misleading, scaremongering and amounted to calling the anonymous author (assumed to be a resident) a liar.

Steering Group response - summary

Newsletter 6 includes a factual rebuttal of false claims made in an anonymous flyer. The claims made were clearly misleading and inaccurate.

The Newsletter is in keeping with paragraph 4 and paragraph 6 of the Steering Group Terms of Reference, which require the Steering Group to 'actively support and promote the preparation of the Neighbourhood Plan throughout the duration of the project.'

Steering Group conclusion

Newsletter 6 is factually accurate. It is reasonable for the Steering Group to correct the misleading impression created by the anonymous flyer.

The conduct of the Steering Group in publishing Newsletter 6 is in keeping with paragraph 4 and paragraph 6 of the Terms of Reference.

(Supporting evidence: Appendix 2)

Explanation

- i. Cllr Poll's submission states that the anonymous flyer only poses questions and that no statements were made. The heading of the flyer poses the question, "DID YOU KNOW?" followed by "Turvey Neighbourhood Plan final sites for

development have been submitted to Bedford Borough Council for consideration & approval” and then, “NO I DIDN’T THINK YOU DID!’

The statement that the plan has been passed to the Borough Council for consideration and approval is factually incorrect. The Borough Council do not approve the plan. The process which follows the Parish Council’s submission of the plan to the Borough Council is that the Borough Council publicises the submission and invites members of the public and any interested parties to make comments which will be passed to the independent planning inspector, appointed to examine the plan to ensure that it meets the legal requirements. The plan is only properly made if it is supported by a majority of residents in a referendum.

The statement “I DIDN’T THINK YOU DID!” ignores the fact that a leaflet had already been circulated to every household in the village by the Borough Council explaining that the plan had been submitted and how plan documents could be accessed, including the opportunity to contact the Steering Group to arrange to have paper copies of documents made available.

- ii. The flyer contained more statements than questions. The following examples from the flyer illustrate this;
 - a. “No residential parking on Carlton Road (so where do the residents park)?” Followed by; “resulting in no business! No Shop! No Pub! No Church! No Butchers!”
 - b. “Carlton Road site not ringfenced - so could be bigger in the future!”
- iii. The second issue raised in the flyer suggests that Policy T1: New Housing Growth does not protect against the risk of expanded development at the Carlton Road development site. Cllr Poll’s submission states that the Borough Council could move the planning boundary regardless of the planning boundary set in the Neighbourhood Plan. However, an agreed Neighbourhood Plan becomes part of the Borough Council Development Plan and if the Borough Council acted in this way it would be contravening its own policies. This is the whole point of the plan.
- iv. The flyer also contained information about the submission consultation. The comments on the flyer were clearly intended to alarm residents and to motivate them to object to the plan in the submission consultation on the grounds cited. The flyer states; “make your views known before 24th August 2020.”
- v. Cllr Poll’s submission also challenges the statement in Newsletter 6 that “Without a neighbourhood plan the Borough Council will choose the sites and the number of new houses. They will be free to allow more sites in Turvey and build many more than the 50 houses in our plan.” Cllr Poll alleges that this is speculative, unnecessary, and untrue - in his opinion scaremongering.
- vi. The statement highlighted in v. above is reasonable and accurate. Bedford Borough Council Local Plan 2030 ‘Policy 4S – Amount and distribution of housing development’, states that if a Neighbourhood Development Plan or Neighbourhood Development Order (Regulation 16) has not been submitted to the Council by October 2020 (or 12 months after the date of adoption of the local plan, whichever is the later), the Council will allocate additional sites.

- vii. Without a Neighbourhood Plan, the allocation of development sites will be determined against Local Plan policies and provide a lower level of protection for rural parishes compared to a Neighbourhood Plan. Local Plan policies allow a greater level of flexibility about the scale of development and the number of development sites to the Borough Council than that would be the case if a Neighbourhood Plan were in place for Turvey.
 - viii. Cllr Poll's submission appears to suggest, on the first paragraph of page 4, that Newsletter 6 ('the pamphlet'), was not signed. In fact it was clearly attributed to the Steering Group in customary fashion at the bottom of the text.
 - ix. Cllr Poll also claims that the Newsletter effectively calls the author of the anonymous flyer (assumed to be a parishioner) a liar. In fact, Newsletter 6 accurately describes the two main assertions put forward in the flyer as 'false claims' and 'not true'. This choice of words does not amount to an accusation that the author had made false statements knowing them to be untrue, in other words, that the author was lying.
 - x. Over the past 3 years Turvey News articles and Newsletters have been published on a regular basis without prior reference to the Parish Council. No previous complaints have been made. Newsletters have been circulated to advertise each consultation event or stage to all residents – see Appendix 2.
 - xi. The conduct of the Steering Group in publishing Newsletter 6 is in keeping with paragraph 4 of the Terms of Reference which requires that it must "undertake the process in a democratic, transparent and fair fashion, encouraging widespread participation and giving equal consideration to opinions and ideas from all members of the community."
 - xii. Newsletter 6 is also in keeping with paragraph 6 of the Steering Group Terms of Reference, which require the Steering Group to 'actively support and promote the preparation of the Neighbourhood Plan throughout the duration of the project.'
- c. Face to face/direct communications

Cllr Poll's Comment/Complaint

The submission alleges that Steering Group members have been involved in altercations with shopkeepers and residents and taken an aggressive stance towards the content of the anonymous flyer.

Steering Group response - summary

Whilst two complaints were reported, the substance of the complaints were denied.

Resolution of these matters was agreed by the Chairs of the Parish Council and Steering Group. The complaints have not been investigated and therefore no blame can be fairly attributed or implied. No further complaints have been made.

Steering Group conclusion

There are no grounds to support the assertion that Steering Group members have breached the Code of Conduct in relation to these matters.

Explanation

- i. The submission exaggerates the level of complaints received. Two complaints were made against Steering Group members following conversations about the anonymous flyer and the publication of Newsletter 6. The substance of the complaints is denied by the Steering Group members involved.
 - ii. A third incident was referred to at about the same time, but details of what was alleged and against whom were not made clear.
 - iii. The Chairs of the Parish Council and the Steering Group agreed to resolve matters by asking Steering Group members to take extra care to avoid getting drawn into conversations on the subject of the anonymous flyer due to risk that anything said could be misunderstood or misrepresented.
 - iv. There have never been any previous complaints made in regard to Steering Group members behaviour.
 - v. No further complaints have been received.
- d. **Direct emails**

Cllr Poll's Comment/complaint

Cllr Poll's submission alleges that emails or mailed correspondence from residents appear to have been ignored. The correspondence referred to has not appeared in the 'correspondence received' section of Steering Group notes.

Steering Group response - summary

There have been no complaints addressed to the Steering Group alleging that correspondence has been ignored.

The Steering Group Terms of Reference do not require the Steering Group to report correspondence received as a standing item on Steering Group meeting agendas.

Steering Group conclusion

There is no evidence to support an allegation of misconduct and breach of Terms of Reference paragraphs 21, 22 and 23 in regard to this matter.

(Supporting evidence: Appendix 3)

Explanation

- i. The examples cited in regard to this matter were discussed in the Special Parish Council meeting of 25th June 2020. It was established that the correspondence referred to where no reply had been made, were addressed specifically to the Parish Council. In these examples the residents concerned specified that they wished to receive a reply from the Parish Council and not the Neighbourhood Plan Steering Group.
- ii. The Steering Group Chair has always been willing to assist the Parish Council in responding to correspondence about the Neighbourhood Plan and whenever approached to do so has responded promptly.

- iii. This can be confirmed by the parish clerk who coordinates replies to correspondence.
- iv. The Steering Group is required to keep a written record of Steering Group meetings. It has not been the practice of the Steering Group to record correspondence received in Steering Group meetings and the Terms of Reference do not specify a requirement to do so.
- v. Steering Group notes have been posted on the Neighbourhood Plan website since it was established in July 2018. There have been no complaints made by the Parish Council expressing dissatisfaction with the records made of Steering Group meetings.

2. Finance

Cllr Poll's Comment/Complaint

Cllr Poll's submission alleges that the Steering Group have failed to follow paragraph 19 of the Terms of Reference, which requires that the Parish Council will be notified of any planned expenditure before it is incurred.

Steering Group response - summary

The Parish Council were given advance notice of Steering Group spending intentions through written and verbal updates at Parish Council meetings.

Neighbourhood Plan monies, principally income from government grants, are held and administered through the Parish Council bank account. Steering Group expenditure is made fully transparent through the parish clerk's finance report to the Parish Council, where every item of expenditure is reported.

The Parish Council have a joint responsibility alongside the Steering Group, to make sure that accountability arrangements for all matters, including finance, are in place and satisfactory to the Parish Council.

Steering Group conclusion

There is no evidence to support an allegation of failure to observe the requirements of Steering Group Terms of Reference paragraphs 19 in regard to this matter.

(Supporting evidence: Appendix 4)

Explanation

- i. Paragraph 19 of the Steering Group Terms of Reference requires that the Parish Council will be notified of any planned expenditure before it is incurred. It does not specify the level of detail or the form of notification required.
- ii. Throughout the entire period over which the plan has been developed, the Parish Council were kept informed of Neighbourhood Planning spending intentions through written and verbal updates at Parish Council meetings. By these means the Parish Council were given advance notice of Steering Group intentions to use funds for consultancy fees (the major expense), events, printing, creating and managing the website, and hiring the village hall for meetings.

- iii. Extracts from Neighbourhood Plan updates and Parish Council minutes are attached in Appendix 4 and provide evidence to support that this took place. (Full copies of the updates circulated to parish councillors can be made available on request.) The update circulated in July 2018 included a spreadsheet with full details of spending from July 2017 to June 2018 and items of planned expenditure for the year ahead.
- iv. All spending of funds was administered through Parish Council accounts. Every item of expenditure was reported and shown in the 'Accounts to be settled' section of the parish clerk's regular Finance report. This was subject to the annual Parish Council audit of accounts. Spending of grant funding was also subject to audit by Locality (who administer the neighbourhood plan programme on behalf of the government) in their End of Year Report process.
- v. A request for more detailed information about Neighbourhood Planning expenditure was made by Cllr Poll in January 2020. This was the first time any such request had been made. An Income & Expenditure report was submitted to the next Parish Council meeting in May 2020. No comments or questions were made in relation to the report.
- vi. The Parish Council have never given any indication that they hold an expectation that the Steering Group should seek approval on an item by item basis. Newsletters and other publications have been produced on many previous occasions without comment in terms of any specified need for authorisation of printing costs.
- vii. At no point did the Parish Council express any concern or dissatisfaction with financial reporting arrangements
- viii. The Parish Council have a joint responsibility with the Steering Group to make sure that accountability arrangements for all matters, including finance, are in place and satisfactory to the Parish Council.

3. Steering Group Membership

Cllr Poll's Comment/complaint

Cllr Poll complains that the Steering Group is in breach of Terms of Reference paragraph 7 which states that membership should be made up of a cross-section of volunteers from the community, including Parish Councillors. Cllr Poll stresses the emphasis on the reference to Parish Councillors in the plural.

Steering Group response - summary

Paragraph 7 does not specify the balance of parish councillors and residents. To interpret paragraph 7 to mean that Steering Group membership must include more than one parish councillor, is unnecessarily and unreasonably narrow.

The Parish Council have been aware that there has been only one parish councillor on the Steering Group since July 2018.

The Parish Council have a joint responsibility with the Steering Group to make sure that accountability arrangements for all matters are in place and satisfactory to the Parish Council.

Steering Group conclusion

An interpretation of paragraph 7 of the Steering Group Terms of Reference to support an allegation of failure to observe the requirements of paragraph 7 on these grounds, would be unnecessarily and unreasonably narrow.

Explanation

- i. The Parish Council have been aware that there has been only one parish councillor on the Steering Group since July 2018.
- ii. At no time have the Parish Council expressed a view that the level of parish councillor representation was unsatisfactory.
- iii. As for 'undisclosed reasons' for the departure of parish councillors from the Steering Group, Cllr Morgan left to live elsewhere, and Cllr Smith is still a member of the Parish Council. Parish councillors have had ample opportunities to approach him to ask him why he left the Steering Group if they wished to do so.
- iv. The Parish Council have a joint responsibility with the Steering Group to make sure that accountability arrangements for all matters are in place and satisfactory to the Parish Council.

4. Decision Making process

a. Quorate meetings

Cllr Poll's Comment/complaint

Cllr Poll complains that decisions appear to have been made during non-quorate meetings, particularly in relation to site selection (note 10th January 2018). This is almost $\frac{1}{3}$ of all meetings held so far

Steering Group response - summary

No decisions were taken at non-quorate meetings. A table showing agenda items discussed at non-quorate meetings is attached at Appendix 5. 6 out of 25 meetings were non-quorate.

A series of follow up actions were recorded for attention at non-quorate meetings, but the recording of these actions did not represent decision making.

Steering Group conclusion

There is no evidence to support an allegation of failure to observe the requirements of Steering Group Terms of Reference paragraph 7, and any breach of the Code of Conduct in regard to this matter.

(Supporting evidence Appendix 5 & 6)

Explanation

- i. In fact, 6 out of 25 meetings held were non-quorate, which represents fewer than ¼ of all meetings held so far. Where meetings were non-quorate care was taken to ensure that no decisions were made.
- ii. At the Steering Group meeting of 10th January 2018 referred to, the revisions made to the draft site selection criteria by the planning consultant were noted and it was agreed that plans should be made carry out public consultation on the draft criteria at a village meeting.
- iii. The draft site selection criteria were circulated to the Parish Council for the meeting of 25th January 2018 and comments from parish councillors invited. Minutes of the Parish Council meeting record that “Site selection criteria drafted by Steering Group to be reviewed by Dave, revised as necessary, then put forward for consultation with local residents (workshop and/or drop-in). Revised criteria will be presented to AECOM to support their site assessment process.”
- iv. An extract from the notes from the Steering Group meeting of 13th February 2019 showing an example of where decisions were deferred to the subsequent meeting, is attached at Appendix 6.
- v. The main work of the Steering Group has been to plan, monitor and review progress with preparing the Plan. All decisions relating to the content of the Plan have been recommended to the Parish Council for final decision and agreement. The actions agreed at Steering Group level relate to the administration of the process.

5. Limited Disclosure

a. Declaration of interests

Cllr Poll's Comment/complaint

Part 1

Cllr Poll alleges that Cllr Jenkins' omission to update his Register of Interests when he became a Trustee of CPRE Bedfordshire represents a clear and obvious potential conflict of interests between his active membership of CPRE and his role as Chair of the Steering Group.

Part 2

Cllr Poll also states that there is evidence to suggest that potentially confidential information may have been shared with CPRE to inform the CPRE objection to the Priory Farm application 19/02830/MOA.

Steering Group response - summary

Part 1

The Chair of the Parish Council reported at the Parish Council meeting that he had consulted the Monitoring Officer at Bedford Borough Council (who advises on matters relating to the Council's Code of Conduct) in regard to Cllr Jenkins' involvement in CPRE Bedfordshire, and the Monitoring Officer confirmed that all Cllr Jenkins needed to do was to update his Register of Interests.

Cllr Jenkins involvement in CPRE does not represent a 'conflict of interests' and there is no need, within the Code of Conduct rules, for Cllr Jenkins to declare this as an interest at Parish Council meetings where Neighbourhood Plan business is being discussed.

Part 2

The draft Neighbourhood Plan was in the public domain from 6th November 2019. The CPRE comments on the Priory Farm planning application were submitted on 11th February 2020.

Steering Group conclusion

There is no evidence to support the allegation that the Steering Group disregarded paragraph 7 of the Terms of Reference and the Code of Conduct.

These matters were raised and resolved at the Parish Council meeting of 24th September. It was unnecessary and inappropriate to raise these issues in this submission.

Explanation

Part 1

- i. The matter of Cllr Jenkins involvement in the countryside charity CPRE Bedfordshire, was resolved at the Parish Council meeting of 24th September 2020 when Cllr Jenkins informed parish councillors that he had updated his Register of Interests in regard to his Trustee role with CPRE. Cllr Jenkins acknowledged that this should have been attended to when he became a Trustee in May 2018 and apologised for the oversight at that time.
- ii. The Chair of the Parish Council reported at the Parish Council meeting that he had consulted the Monitoring Officer at Bedford Borough Council (who advises on matters relating to the Council's Code of Conduct) and the Monitoring Officer confirmed that Cllr Jenkins had done all that was necessary to satisfy the register of interests requirements of the Code of Conduct.
- iii. Cllr Jenkins also took advice from the Monitoring Officer who confirmed to him that his involvement in CPRE did not represent a 'conflict of interests' in relation to neighbourhood planning matters. Cllr Jenkins is therefore not required to declare a 'local interest' at Parish Council or Steering Group meetings when neighbourhood planning business is discussed. As a result, this matter would never have represented an obstacle to Cllr Jenkins' involvement in the development of Turvey Neighbourhood Plan.

Part 2

- iv. In regard to planning application 19/02830/MAO, Land adjacent to Priory Close, the application was submitted on 24th December 2019 and the CPRE comments on the application were submitted on 11th February.
- v. The Turvey Neighbourhood Plan Regulation 14 consultation commenced on 6th November 2019. At this time the plan and all supporting documents, including the AECOM reports and Site Assessment Allocations report, were posted on the Neighbourhood Plan website and therefore in the public domain.

- vi. As a matter of principle Cllr Jenkins does not ever comment on planning applications in Turvey on behalf of CPRE and completely distances himself from any CPRE activity in this respect. Cllr Jenkins has a reciprocal arrangement with a CPRE trustee who is a member of another parish council in Bedford Borough, to enable that principle to be followed.

b. Final Submission document

Cllr Poll's Comment/complaint

Part 1

Cllr Poll alleges that at the Extraordinary meeting of the Parish Council held on 25th June 2020, Cllr Jenkins repeatedly told Council members that that no changes could be made to the documents tabled for review. Cllr Poll concludes that council members have therefore been misled and at the very least further questioning or debate was stifled.

Part 2

The absence of any Parish Council input into the plan at that stage had the effect of rendering the vote on the plan that evening totally meaningless.

Part 3

Cllr Poll alleges that on 27th June 2020 Cllr Jenkins informed Parish Council members by email that changes could be made, and listed amendments he would be making. Furthermore, he alleges that changes were introduced into the Submission Version of the plan for the Regulation 16 stage after the 25th June. This action invalidated the Parish Council vote at the Extraordinary meeting, since the vote was not for the version that went forward to the next stage. Therefore the version submitted has not been formally approved by the Parish Council.

Part 4 (referred from issue 1a.)

Cllr Poll suggests that paragraph 5.106 was inserted after the Regulation 14 consultation and was therefore not available for the Parish to comment upon as the process requires.

Steering Group response summary

Part 1

The advice given at the meeting of 25th June 2020, regarding the nature of the changes that could be made was clear and reliable. Cllr Jenkins commented that 'material' changes could not be made at this stage. The planning consultant was present at the meeting to respond to questions from parish councillors. He explained the procedure that must be followed regarding changes that could be made and changes that were not allowed. His advice in this respect is recorded in the minutes of the meeting.

Part 2

The Parish Council had already agreed the draft plan for the Regulation 14 consultation. The nature of the legal process being followed dictated that 'material' changes could no longer be made once the draft plan was agreed.

The relevance of the Parish Council vote on the proposed plan for submission was to ensure that the amendments put forward arising from Regulation 14 consultation responses, were acceptable to parish councillors. There was extensive discussion of the plan at the meeting when the draft plan was agreed in September 2019 as well as at the meeting of 25th June 2020 when the amended plan was considered.

Part 3

The submission version of the plan put forward to the Borough Council is the same version of the plan presented to parish councillors for the meeting on 25th June, with track changes accepted. No changes were made to the plan or any supporting documents following the Parish Council meeting of 25th June.

Part 4

Paragraph 5.106 was added to the amended plan as one of the proposed modifications arising from comments to the Regulation 14 consultation. The amended plan, with this modification included, was agreed by the Parish Council on 25th June. This is a legitimate part of the process as confirmed by the planning consultant who has been advising the Parish Council.

The submitted plan was available for residents to comment upon in the Borough Council's submission consultation.

Steering Group conclusion

The planning consultant advising the Parish Council on the plan was present at the meeting of 25th June 2020 to ensure that the legal requirements were understood and met.

The version of the plan submitted to the Borough Council is the same as the amended plan presented to the Parish Council on 25th June.

There is no evidence of any breach of the Code of Conduct in regard to these matters.

(Supporting evidence: Appendix 7,8, 9 & 10)

Explanation

Part 1

- i. The Extraordinary Meeting of the Parish Council on 25th June 2020 was arranged so that responses made to the Regulation 14 consultation and proposed amendments to the plan, and to some supporting documents, based on these responses, could be considered and agreed.
- ii. The purpose of the meeting, and the parameters for considering any proposed changes to the plan and supporting documents put forward to the Regulation 14 formal consultation, were carefully explained in the covering report for the meeting (see Appendix 7), and in an email to parish councillors which accompanied the documents in advance of the meeting (see Appendix 8).
- iii. The plan put forward for formal (Regulation 14) consultation was the agreed draft plan as endorsed by the Parish Council at its meeting of 26th September 2019. Once the draft plan was published at that stage, it could not be changed in any

‘material’ way without repeating the Regulation 14 consultation. The meaning of ‘material change’ relates to the level of significance, for example a change in allocated sites or a change in wording that would change the intention of a policy. ‘Modifications’ to the plan could be made in response to representations made by residents or interested parties within the Regulation 14 consultation, as long as these did not amount to ‘material’ changes.

- iv. The professional planning consultant who has been advising the Steering Group and Parish Council was present at the Extraordinary meeting of 25th June to ensure that the Parish Council was fully informed about what was allowed or not allowed. The consultant explained as follows, “Strictly speaking at this stage, it should be modifications only to meet Regulation 14. If you (i.e., the Parish Council) are simply tweaking a few words then that should be ok.” (See Appendix 9 highlighted sentence at the top of page 42.)
- v. The key documents for the meeting of 25th June, which were circulated to parish councillors two weeks in advance of the meeting, were the Consultation Statement and the amended plan. The Consultation Statement Appendix 2 provided a list of every response made to the Regulation 14 consultation and included the full text of every response submitted. Alongside every response a comment was made as to whether any changes would be made in regard to the submitted response, with an explanation of the proposed change. All proposed changes were inserted into the amended plan in the form of a track changes so that parish councillors could easily identify where amendments were located in the proposed submission version of the plan.
- vi. There were also proposed amendments to the Site Assessment & Allocations supporting document which were similarly reported in the Consultation Statement Appendix 2 with proposed amendments shown in a track change version of the document.

Part 2

- vii. Parish councillors were afforded many opportunities to contribute to the development of the plan. At key stages in regard to site selection and policy making, joint meetings between the Parish Council and Steering Group were arranged with the professional planning consultant present to advise.
- viii. The Parish Council agreed the draft plan for the Regulation 14 consultation in September 2019. It was implicit in the nature of the process to be followed that material changes could no longer be made once the draft plan was agreed and published for the formal consultation.
- ix. The relevance of the Parish Council vote on the proposed plan for submission was to ensure that the amendments put forward, arising from the consultation responses (which could only be of a non-material nature), were acceptable to parish councillors. The minutes of the meeting are attached as Appendix 9.

Part 3

- x. On 27th June Cllr Jenkins made a suggestion to parish councillors by email, that consideration could be given to making a change in the Site Assessment &

Allocations report to add clarity to the Aecom comments regarding site access at the Burrows.

- xi. The suggestion was made in response to concerns expressed in the form of a question and statement by Cllr Niblett, recorded in the minutes of the meeting as follows; “the statement about the safe access in relation to The Burrows must stay in even though the chosen access is not known? This is a factual inaccuracy.”
- xii. The Aecom site assessment findings in regard to site access at the Burrows are reported in the Site Assessment report as follows; “The site is assessed to have capacity for 2no. dwellings if accessed via land under the landowner’s control (the former Warren Nursery) to the north, or 3no. dwellings if an additional access can be achieved via third party land from the south.” In summing up the site assessment findings for the Burrows the Site Assessment reports that “Safe site access should be available”
- xiii. The amendment suggested by Cllr Jenkins was that the statement in the summing up section could be expanded to include the full version of the recommended requirements for safe site access, dependent on whether permission for 2 dwellings or 3 dwellings was being sought. This would have involved repeating words used earlier in the site assessment findings in the summing up.
- xiv. The email correspondence to parish councillors on this matter are attached at Appendix 10. The suggestion was put forward for parish councillors to comment upon. In the event, Cllr Niblett and Cllr Poll indicated that they felt they had been misled about the nature of changes that could still be made at this stage. Cllr Jenkins explained that the change he had suggested was merely intended to add clarity to the assessment conclusion. This was consistent with the planning consultant’s advice given at the meeting.
- xv. The email from Cllr Jenkins to all parish councillors confirms that in view of the response from Cllr Niblett and Cllr Poll, the proposed change to the supporting document would not be made.
- xvi. This was the only further change suggested, rather than a list of amendments that Cllr Poll’s maintains Cllr Jenkins said he would be making. This suggestion did not involve a change to the plan itself, only to the supporting document.
- xvii. The submission version of the plan put forward to the Borough Council is the same version of the plan presented to parish councillors for the meeting on 25th June, with track changes accepted. No changes were made to the plan or any supporting documents following the Parish Council meeting of 25th June.
- xviii. It should be noted that, of the two the parish councillors who subsequently complained that the advice given about what changes were allowed was misleading, one voted against submitting the plan and one abstained. None of the parish councillors who voted in favour of submitting the plan have complained about the process by which amendments to the plan were explained and agreed.

Part 4

- xix. Paragraph 5.106 was added to the amended plan and agreed by the Parish Council on 25th June as one of the proposed modifications to the plan arising from comments to the Regulation 14 consultation. It is included as 'interpretation' of the policy and does not alter the policy in any way. This is a legitimate part of the process as confirmed by the planning consultant who has been advising the Parish Council.
- xx. Residents did have the opportunity to comment on the new paragraph 5.106 and all other amendments agreed to the plan following the Regulation 14 consultation, in the Borough Council's submission consultation.

c. Dereliction of duties

Cllr Poll's Comment/complaint

Part 1

No declaration of interests from any Steering Group members, as required by paragraph 21 of the Steering Group Terms of Reference, have been seen.

Part 2

The Carlton Road 'parking survey' has yet to be complete.

Steering Group response - summary

Part 1

The expectation that all Steering Group members must abide by the principles and practice of the Parish Council Code of Conduct has been recognised and acted upon by the Chair of the Steering Group

The Borough Council Monitoring Officer to Cllr Jenkins that this expectation does not extend to a requirement that Steering Group members should observe the formality of completing a Register of Interests.

Part 2

Parish Council minutes and Highways reports to the Parish Council show that it was agreed in May 2020 that the exercise proposed and developed by Cllr Jenkins, to consult residents about options to introduce measures that would improve traffic flow in Carlton Road, would be paused because of the coronavirus measures.

The suggestion by Cllr Poll to undertake a parking survey, instead of the agreed consultation exercise proposed by Cllr Jenkins, was first made by Cllr Poll on 31st July, the day after the July Parish Council meeting.

Cllr Jenkins objected to the inclusion of Q18 of the parking survey and made it clear that he did not have the capacity to take on an entirely different piece of work to the Carlton Road consultation that had been developed in consultation with Highways over a period of months.

Steering Group conclusion

There is no evidence to support allegations of breach of the Code of Conduct in regard to these matters.

(Supporting evidence: Appendix 11 & 12)

Explanation

Part 1

- i. Steering Group Terms of Reference paragraph 21 states that “It is expected that all Steering Group members abide by the principles and practice of the Parish Council Code of Conduct including declarations of interest.” Advice from the Borough Council Monitoring Officer has confirmed that this expectation does not require Steering Group members to undertake the formality of completing a Register of Interests form.
- ii. All members had individual discussions with the Chair before joining the Steering Group where it was explained that they are required to abide by the Parish Council Code of Conduct. Cllr Jenkins established that no Steering Group members have any conflict of interest by virtue of their employment or interest in land.
- iii. In parallel with the stance taken by the Parish Council all members were informed that in view of the fact that potential development sites are located across the village they should all consider their residence in Turvey as a ‘local interest’, in common with the practice followed by the Parish Council
- iv. They were also asked to take note of the general obligation of the Code of Conduct that they “must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage”
- v. There were occasions where specific declarations were made by Steering Group members at Steering Group and Parish Council meetings. On two occasions, Steering Group members felt they had an interest in a topic under discussion and left the meeting for the duration of that item. This was minuted in the notes of the meeting.

Part 2

- vi. The longstanding issues of congestion and traffic stand-offs between north and south bound traffic on Carlton Road was the subject of many comments by residents at Neighbourhood Plan consultation events.
- vii. The Steering Group recommended to the Parish Council that matters related to Highways infrastructure could not be fully addressed by the provision of a planning policy in the Plan, although they are important to residents. In the plan, section 6 contains a list of Non-Neighbourhood Planning issues which are referred for attention by the Parish Council in which Highways infrastructure is included. The recommended approach to addressing Highways infrastructure issues was therefore agreed by the Parish Council by virtue of their endorsement of the draft plan in September 2019.
- viii. At the Parish Council meeting in September 2019, Cllr Jenkins put forward a proposal to explore options to improve traffic flow on Carlton Road. This was put forward as a follow up action from section 6 of the Neighbourhood Plan. This initiative was being taken by Cllr Jenkins in his role as Highways lead on the Parish Council and not as Chair of the NDP Steering Group.

- ix. The action agreed by the Parish Council in September 2019 was that Cllr Jenkins, as Highways lead would;
- link up with Borough Highways to explore and shape up the options and report back to Parish Council.
 - undertake a survey of Carlton Road residents to achieve a better informed view of their needs and expectations.
 - revisit the options in the light of the follow up meeting with Highways to aim to agree the best package of measures for consultation with residents.
- x. From October 2019 to January 2020 Cllr Jenkins engaged with Borough Highways to explore and test the feasibility of a number of measures designed to mitigate the traffic flow problems.
- xi. At the Parish Council meeting in January 2020 Cllr Jenkins reported back with a number of options developed with support from Highways. It was agreed that consultation would be taken forward on these options as follows;
- The first stage of consultation would be focused on engaging with residents who park on Carlton Road
 - After reporting back to the Parish Council on the outcome of the first stage consultation, to open up the consultation on the options to a second stage to include all residents
 - A possible additional stage would be to focus on engaging with residents of Church Terrace and the Loop separately before undertaking wider consultation
- xii. At the January 2020 Parish Council meeting the council actioned Cllr Jenkins to take forward the Carlton Road consultation on traffic flow measures that he had proposed. Cllr Jenkins was not actioned to carry out a parking survey. The parking survey was proposed later by Cllr Poll with an entirely different purpose in mind.
- xiii. It is clear from the above that the Carlton Road consultation process was an evolving project that would be undertaken in stages, including dialogue with residents who park on Carlton Road. It was not simply a matter of circulating a consultation form consisting of questions and answers. There was no timescale set for the completion of the consultation.
- xiv. Following the January Parish Council meeting Cllr Jenkins began preparations to undertake the first stage of the consultation as set out above. This was planned to involve face to face meetings with residents who park on Carlton Road. Before contact was made with Carlton Road residents to arrange meetings, concern began to escalate about fears of a coronavirus pandemic which resulted in lockdown measures being introduced in March 2020.
- xv. The March Parish Council meeting was cancelled due to the coronavirus measures. It was agreed at the May Parish Council meeting that the consultation would be paused due to coronavirus.

- xvi. At the July Parish Council meeting a resident asked why the consultation with residents in Carlton Road had not taken place. The resident asserted that it was imperative that this 'survey' be undertaken as soon as possible, ideally before the end of the Neighbourhood Plan submission consultation period of the 24th August.
- xvii. It was not clear why the resident believed that the 'survey' was relevant to the Neighbourhood Plan submission consultation. At that point the Parish Council had already resolved to submit the plan and the resolution had been acted upon, leaving no scope for any further evidence or information gathering to be relevant to any neighbourhood planning activity.
- xviii. The minutes of the Parish Council meeting in July 2020 record that an apology was made to the resident who raised the issue and that it had been remiss of the Parish Council to have delayed the consultation. However, Cllr Jenkins asserts that the Parish Council was not at fault in pausing the consultation process because of the coronavirus measures. The minutes of the Parish Council meeting in May record the decision to do so. The Parish Council had not set a timescale for completion of the consultation.
- xix. Failure to recognise these issues gave the impression that Cllr Jenkins had been neglectful of his duties to the Parish Council.
- xx. It should be noted that, regardless of the urgency or otherwise of the Carlton Road traffic measures consultation, during the period in question, January to July 2020, Cllr Jenkins and another member of the Steering Group had been directly responsible for preparing the feedback to the Parish Council on the outcomes from the Regulation 14 consultation. This involved preparing a detailed and complex table setting out responses to all comments made in response to the consultation, preparing proposals for modifications to be made to the draft plan, and amending the plan based on these modifications. These represent major tasks that required many hours of volunteered time to complete.
- xxi. At the July meeting, in view of the fact that there was no indication that social distancing measures would be relaxed in the foreseeable future, Cllr Jenkins agreed to adapt the Carlton Road consultation plan, simplifying the scope of the exercise. The minutes record that councillors were invited to suggest questions that could be included in the consultation, although the minutes refer to the exercise as a 'survey'.
- xxii. On 31st July, the day after the Parish Council meeting, Cllr Poll circulated a Parking Survey questionnaire, "as a starting point for the survey that was agreed again last night." The subject of the questionnaire, an information gathering exercise which seeks residents' views about parking problems in their surrounding area, bears no resemblance to the consultation process planned by Cllr Jenkins which is a problem solving exercise focused on seeking views on options to improve traffic flow in Carlton Road.
- xxiii. From this point, the issues of the Carlton Road consultation and the parking survey have become conflated, as if the one was a development of the other, although in fact the parking survey is a completely different exercise. The parking survey is focused on gathering information from residents about parking problems in the village, whereas the Carlton Road consultation was asking for opinions and

suggestions from residents about proposed measure to improve traffic flow on Carlton Road.

- xxiv. Cllr Jenkins produced a consultation form as requested at the July Parish Council meeting and sent this to Cllr Niblett for comment. Cllr Niblett confirmed that in his view a majority of parish councillors have supported the suggestion to undertake Cllr Poll's parking survey instead. (See email correspondence and draft consultation form Appendix 11 & 12)
- xxv. The draft parking survey put forward by Cllr Poll on 31st July 2020 is based on a parking survey questionnaire circulated by Welwyn Hatfield Borough Council in 2014 in every respect except for two questions, presumably added by Cllr Poll as follows;
- Q17 Would you support traffic calming measures in the area if roadside parking was reduced?
 - Q18 Would you support developments in the surrounding area, that would impose parking restrictions and/or further loss of roadside parking?
- xxvi. In response to Cllr Poll's proposal that this parking survey be undertaken, Cllr Jenkins replied to say that;
- This was a completely different exercise from the consultation that it was agreed that Cllr Jenkins should carry out
 - Cllr Jenkins made it clear at an early stage that he did not have the capacity/availability to take on a completely new project
 - Cllr Jenkins expressed objections to Q18 (31st July draft) on the basis that it is based on a false premise i.e., that development is likely to result in parking restrictions in the surrounding area.
- xxvii. Cllr Poll's parking survey proposal was supported by some parish councillors and the Chair endorsed the suggestion to go ahead with it. Regardless of Cllr Jenkins comments above, the expectation seemed to remain that the parking survey would be undertaken by Cllr Jenkins and the objection to Q18 (31st July draft) has never been acknowledged or responded to.
- xxviii. This position remained until the Parish Council meeting of 24th September where it was acknowledged that Cllr Jenkins had not agreed to undertake the survey and Cllr Poll agreed to undertake it himself.
- xxix. Nevertheless, after the Parish Council meeting of 24th September, Cllr Poll's complains that Cllr Jenkins' failure to complete the 'Carlton Road parking survey' was a dereliction of duties.
- xxx. The survey has been circulated with Q18 retained with a comment in the introduction that the survey will provide useful feedback before the Neighbourhood Plan referendum.
- xxxi. The suggestion that the parking survey results will provide an essential piece of evidence that the Parish Council believes is required in regard to the Neighbourhood Plan was introduced a month after the Parish Council resolved to submit the plan on 25th June 2020. The relevance of the parking survey results to

the Neighbourhood Plan remain unclear. The subject of the survey, focused on parking, is an issue highlighted in section 6 of the Neighbourhood Plan as being more appropriately attended to by the Parish Council.

Section 3. Steering group response to Cllr Poll's submission Page 9 issues: When does the NDP document ownership transfer to the Parish Council?

Cllr Poll's submission page 9 paragraph 1

"As Cllr Jenkins, answered in the meeting (24th July 2020), the NDP document has always been owned by the TPC; this acknowledgement strengthens the case that the TPC may have been seen to be supporting misleading communications and further questions the openness of the NDP process."

Steering Group response

As stated in the meeting on 24th July 2020, the Neighbourhood Plan has always been owned by Turvey Parish Council; it is the qualifying body responsible for the plan, and the foreword to the document acknowledges this.

There have been no misleading communications (see response to item 1b), and therefore Turvey Parish Council has not been supporting misleading communications.

Cllr Poll's submission page 9 paragraph 2

"Absolutely no communications should have been issued by the NDPSG without first having been seen and agreed with the TPC".

Steering Group response

The Steering Group remit does not require this, and no comments have been made to this effect in relation to communications over the past three years. All key decisions made about the Neighbourhood Plan have been agreed with the Parish Council before being communicated to residents and interested parties.

Cllr Poll's submission page 9 paragraph 3

"a document that was changed (27th June 2020), and therefore was different from the one on which the TPC voted (25th June 2020). Also, were the NDPSG made aware of these changes?"

Steering Group response

There were no changes made to the document following the vote at the Parish Council of 25th June 2020.

Cllr Poll's submission page 9 paragraph 4

Cllr Poll asks for a range of information to be made available to the Parish Council.

Steering Group reply

It is suggested that this request should be considered later, after the Parish Council business of 20th October has been concluded.

Cllr Poll's submission page 9 paragraphs 5 & 6

Cllr Jenkins suggested that Cllr Felts may have a pecuniary interest in this agenda item and used this to suggest Cllr Felts should withdraw from the discussion and subsequent votes.

Could he please give the TPC, his reasons for this assertion?

Steering Group response

Cllr Jenkins has raised these issues because of Cllr Felts close family members' interests in land.

Although Cllr Felts family withdrew their land from consideration within the Neighbourhood Plan in December 2018, their site has been the subject of much discussion in recent weeks and months on social media and in Parish Council meetings, where it has been commented on by some residents and parish councillors as providing a better alternative to the sites allocated in the Neighbourhood Plan.

The potential for the site to be used to provide vehicular access to the Meadow House site from the A428 has also been considered and recently discussed.

In the absence of an agreed Neighbourhood Plan, policies which protect the village from speculative planning applications are removed. It could be seen that any vote taken by the Parish Council which has the effect of discrediting or obstructing the progress of the plan to referendum, could be advantageous to Cllr Felts family.

This is not to suggest that Cllr Felts is acting in any way in which he is deliberately intending to secure a financial advantage for his family. Cllr Jenkins has raised the issue at previous meetings because he believes that it is a matter that the Parish Council should carefully consider.

Matters raised regarding suggested inconsistencies between the Transport Policy T11 and paragraph 5.106.

Submission paragraph 1 a. Clarity of Policy T11: Transport

Introduction

The issues raised by Cllr Poll in his submission are described as matters of NDP Conduct and Process.

This comment/complaint challenges the content of Policy T11 and not matters of Conduct and Process. Strictly speaking these comments are of a different nature to the Conduct and Process matters raised by Cllr Poll.

The submission version of the plan, which includes Policy T11 and paragraph 5.106, has been agreed by the Parish Council, although Cllr Poll voted against submission of the plan.

Now that the plan has been submitted, the legal process dictates that there is no longer any opportunity for the Parish Council to make further amendments to the plan

The presence of any inconsistencies or lack of clarity in any aspect of the plan is now a matter for the planning inspector who has been appointed to examine the plan.

Nevertheless, in a spirit of openness, the Steering Group offer comments on this issue as set out below.

Comment/complaint

Cllr Poll's submission states that paragraph 5.106 is in direct conflict with the Policy T11. The policy statement says no impact, 5.106 says there will be.

Steering Group response

- i. Issues associated with how to address traffic impacts on Carlton Road and Newton Lane in the plan have been the subject of lengthy discussion at Parish Council meetings.
- ii. The planning consultant advising on the plan was present at meetings where the subject of how the plan can best protect the village from unwelcome impacts on the parish road network were discussed. The planning consultant drafted the policy statements in the plan taking these discussions into account.
- iii. Cllr Poll's criticism of inconsistency between paragraph 5.106 and the Transport Policy T11: Transport policy statement is a matter of opinion and interpretation.
- iv. There is no conflict because, on the basis of the advice of the Borough Highways team;

- there is no reason to anticipate any loss of amenity on Carlton Road through parking restrictions or narrowing of the carriageway beyond the point where two lanes of traffic can pass safely
 - on Newton Lane a balance will need to be struck between impacts of amenity value gains to pedestrians achieved through a potential narrowing of the carriageway between Winterborne and Bank Cottage, to allow for widening of the pavement, and any amenity loss through a reduction in on-road parking
 - on Newton Lane, (where space for on-road parking between Winterborne and Bank Cottage can accommodate up to 6 vehicles only), all residents on the 50 metre stretch of carriageway in question have access to off-road parking
- v. The issues raised about how provision can be made in plan policies to protect the village against unwanted impacts on the road network arising from development have been rigorously debated and taken into account.

Neighbourhood Plan Steering Group Newsletters

No.	Date	Event/Consultation
1	June 2017	Survey of views on living in Turvey
2	Feb 2018	Village Discussion March 18
3	March 2019	Consultation on sites March 19
4	August 2019	Consultation on sites Sept 19
5	October 2019	Regulation 14 consultation This was accompanied by a short document summarising the plan.
6	August 2020	Regulation 16 consultation

RE: Special PC meeting item 4: Correspondence related to the NDP received from residents from the end of January 2020 to date.

From [Paul Jenkins](#) on 2020-06-24 20:43

From [Paul Jenkins](#)

To [Edward Poll](#)

Copy [David Niblett](#), clerk@turvey-pc.gov.uk, [Max Felts](#), [Mark Westwood](#), [Rebecca Corns](#), [Tony Smith](#), [Karen Nixon](#), [Dave Chetwyn](#)

Date 2020-06-24 20:43

Priority Normal

Ed,

For the Reg 14 Consultation Statement we can only include comments submitted within the consultation period. The people who are outside the timescale are [REDACTED], [REDACTED], [REDACTED], [REDACTED] and [REDACTED]. These residents will clearly need a full reply from the PC once we have agreed appropriate responses to the issues being raised.

All the other people who have written to the Parish Council are included in the Reg 14 responses and I have made a note of the reference numbers which I will have with me tomorrow evening.

[REDACTED] I have replied to and his issue was his concern that development would result in parking restrictions on Carlton Road. I have told him that Highways have stated that this would not apply. [REDACTED] raises the same issue although I don't recall seeing her email before.

Hope that helps,

Paul

Sent from [Mail](#) for Windows 10

Extracts from Parish Council updates showing Finance reporting

Date	Report
Nov 17	- Following invitations for expressions of interest to six companies, five consultancy proposals received for consideration. These were shortlisted and we interviewed three companies from which Urban Vision were selected to provide consultancy services to the NP - Grant application to be submitted by mid-December following discussion with Urban Vision to agree consultancy input up to 31/3/18
March 18	- The application for funding from the grant programme was successful. Invoices received from Urban Vision and agreed consultancy support will result in full take up of the grant of £6,900 for 2017/18. The new programme for 2018/19 has been announced and it is confirmed that we will be able to apply for additional funding for next year of £2,000 as expected. - We estimate that for next year that we will need up to 12 days further consultancy support at a cost of £6,000, plus expenses to cover events room hire and printing. This be covered from the funds available from the grant and allocated Parish Council budget. - The application to the programme's Technical Fund was also approved and site assessments by AECOM have been arranged through Locality to take place by the end of March. Recommendations to the Parish Council Note budget/expenditure plan
July 18	Neighbourhood Plan Funding 2018/19 Our application to the DHCLG Neighbourhood Plan Programme for funding for 2018/19 has been successful and grant monies have now been received. A spreadsheet showing accounted income and expenditure for 2017/18 and budgeted expenditure for 2018/19 to be funded by the grant is attached.
Jan 19	- We are proposing that the Sites for Housing Consultation should commence on 15th March with a display of the submitted sites, site assessments and recommendations. The event is planned to take place at the Village Hall on 15th/16th March and at the Barton & Royle Community Room on 17th March. The display will also include information about our proposals for Local Green Space allocations. - The event will be publicised through; village notice boards, Turvey News, posts on the Neighbourhood Plan website and Turvey News Facebook, an 'A' board on the Roundell and a flyer and Newsletter delivered over the weekend of 8th March.
July 19	The Steering Group propose further consultation should be undertaken to test the acceptability of the recommendation to include Carlton Road as a

	suitable site for housing and the level of support for delivering a total of 37 to 50 homes across both sites. 2. It is proposed that further consultation should commence with an event at the village hall on 13/14th September
May 20	• A spreadsheet showing Income & Expenditure on the Neighbourhood Plan is attached for information as requested. • An application for our final grant allocation of £6,699 has been approved. This should cover all remaining costs to complete the plan and as a result the remaining funds of £3,500 in the Parish Council budget will most likely not be required.

Table showing items of business at Non-Quorate meetings

Date	No. Attendees	Progress reports
Jan 18	5	Arrange meeting with site owner Progress with grant application Discussion with AECOM re screening process Discussion with consultant re process & responsibilities Progress with evidence gathering Planning the consultation on draft site selection criteria Planning next phase of consultation
March 18	5	Progress meetings with landowners Progress with Business survey, evidence gathering Arrangements for consultation event re site selection criteria Discussion with consultant re policy development Proposal for new Steering Group members for Parish Council approval
September 18	5	Arrangements for meeting with PC Feedback from BBC re Site Selection criteria Local Plan update Arrangements for Autumn consultation Reviewed work on plan structure and evidence
November 18	5	Planned spend to March 19 Noted correspondence Progress on site assessments by AECOM Feedback from BBC Draft presentation for consultation event Progress with Green Space attribute matrix
February 19	5	It was noted that the meeting was not quorate in terms of the Steering Group ToR therefore no decisions could be made but recommendations to be forwarded to the next meeting for endorsement. Finance report Progress with drafting Update on Local Green Space designations Feedback from PC DECLARATION OF INTEREST FROM ALL MEMBERS Site Assessment Update Recommend Site ratings (The Burrows and Laws House) to be referred for endorsement at the next meeting and put forward to Parish Council Review draft presentation for consultation
April 19	5	Finance update Feedback from Consultation Progress on site assessment – request joint meeting with Parish Council to discuss Bedford BC NPPF briefing

Extract from Steering Group Minutes February 2019

Present: Russell de Ville, Paul Jenkins, Stuart Lucas, Angelo Bartoli, John Ludlow

1. Apologies:, Jon Arrenberg, Janet Goodland

- 1.1 It was noted that the meeting was not quorate in terms of the Steering Group ToR therefore no decisions could be made but recommendations to be forwarded to the next meeting for endorsement.

2. Notes of meeting held on 9th January 2019 - agreed for accuracy

8. Site Assessment Up date

- 8.1 Findings of Aecom draft Addendum report, received and circulated on 11/02/2019, discussed. Contents noted
- 8.2 The site ratings against the TNDP site selection criteria for new sites at Laws House and the Burrows were reviewed in the light of the Aecom site assessment report. Recommendations agreed for endorsement at the next meeting.
- 8.3 Update on Newton Lane East in the Aecom Addendum report discussed and noted.

Action: recommended site ratings to be referred for endorsement at the next meeting

Covering Report to Parish Council meeting 25 June 2020

Turvey Parish Council

Special meeting – Turvey Neighbourhood Plan

25th June 2020

Introduction

1. Following completion of formal consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, this report accompanies the submission versions of the Turvey Neighbourhood Development Plan (Turvey NDP), Consultation Statement, Basic Conditions Statement, and supporting documents for endorsement by the Parish Council.

Benefits of a Neighbourhood Plan

2. Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. If successful at referendum, a neighbourhood plan becomes part of the statutory development plan, together with the adopted Local Plan.
3. The Turvey NDP strategy provides for housing growth of 50 homes in the village. The plan establishes stronger local policies on site allocations, the mix of housing types, design, environment, the protection of significant local green spaces, heritage, and transport. It protects the Parish against speculative applications.
4. If the plan is not made, planning applications will be determined by the Borough Council on the basis of national and local policy only. Bedford Borough Council have published site assessments of Turvey sites in Local Plan supporting documents, where they identify the following sites as suitable for development:
 - Land north of Carlton Road
 - Land at Newton Lane (East)
 - Mill Rise, off Newton Lane
5. Representatives of these sites have expressed ambitions in the past to put forward schemes of at least 40 homes on each site. Planning staff at Bedford Borough have confirmed that the Council regards housing growth to a total of 50 homes for Turvey as a minimum, not maximum.
6. In the absence of a neighbourhood plan, Local Plan policies would not prevent the Council from permitting higher levels of development across these three sites.
7. Turvey NDP recognises that development at the level allowed for in our plan policies, sensitively located and designed, can make a positive contribution to the vitality and sustainability of our community, including local shops and facilities. The plan, created through a process of extensive engagement with residents, provides the best

opportunity to ensure that development takes place in a way that is acceptable and positively supported by the majority of residents.

Next steps for progressing the plan

Submission to the local planning authority

8. Following the formal Regulation 14 consultation, completed in January 2020, the next stage in progressing the plan is for the Parish Council (as the 'qualifying body') to submit the plan to the local planning authority. The neighbourhood plan submission must include: the neighbourhood plan, a consultation statement, and a statement on how the plan meets the basic conditions, documentation relating to Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA).
9. The focus of the 'consultation statement' is on the Regulation 14 consultation, but it also includes a summary of previous community engagement and consultation that has been undertaken.
10. The 'basic conditions' that neighbourhood plans must meet are: to have regard to national policy, contribute to the achievement of sustainable development, general conformity with the strategic policies in the development plan for the local area, compatibility with EU obligations. In addition, the plan must not breach human rights law.
11. On receiving the submitted plan proposal, a plan of the neighbourhood area, and supporting documents, the local authority must check that the submitted neighbourhood plan has followed the proper legal process. The local authority is then responsible for publicising the plan (Regulation 16), arranging for an independent examination and then arranging for the referendum to take place. The publicity gives people an opportunity to make representations that will be passed to the independent examiner.
12. Following the Regulation 16 publicity, the neighbourhood plan will carry some weight and this will increase as it moves to later stages of the process.

Independent examination

13. The local authority is responsible for appointing an appropriately qualified and experienced person to carry out the independent examination of the neighbourhood plan. The appointment has to be agreed with the neighbourhood planning body. The focus of the examination is to consider whether the plan meets the basic conditions and other legal requirements.
14. The examiner will report back to the planning authority and identify any required modifications to the plan. The Parish Council can agree the required modifications or withdraw the plan.

Referendum

15. If the neighbourhood plan is found to meet legal requirements, with modifications if necessary, the local authority will arrange for a referendum to take place.

16. Regulations linked to the Coronavirus Act 2020 mean that no elections or referendums can take place until 6 May 2021. This includes neighbourhood planning referendums. These provisions will be kept under review by the government and may be amended or revoked in response to changing circumstances. In response to this situation, current planning guidance has been updated to set out that neighbourhood plans awaiting referendums can be given significant weight by planning authorities in making decisions about planning applications.
17. If successful at referendum, a neighbourhood plan comes into force as part of the development plan for the area alongside the Local Plan. Local planning authorities and planning inspectors considering planning applications or appeals, must make their decisions in accordance with the policies of the development plan, unless material considerations indicate otherwise.

Recommendations

18. The Parish Council is recommended to:

- i. Agree the Turvey Neighbourhood Development Plan (Submission Version April 2020) for submission to Bedford Borough Council for examination.
- ii. Agree the Consultation Statement and Basic Conditions Statement to accompany the submission.
- iii. Note the list of supporting documents in the Appendix to this report.

Paul Jenkins

Chair, Turvey Neighbourhood Plan Steering Group

11/06/2020

List of supporting documents

- 1) Local Green Spaces report
- 2) Site Assessment & Allocations report
- 3) Strategic Environmental Assessment Screening report
- 4) Habitat Regulations Assessment report
- 5) List of post Regulation 14 amendments
- 6) AECOM Ltd Site Assessment report (May 2018)
- 7) AECOM Ltd Site Assessment Addendum report (April 2019)

Covering email to parish councillors for 25 June 2020 meeting

Subject: Special Parish Council 7.00pm 25th June: Turvey NDP - Introduction and covering report
Date: 2020-06-11 20:47
From: Paul Jenkins <pjenkins@turvey-pc.gov.uk>
To: David Niblett <dniblett@turvey-pc.gov.uk>, Rebecca Corns <rcorns69@gmail.com>, Tony Smith <tsmith@turvey-pc.gov.uk>, Edward Poll - Turvey Parish Council <epoll@turvey-pc.gov.uk>, Mark Westwood <mwestwood@turvey-pc.gov.uk>, Karen Nixon <km37@live.co.uk>, Max Felts <feltsmax@gmail.com>, "clerk@turvey-pc.gov.uk" <clerk@turvey-pc.gov.uk>, Janet Goodland <janet.goodland@btinternet.com>, Dave Chetwyn <dave.chetwyn@uvecic.co.uk>

Dear all,

In September 2019 the Parish Council agreed the plan and supporting documents for formal consultation under Regulation 14. The main focus of this meeting is to consider the comments received in that consultation and the responses to the comments put forward by the Steering Group. These are contained in the Consultation Statement and appendices.

The Consultation Statement forms part of the documents that are required for submission of the plan to the Borough Council, which is the next stage for the Neighbourhood Plan. In order to make a decision about submission, parish councillors will need to be able to refer to the full set of documents. The process is explained in more detail in the attached covering report for the meeting.

Some of the NDP documents have been amended in response to comments received in the Regulation 14 consultation. Where documents have changed, amendments are shown in track changes. Other documents are unchanged from those circulated to the Parish Council in September.

I am sending the documents in 3 emails;

- Document set 1 - amended and new
 - Consultation Statement Submission Version April 2020 and Appx 2 and 3 – NEW
 - Turvey Neighbourhood Development Plan Submission Version (Amended) April 2020
 - Site Assessment & Allocations Report Updated April 2020
 - List of amendments - NEW
- Document set 2 - documents which are unchanged from September 2019
 - Local Green Spaces report
 - SEA Screening report
 - Habitat Regulations Assessment report
 - Aecom Ltd (May 2018)
 - Aecom Ltd (April 2019)
- Document set 3 – full representations to the Reg 14 Consultation from land agents
 - Fisher German for Richborough Estates
 - Fisher German for the Trustees of the Turvey Estate and Turvey House Maintenance Fund
 - Gladman Developments Ltd

If you have any queries or questions about the documents you can contact me before the meeting if you wish.

Regards,

Paul

Minutes of Parish Council meeting 25th June 2020

An Extraordinary Meeting of Turvey Parish Council was held on Zoom on Thursday 25th June 2020 at 7.00pm

Present: Cllrs D Niblett, P Jenkins, R Corns, M Westwood, E Poll, T Smith, M Felts, Borough Councillor J Weir, Dave Chetwyn from Urban Vision, 10 members of the public and the Clerk (Mrs S Bottoms).

1. **Apologies for Absence:** Cllr K Nixon.
2. **To agree the etiquette for the conduct of the meeting:** All in attendance to be on mute and to raise their hand if they wish to speak.
3. **Introduction by Cllr Paul Jenkins and a summary of the matters to be considered:** Cllr Jenkins had circulated a report in advance to the parish council and he spoke to that report. Following completion of the formal consultation under Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, this report accompanies the submission versions of the Turvey Neighbourhood Development Plan (Turvey NDP), the Consultation Statement, Basic Conditions Statement, and supporting documents for endorsement by the Parish Council.

Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. If successful at referendum, a neighbourhood plan becomes part of the statutory development plan, together with the adopted Local Plan. It protects the Parish against speculative applications. If the plan is not made, planning applications will be determined by the Borough Council on the basis of national and local policy only. Bedford Borough Council have published site assessments of Turvey sites in Local Plan supporting documents, where they identify the following sites as suitable for

development: land North of Carlton Road, land at Newton Lane (East) and Mill Rise, off Newton Lane. It can also allow more than 50 dwellings if it considers the services, schools and roads have sufficient capacity.

The Turvey NDP strategy provides for housing growth of 50 homes in the village. The plan establishes stronger local policies on site allocations, the mix of housing types, design, environment, the protection of significant local green spaces, heritage, and transport. Residents in Turvey were consulted at an early stage to establish their views on what was important to be in the plan. Site assessments by the Steering Group were informed by independent professional advice from Aecom and the borough council and were based on local criteria agreed upon by the local community and informed the choice of sites. Following consideration of site assessment information presented by the Steering Group, a number of discussions took place with the parish council between January and June 2019 to agree the sites to be recommended to residents. In July 2019 the parish council agreed to recommend the Mill Rise and Carlton Road site. At an informal consultation in September 2019, residents were asked to express their opinions about these sites and there was substantial support for these recommended sites. At the September 2019 parish council meeting, the parish council resolved to submit the agreed draft plan for the Regulation 14 consultation with Mill Rise and Carlton Road as the allocated sites. The consultation took place between November 2019-January 2020.

This extraordinary meeting is to consider the outcome of that consultation as set out in the consultation statement and the proposed amendments to the plan arising from consultation comments. Following consideration of the reports at this meeting, the parish council is asked to:

- i) Agree the Turvey Neighbourhood Development Plan (Submission Version April 2020) for submission to Bedford Borough Council for examination.
- ii) Agree the Consultation Statement and Basic Conditions Statement to accompany the submission.
- iii) Note the list of supporting documents in the Appendix to this report.

NDP's were introduced as an exercise in local democracy. A great deal of time and public money has been invested to produce a local plan which he believed has strong support from residents. Final test for the plan is to be put to a referendum of residents on the electoral roll for Turvey. He strongly believed it is the duty of the parish council to allow Turvey residents to have the final say.

Questions and answers followed. The Clerk has highlighted the questions and comments/concerns raised by the parish councillors in italics and the answers were provided by Cllr Jenkins and Dave Chetwyn.

A. Relating to Carlton Road:

The claim is that there was strong support from local residents but presumably only from those who responded. How many responses were there out of the 1000 residents eligible to respond?

Cllr Jenkins responded to say that in September 2019, there were 94 in support of Carlton Road as the second site and 36 opposed and the Steering Group considered that as sufficient to move it and Mill Rise to the Regulation 14 consultation.

But 130 out of a possible 1000 qualified to respond is a minority sample which must be noted. Reference was made to the correspondence received below regarding potential traffic and parking issues.

Cllr Jenkins noted that at the referendum the residents would again have the opportunity to vote. Of the 36, most were concerned about traffic issues, these have been taken into account.

Guarantees were wanted from the Highways Authority and the Planning Department that changes to the road arrangement would not be enforced in which case the parish council would support development, but such guarantees have not been forthcoming.

There was concern about the use of the word "preferred". The plan will eventually go to the village to decide so the parish council is not "preferring" the sites. Rather they are "proposed" sites until the village decides. The parish council is not recommending anything. No decision is made until the referendum.

The plan will only be made if it is successful at the examination stage which will allow it to go to referendum. The vast majority of NDPs' pass the referendum with a strong yes vote. Turnout at local and general elections can vary but anyone who wants to vote will have the opportunity. The plan will need a majority vote. With a NDP in place it is much easier for residents and parish councils to make representations. If a speculative plan comes in today before a plan has gone through the publicity phase, then that application will only be considered against National Planning Policy and the Local Plan Policy. The former is written with a national housing crisis in mind. The NDP will give you much more strength to make representation against such applications. The NDP once made is statutory policy, the local plan is already in place so the NDP would carry more weight where the two plans differ. Planning applications must be determined in line with the NDP unless material considerations indicate otherwise. The examiner will consider whether the plan meets the basic conditions having regard to National Planning Policy being in general conformity with strategic local policy helping to achieve sustainable development and not breaching EU regs regarding human rights law. There will be an opportunity for residents to make representations before the examination and he/she will consider them in terms of whether the plan meets legal requirements. Usually plans need some modification. This plan caters for growth so provides a comfort blanket. Local authorities must meet government housing supplies. The NDP meets the growth requirement in your area and so if there are difficulties in delivery in the wider borough area, you would have a safety blanket.

On the traffic issue, this is policy for development so where we are talking about decisions by the Highways Authority on traffic management grounds that is totally outside the scope of this plan so if the Highways Authority wants to do any works they will do so under highways legislation and is a completely separate matter. With highways works related to actual developments the NDP has transport policies and design policies and other policies in about impact on the historic environment which would give you more muscle in trying to negotiate with and influence the highways authority. Existing traffic issues in the village are not covered by the plan and so are not a factor in the decision for submission.

Representations received during the Reg 14 Consultation are set out in the

Consultation Statement and must be taken into account. The Consultation Statement explains how they have been considered and what changes if any were made to the plan. In the case of representations which double up or are received outside that consultation, it is up to you how to deal with those when you respond but must not be taken into account as part of this decision in terms of running a proper and legal consultation.

We have serious problems in Carlton Road and Newton Lane (slightly less). But does the plan not give impetus to the highways authority to decide to make changes to the footways where currently they are not inclined. When a planning development went in for Newton Lane, the Highways Authority said that a proviso would be that road changes would be needed.

If a speculative planning application comes in with the NDP in place there are policies on transport and design and on impact on the historic environment so if you did not like what the highways authority was negotiating then you would have a basis on which to

make comments to the highways authority or planning authority to say this does not meet the requirements of our plan and we are not happy with the proposals. In its absence, National Policy on Transport is very vague and refers to severe impact, so a much higher threshold. The highways authority will not give guarantees and no plan can go into the detail but you can back up your arguments with policies.

E-mails from planning policy and highways received do not provide any guarantees. But is it not possible to strengthen T11 and T1 to include a clear statement that no development could be supported if they were going to involve such changes.

If you are trying to be too prescriptive on the actual solution then the plan may struggle. But you could put in the rationale to the plan if there is a particular issue that needs to be taken into account. This could be written in in the part before the plan so if the issue came up then you could say the NDP did recognise this issue. If you try to be very prescriptive in writing policies then the examiner is likely to remove it.

We have the precedent as to what the highways authority would do given the Newton Lane situation. So if the NDP includes Carlton Road as one of the preferred sites and the highways authority do the same, the residents will not thank the parish council.

If you do not make the site allocations, you would not be meeting the growth allocation. If the wider district is not meeting its housing allocation, then the area is vulnerable. So the local authority could pick any or all of the sites. If left open to the market then the developer will choose which site will come forward. This would give less ability to influence it and could end up with sites developed without safeguards.

Does the fact that Turvey is a Conservation Area not give safeguards?

The special duty for a Conservation Area does not imply no development in fact the opposite. Often it can be a trigger for regeneration. The special statutory duty for a CA is to have special regard to the desirability of preserving or enhancing the character or appearance of the area. That is not anti-development. Rather the design must be given consideration. Without the design and heritage policies in the NDP you are working against nation and local planning policy rather than the specifics of the locality. The plan cannot specify the solution to highways matters so if a speculative application comes in it will be dealt with a plan in place. The plan can highlight an issue. With the NDP you have policies that you can use to back up your comments. There are policies in the NDP which would allow you to make representations if there was a solution which had a particularly adverse environmental impact.

If the plan goes to referendum, and Carlton Road is agreed and when the plans are submitted for Carlton Road and the highways response is to propose the loss of say 2/3rds of existing parking in Carlton Road, what could the parish council do?

If there is no plan in place then you would have to argue against national policy and local plan policy. If the NDP is at a late enough stage to be a material consideration you could use that to help back up your representations. If the planning authority went against

national policy and local policy of the NDP without material considerations to justify that their decision could be vulnerable to challenge. There are examples where local authorities have not taken account such policies and the decision has been challenged and quashed. The decision in law is clear. Planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise. Cllr Jenkins added that whilst there are no guarantees, the Highways Department would oppose the loss of all parking because there is nowhere else for residents to park. In addition, Carlton Road would be opened up to real speeding problems.

What about the reports of submissions to the consultation from Fisher German and Gladman Developments. If our plan goes to the examiner. Would the points raised be valid?

Dave Chetwyn said that the developer responses were examined by his company and advice provided on how to respond. He had careful input to the responses to the developer representations.

Following concerns raised by the parish council, adjustments have been made to the transport policies in the NDP to make them as strong as possible in response to the issues which had been raised by the parish council.

Fisher German's comments struck a cord because they are saying that there would be a planted/landscaped area at the front to mitigate the impact of the development on the ancient park. But having a road through would reduce much of that mitigation.

There is a difference between impact on the historic environment and negative impact. So obviously how the site is landscaped/designed is important. But the site is outside the historic park and garden and some distance from the listed buildings so if well designed it is just like any other part of the village, it does not intrinsically harm the setting of the heritage asset it is more how the development is done. If the development was in the middle of the historic park and gardens or cutting part of that off then absolutely that should knock such a site out. But here is a case of having a good standard of design and landscape. Do not assume impact on the historic environment is automatically negative. It can be positive as well or neutral. A proportionate approach is needed. If anyone thinks proper considerations have not been made, then at the Reg 16 stage there would be an opportunity to say we do not think that the impact on the historic environment has been considered properly. The examiner will look at that issue and consider whether there is any merit in that or not. It would be very surprised if the examiner knocked it out as it seems to have been reasonable considered.

B. Relating to Station End: (Cllr Niblett) declared an interest.

In the allocation it does not count towards the 25-50 houses. There are two sites here Priory Farm and The Burrows. There seems some inequity in the site assessments. Priory Farm is ruled out and one of the key reasons is it is not sustainable, it is separate from Station End. But in fact it is not. It is stated it would have little effect on rural outlooks. But a key factor is distance from the village core. What is the "village core"? This needs

clearly defining. Yet The Burrows has not been rejected and it is even further away from the village core. There seems inconsistencies. It states The Burrows has a safe site access available but there is no sign as to what the site access is. At an earlier parish council meeting the view was that these two site should be removed from the plan.

In terms of the site assessment of The Burrows, it effectively repeats the Aecom advice. The NDP is neutral on this site.

But it has not been submitted on the call for sites. So why include it? In the case of Priory Farm, the Steering Group had reported not submitted or withdrawn from the call for sites so taken out of consideration. So if the housing at Station End is not counted in our allocation, why include them? Can we not omit the whole of Station End or try to get them incorporated into our allocation to reduce the traffic implications for Carlton Road. Many people support Priory Farm. Could the fact that these areas are in the plan end up encouraging additional development. It seems to discredit the process.

These are 50 houses well outside the village so sustainability is a big issue. The bigger the number involved the greater the issue. The majority of growth needs to be nearer the village centre. With regards the “village core”, there is a settlement boundary for the village which is the technical answer to what the village core is. The more informal answer is where the shops, pubs and facilities are because that is where the walkable distance issue comes in and the sustainability angle comes in. That does not mean that Station End is not sustainable but rather affects where future growth goes because the nearer that growth is to pubs and shops etc the more they are likely to benefit from the development and it helps make the community facilities more viable. So a small number around Station End is not an issue but it is when referring to where the majority of growth goes. So it is if the area for growth is sustainable.

But the furthest part of the Carlton Rd development is half a mile away from the shops etc.

The entrance is 500m from the shops. *But what about the furthest house?*

Station End should be left out of the plan. The suggestion is that the parish council and the Steering Group have been told numerous times that Station End cannot be included in the count. But only one e-mail can be recalled where the response from borough council suggests it would be harder for these to be counted because of the distance. Not that it could not be. It is a neighbourhood plan and however much it is argued, Station End is within the neighbourhood boundary. A further e-mail back in 2018 when there was an update to the local policy which states that Station End does not need to have a settlement boundary against it because it is classed as a small settlement so can be expanded.

There is a difference between the neighbourhood area and the settlement boundary. The neighbourhood area is the parish but that does not mean that the whole area is suitable for growth e.g. the historic park and garden. But in terms of meeting housing need, it is the proximity to the settlement boundary that is an issue for the local authority and also if any developers put in a speculative application they will try to use

the grounds as to whether the growth target is being met in or adjacent to the settlement boundary. So proximity to the settlement boundary is an issue on whether the figures count towards the allocation. It is not a binary thing, e.g. a point in the road where this takes place but it remains harder to argue the further out you are. A developer would argue that housing at Station End did not.

But Station End is a less controversial site. There are already plans in for Priory Farm. No one has raised objections so we could lose potentially 25 houses that could have been counted towards our allocation in the plan.

The problem is that the local authority has already said that development here will not count towards the growth figure and so you will still need to cater for the full growth figure in or adjacent to the settlement boundary.

But the local authority have only said that it would be harder to argue that these houses count towards the allocation. Not that they will not, rather that it will be more difficult to justify.

Discussions between the Steering Group and the Planning Policy team clearly indicated that there is an expectation in all the borough council's local plan documentation that the growth should be within the settlement boundary or in close proximity. Before the site was sold for the care home, the Steering Group wanted to push the argument for development at Station End, but the planning department would not have it. With regards to the NDP it is not possible to now start looking for other sites. It is not possible to change this plan and go through consultations again. All the consultations done to date are based on the two sites of Mill Rise and Carlton Road. There is not time to do another plan.

Is there no option to go back to the borough council to see if some of the houses at Station End could not be included to provide a middle ground solution.

If you now change something as fundamental as the site allocations which currently are meeting the growth requirement then you would need to repeat Regulation 14 consultation. That will put back when the plan is made and goes to examination and when it can be taken into account. In terms of meeting the growth requirement the strong advice would be not to ignore the local authority advice on what will and what will not be taken into account. Developers will hammer someone arguing that growth that far out is taken into account. It would be used to undermine the plan. This plan needs to meet and exceed the growth requirement. You would be opening the door to speculative developments.

The parish council is concerned to be proposing an idea which prevents development especially at Priory Farm. Why not have a neutral stance on development at Station End. Priory Farm was popular in the consultation. So Priory Farm should not be ruled out as the current document does. Can nothing in the current document be changed?

Strictly speaking at this stage, it should be modifications only to meet Regulation 14. If you are simply tweaking a few words then that should be ok. The application for Priory Farm will likely be decided before the NDP is completed.

Borough Cllr Jim Weir reported the planning officers were possibly minded to refuse the application based on traffic issues, the structural layout of the housing did not lend itself to police liaison officers view of how it should be structured.

In the case of The Burrows, the suggestion that there safe site access should be available should be removed because we do not know where the access will be. There are two possible locations.

Borough Cllr Jim Weir noted that work has now started on the new Local Plan to 2040 which requires the borough to find an additional 15,000 houses and in July the call for sites will go out. This process will end on the 14th August. There will then be a process of selection and elimination but it does mean that landowners in Turvey will be putting other sites in.

4. **Correspondence related to the NDP received from residents from the end of January 2020 to date and agree any action:** The Clerk reported that she had received 16 e-mails from residents regarding concerns about the possible adverse consequences of the proposed NDP on Carlton Road and she had circulated them to the parish councillors:

6 were copies of responses to the Regulation 14 consultation.

2 were specifically regarding the potential adverse impact on parking

1 expressed concerns about parking but also wider traffic and safety issues

7 were concerned about increase in traffic both during construction and from additional traffic from the resulting development, school safety and the impact on the historic village
In addition, the Clerk had received further correspondence from another resident which following discussion with him, she would record as correspondence received at the May meeting in 2019 and 2020. **It was agreed** to consider the responses to these after 5. Below had been completed.

5. **To consider the documents below and agree action:**

The documents below had been circulated and considered in advance.

- i) **Document set 1 – new and amended:**

- Consultation Statement Submission Version April 2020 and Appx 2 and 3 -New
- Turvey NDP Submission Version (Amended) April 2020
- Site Assessment & Allocations Report Updated April 2020
- List of amendments – New

- ii) **Document set 2 – reports considered in January that have not changed:**

- Local Green Spaces Report
- SEA Screening Report
- Habitat Regulations Assessment Report
- Aecom Ltd (May 2018)

- Aecom Ltd (April 2019)
- iii) Document set 3 – full reports of submissions to the consultation from Fisher German and Gladman Developments
- Fisher German for Richborough Estates
 - Fisher German for the Trustees of the Turvey Estate and Turvey House Maintenance Fund
 - a. Gladman Developments Ltd.

The meeting moved on to looking at the Regulation 14 outcomes through the consultation statement and the comments and responses. On advice, it was agreed that provided the parish councillors had read the documents it was not necessary to go through line by line. The decision to be made is to agree the submission of the plan with the supporting statements. There are three parts to the consultation statement; the main report which describes all the consultation undertaken up to Regulation 14, Appendix 1 is a list of consultees, Appendix 2 is a table with all the consultation comments on it. What is required is to produce everything that has been contributed.

Amongst the correspondence referred to under 4. above, there are 15 who have submitted letters and 11 of those have submitted comments to this consultation and their comments are in the document and suggested responses have been produced to be agreed to be sent to them.

Overall there have been comments from 37 individuals and organisations including 26 residents, the Turvey History Society, the borough council, statutory consultees and land agents. Of the 26 comments from residents, 11 have written to the parish council and 11 of the 26 are residents who disagree with the Carlton Road site and the associated problems with it. The Steering Group have prepared in Appendix 3, a response for consideration by the parish council. In essence, to say that the parish council understand these concerns and have been aware of them all through the process. The 11 residents were all saying similar although not exactly the same things. So Appendix 3 and the issues that these residents have raised are to do with the inequitable application of the site assessment criteria between Newton Lane and Carlton Road, issues to do with traffic impact, pavements, school and child safety, impact on the cemetery, development creep on the Carlton Road site and a couple of residents saying Priory Farm would be a better alternative and some suggesting Meadow House.

The nature of the decision needed tonight by the parish council is to approve the submission plan and supported statements so provided the parish councillors have looked at the paperwork beforehand and the contentious issues have been discussed earlier in the meeting then the parish council can approve this. Once the plan is submitted it will be publicised as part of Regulation 16 so those who have made representations outside the timescale or thinks proper process has not been followed can make representations at that stage and the examiner will then consider. At this point the parish council has the document with the modifications in and the consultation statement which explains how each one has been considered. The parish council does not need to approve each consultation response. The parish council can just approve the submission with the two supporting statements.

There was concern about the use of non scientific language e.g. some, few. There should be numbers included. There has been too much reliance on the Aecom document which

contains subjective information and it contains contradictions. It seems the submission cannot be changed or altered.

The parish council agreed in September to put these two sites forward for the Regulation 14 consultation.

But the parish council agreed to exclude Station Road which is still in the submission. Turvey Parish Council cannot recommend this plan, rather offer it as a proposal for residents to decide upon.

There are more opportunities as mentioned above for residents to express their views and further changes to be made. The plan will carry more weight as it moves through the process. So the parish council is being asked to approve the submission of the document and supporting statements.

So the statement about the safe access in relation to The Borrows must stay in even though the chosen access is not known? This is a factual inaccuracy.

There is a danger of a lot of small matters undermining the plan. The comments should be made at Regulation 16. There is the opportunity to say there are a few corrections to be made and ask the examiner to look at these. It then goes through a legitimate process.

It was noted that all councillors as residents would have the opportunity to make further representations at Regulation 16. The parish council can explain factually to the public at the referendum stage what voting yes or no means. The parish council cannot campaign as a public body for or against.

Cllr Niblett proposed:

- i) Turvey Parish Council agree to the Turvey Neighbourhood Development Plan (Submission Version April 2020) to go forward for submission to Bedford Borough Council for examination. Cllrs Smith, Corns, Westwood and Jenkins were in support and Cllrs Poll and Felts were against.
- ii) Turvey Parish Council agree the Consultation Statement and Basic Conditions Statement to accompany the submission. Cllrs Smith, Corns, Westwood and Jenkins were in support and Cllrs Poll and Felts were against.
- iii) Note the list of supporting documents in the Appendix to this report. The parish council noted these

With regards the correspondence referred to in 4. above. 11 who submitted responses to the Reg 14 Consultation had received a holding letter which stated that at the conclusion of this consultation, all responses received will be reported in full with a parish council reply in the consultation statement which is what will happen. Of the remaining 4, two were concerned about parking one of whom Cllr Niblett and Cllr Jenkins had already sent a reply and as the other person has similar concerns, a similar letter should be forwarded to her. Of

the remaining 2, one had identified similar issues to the others who disagreed with Carlton Road and the other had disagreed with both sites. Both of these letters were received outside the Regulation 14 consultation. But it was made clear that second of those two individuals had indeed sent a letter in March which was outside the Regulation 14 but had sent an earlier letter in April 2019 which did not get a response. It was agreed that this parishioner should receive a formal response to the earlier letter with an apology for the lateness of the reply. With regards his second letter the response should be to thank him but note it is outside the Regulation 14 consultation process but to suggest he refers to the submitted plan for our comments on the letters which were received during the consultation period. There will be an opportunity at the publicity phase to make representations as part of the statutory process. The Clerk agreed to draft a response in discussion with Cllr Jenkins.

Cllr Niblett thanked Dave Chetwyn for attending the meeting and for sharing his experience, knowledge and advice. It has been tremendously beneficial to have him attend the meeting to give the background to help guide us and understand what we can protect and what we cannot.

6. Close of Meeting

**Members are reminded they must declare any personal interest in any item on the agenda and state whether they are also prejudicial. In the case of personal interests, the member may speak and vote on the matter. In the case of prejudicial interests, the member may share information on the topic, but then must withdraw while the matter is discussed and any decision made.*

Email correspondence re suggested amendment to the Burrows Site Assessment conclusion

----- Original Message -----

Subject:Re: The Burrows site assessment

Date:2020-06-27 14:11

From:David Niblett <dniblett@turvey-pc.gov.uk>

To:Paul Jenkins <pjenkins@turvey-pc.gov.uk>

Copy:"clerk@turvey-pc.gov.uk" <clerk@turvey-pc.gov.uk>, Rebecca Corns <rcorns69@gmail.com>, Mark Westwood <mwestwood@turvey-pc.gov.uk>, Edward Poll - Turvey Parish Council <epoll@turvey-pc.gov.uk>, Tony Smith <tsmith@turvey-pc.gov.uk>, Max Felts <feltsmax@gmail.com>, Karen Nixon <km37@live.co.uk>

I feel uncomfortable at being misled in the meeting.

Sent from my iPhone

On 27 Jun 2020, at 13:57, Paul Jenkins <pjenkins@turvey-pc.gov.uk> wrote:

I talked to Dave Chetwyn about this – he advised that as the Site Assessment report is a supporting document only, as is the Aecom report, (ie., this information is already in the submission document bundle) adding to the explanation of the site assessment conclusions in this way would not be inappropriate.

If you feel uncomfortable about it, then lets leave things as they are.

Paul

Sent from Mail for Windows 10

From: David Niblett

Sent: 27 June 2020 13:42

To: Paul Jenkins

Cc: clerk@turvey-pc.gov.uk; Rebecca Corns; Mark Westwood; Edward Poll - Turvey Parish Council; Tony Smith; Max Felts; Karen Nixon

Subject: Re: The Burrows site assessment

We were told that no amendments could be made at this stage at the meeting. Now it appears that we were given inaccurate advice.

I am quite shocked that we seem to have been misled.

David

Sent from my iPhone

On 27 Jun 2020, at 09:33, Paul Jenkins <pjenkins@turvey-pc.gov.uk> wrote:

Dear all,

Janet and I have reviewed the Aecom assessment and the full text of their comment on site access is as follows;

'The site is assessed to have capacity for 2no. dwellings if accessed via land under the landowners control (the former Warren Nursery) to the north, or 3no. dwellings if an additional access can be achieved via third party land from the south (Site 8).'

I suggest we should add the full comments to the Site Assessment report.

If anyone disagrees with this suggestion, please let me know by next Tuesday.

Regards,

Paul

Email correspondence Cllr Jenkins to Cllr Niblett re Carlton Road consultation

From: pjenkins@turvey-pc.gov.uk <pjenkins@turvey-pc.gov.uk>
Sent: 19 September 2020 10:53
To: David Niblett <dniblett@turvey-pc.gov.uk>
Subject: Re: Draft Consultation form - Carlton Road traffic flow improvement options

David,

I take it you are referring to the parking survey questionnaire. That's fine as long as you have understood that I have not volunteered to undertake that. The parking survey is a completely different piece of work from the Carlton Road traffic flow improvement consultation that I have spent time developing.

The parking survey seeks to gather information from residents about parking problems where they live. It consists of 18 questions, 13 of which have 2 parts, so 31 elements for residents to comment on. This is a much more complex exercise to analyse and report on than the agreed consultation exercise.

The Carlton Road consultation asks for comments on options aimed at improving the problems with traffic flow on Carlton Road and invites residents to make suggestions about any other measures that they believe would be helpful. It is a more focused exercise with the specific aim of finding solutions to a recognised and longstanding problem.

At the PC meeting in July it was agreed that I would revise the Carlton Road consultation format so that it could be completed on paper/online. Councillors were invited to put forward questions that could be included in the consultation form. In the event, the suggestion came forward that we should carry out the parking survey instead. I emailed you on 14th August (as attached) setting out my thoughts on the parking survey and asking if you would like me to put the Carlton Road consultation on hold whilst steps were taken to carry out the parking survey as an alternative.

I remain willing to carry out the Carlton Road consultation, based on the draft form I sent to you on 31st August, but I don't have the capacity to take on a new piece of work that will be much more complex and time consuming to complete.

Regards,

Paul

On 2020-09-18 09:12, David Niblett wrote:

Paul,
The PC has already agreed the form of the questionnaire. It is not for you and I to change this.

The agreed one should be used.

David
Sent from my iPad

On 16 Sep 2020, at 17:58, pjenkins@turvey-pc.gov.uk wrote:

Hi David,

Please find draft Consultation form attached. If you would like me to take this forward I suggest, subject to your comments/revisions, circulate to all PC members for comment and then, subject to their comments/revisions;

- send to printer Monday 21st
- collect from printer Wednesday 23rd
- 4 PC volunteers needed for delivery
- circulate to consultees by Saturday 26th - all households north of the High St., ie., the Loop, Carlton Road, May Road and all households at addresses off May Road, PC volunteers Norfolk Road, Elmwood, Bamfords Lane.
- collect and analyse comments form for report to the Parish Council meeting on 26th November.

Let me know what you think or give me a call if you prefer.

Regards,

Paul

<Draft Consultation Form traffic flow improvements Carlton Road.docx>

-----Original Message-----

From: David Niblett <dniblett@turvey-pc.gov.uk>

Sent: 01 September 2020 08:08

To: pjenkins@turvey-pc.gov.uk

Subject: Re: Carlton Traffic Flow Improvements Consultation

Paul

I am away on holiday - will deal with this on my return, thanks

Sent from my iPhone

On 31 Aug 2020, at 21:14, pjenkins@turvey-pc.gov.uk wrote:

David,

There were a number of emails about the issue of the Carlton Road traffic measures consultation and Ed's suggestion of doing a Parking Survey. I had thought his suggestion was that he would do that and I would delay the consultation I had planned until the results of that were known. However Ed said later that he was expecting me to do it and we seemed to reach an impasse on that.

As I said in my email I have prepared a paper based version of the Carlton Road traffic measures consultation (see attached). However, I am concerned that it is not a good time to carry out an exercise like this. It would be useful to discuss this with you and to hear your views before taking any further action.

Regards,

Paul

<Draft Consultation Form traffic flow improvements Carlton Road.docx>

Carlton Road Traffic flow improvement measures consultation form

**Turvey Parish Council
Traffic Flow Improvement Consultation
Carlton Road/The Loop**

Background to the consultation

For many years Turvey residents have expressed concerns about congestion in Carlton Road which results in disturbance of traffic flow up and down Carlton Road, and difficulties for traffic leaving May Road turning onto Carlton Road. Congestion in The Loop and the availability of parking for local businesses is also a concern.

Over the years the general view has been that 'it is what it is - there's nothing we can do to improve matters.' This may well be the case, but the Parish Council has decided that there should be further attempts to see if some steps can be taken to improve the situation, if only a little, rather than to continue to accept defeat.

The Parish Council have come up with some suggestions for measures that may help and believe it is important for residents to have the opportunity to give their views on these, as well as to contribute their own suggestions.

The Parish Council suggestions are attached with space for you to make your comments. There is also a space for you to add your own suggestions if you wish.

Please provide the following details;

Name:

Address:

Please submit your comments by Friday 9th October. You can leave your completed comments form at any of the village shops or the Parish Council post box on the end of the village hall. There is also a Word doc. comments form on the Parish Council website so that you can email your comments to the Parish Clerk if you prefer.

www.turvey-pc.gov.uk

email: clerk@turvey-pc.gov.uk

Suggestion 1: 20 mph speed limit north of May Road to the High St junctions

Suggestion 2: One-way system around The Loop

Suggestion 3: Speed bumps on Carlton Road from May Road to the A428

Suggestion 4: Short term 20 mins parking bay (9.00 am to 5.00 pm) located on the south side of the Loop between the butchers and the Corner Stores to assist short term parking availability for the shops

Your own suggestions: