

# What went Wrong with Newbold Verdon's Neighbourhood Plan?

Chairs Report to PC 1<sup>st</sup> September 2028

Some reflections on this question from the perspective of Newbold Verdon's Advisory Steering Committee.

## What has gone wrong?

Following the publication of a pre-submission plan on 28<sup>th</sup> May 2018 and the end of the consultation period on the 8<sup>th</sup> July, it was assumed that a referendum could take place by the end of 2018 or in the new year. This is not going to happen. The practical reasons are as follows:

- A delay of over one month in receiving HBBC comments on the pre-submission plan meant that instead of responding from the 8<sup>th</sup> July, the steering committee could not begin until the 9<sup>th</sup> August 2018.
- On the 1<sup>st</sup> of August HBBC issued a determination that a Strategic Environmental Assessment would need to be carried out. A lengthy process even if it was restricted to a limited focus and one that would have to be concluded before a final submission by NV of its Neighbourhood Plan under Regulation 16. This reason alone would mean a delay of going to referendum by up to four months.
- These late deadlines for referendum meant that the team at HBBC responsible for organising and conducting such events would not be able to do so until after the district council elections in May 2019. Officers in Planning calculated that this would be mid-September 2019, over sixteen months after presenting a pre-submission plan to Newbold Verdon parishioners.

## How did we get to this position?

- The delay in receiving HBBC comments was due to staff absences.
- The reason for a SEA determination was because Historic England perceived the preferred site for housing development may have a significant environmental impact on the historic environment of Newbold Verdon.
- The reason for the delay in any referenda taking place in September 2019 at the earliest was because it *'would not be achievable in line with the prescribed and internal timescales for administering the statutory stages of the neighbourhood plan making process.'* Kirstie Rae

## Could any of these issues have been anticipated and planned for?

### Why the delay in receiving Reg 14 comments from HBBC?

The answer to this lies with HBBC, but from an external perspective the following observations may be of some help.

## **Forward Planning:**

HBBC expressed concern with us that they were unaware of the timetable we were working toward, hindering their ability to help. We believe that we had given good notice of our intentions, having met with HBBC representatives on the 21<sup>st</sup> February 2018, where we discussed a rough draft of our Housing Section and asked about the screening process for a SEA. We could not fix a date for the pre-submission NP but this was the next logical step of the process.

On the 24<sup>th</sup> April the RCC, under our instructions, sent a letter of notification to HBBC informing them of the pre-submission plan and its launch date of 28<sup>th</sup> May. This provided HBBC with a month in which to plan how it might respond to the submission and yet the process was only planned to be concluded by a planning officer in the final week of the 6-week consultation.

HBBC has since stressed to us the need there was for several officers from different departments to be involved in producing a response. All the more reason, one could conclude, for this to have been better co-ordinated and not left to be finalised so late.

## **How did we end up with a SEA determination?**

### **Lack of Understanding**

Senior members of the Newbold Verdon Steering Committee failed to fully understand the significance of the SEA and the consequences, should one be required. We thought that commissioning a SEA Screening Report that concluded a SEA would not be needed, was sufficient for us to proceed with a pre-submission plan. It was not.

### **Could this have been avoided?**

Yes, if we had read the pre-screening advice notes produced by Locality, or if this had been pointed out to us by HBBC or their representatives the RCC, or by our own consultants. The consequence was that we began the pre-submission process before the SEA consultation had concluded. When it had ended and a statutory body expressed its concerns, HBBC believed it had no choice but to make a determination in favour of a SEA.

### **Could HBBC have responded in any other way?**

HBBC says no: we disagree.

YourLocale, our consultants, provided written and verbal submissions that outlined several options that had been applied successfully in similar circumstances and which had led to either a speedy resolution

to H.E. concerns or to Examiners concluding that H.E. concerns were unjustified and passing the plan for referendum.

### **How did we end up clashing with HBBC preparations for the district elections?**

#### **Bad Luck?**

We, along with two other NP groups just happened to have come to the point of referendum at an unfortunate time in the election cycle. HBBC officers were quick to point out that the very same thing had happened to the first and, as yet, only successful NP of Market Bosworth.

#### **Could this have been avoided?**

Possibly. For Newbold Verdon, had we understood in advance that this was a strong likelihood we could have possibly speeded up our process or slowed it down so that a mid-September 2019 referendum was the target.

Forward planning by HBBC, looking at start dates for NP groups and forewarning of potential delays due to elections, seems a very logical action. We notice that HBBC has recently written to NP groups asking for information that would help them help groups better manage the process. HBBC, by their own admission, acknowledged that this had impacted upon Market Bosworth. It begs the question, why had they not learnt from this experience.

#### **Conclusion**

Not everything that has gone wrong with Newbold Verdon's Neighbourhood Plan is the fault of HBBC, but as the Local Planning Authority legally tasked with supporting NP groups it has failed in the following ways:

- a lack of planning in anticipation of issues likely to arise;
- acting in haste on matters requiring careful consideration;
- inflexibility in its response to reasonable requests for reconsidering its decisions;
- not acknowledging, sufficiently, the spirit of partnership expected of neighbourhood planning;
- assuming a defensive posture when short-comings in its practice have been revealed and failing to apologise, or even acknowledge, that legitimate questions have been asked.

Roger King (Chair, Newbold Verdon Neighbourhood Plan Advisory Steering Committee)

FAO: Councillor Surtees and Councillor Sutton

