

Letter to Colwall Parish Council, October 20th 2021

Dear Karen,

I have a number of questions I would ask you to forward to Council Members for consideration.

BACKGROUND CONTEXT

The Localism Act of 2011 has as its aim, *“To facilitate the devolution of decision making powers from central government control to individuals and communities.”*

In “A Guide for Councils, meeting your authorities legal requirements for N.D.P’s,” the introduction refers to The Localism Act 2011 and part 6 chapter 3 sets out the L.P.A.’S responsibilities. It refers to *Modification to an existing neighbourhood area*, and continues:-

“The LPA can modify the boundary of an existing neighbourhood area. If this relates to a parishes area only, this must be with the parish council’s consent.” (my underlining)

In a report to C.P.C. on 30th September 2015 the Working Group charged with preparing the N.D.P. wrote:-

“ It is essential the community supports the Plan, otherwise it will not be successful at referendum, but the ultimate audience is the Development Control Authority and to minimise their work, the developers. The Plan therefore needs to be written to suit the needs of the Development Control Authority which in our case is Herefordshire Council.”

At an informal meeting held at Daylesford, Stone Drive on 27/2/2018, Councillor John Stock kindly attended to answer pre-arranged questions on behalf of CPC. Richard King, Ann Richardson and I were present. Amongst other questions we asked:-*Has there been conflicting stances between Parish and HC, especially Area 9 new school land?*

Councillor Stock responded that *the development and boundary issues re Mill Lane have been controlled by HC and further endorsed by LSCA. Landscaping could have been done differently but County have dictated - no houses. The LSCA has been adopted accordingly.* This information has been recorded in other forms since then. This runs counter to the aim of an NDP where decisions should be made locally rather than dictated by H.C..It is also in direct conflict with the heading on the C.P.C. website where our Parish Council claims to be “The voice of the people.”

Questions:-

Regarding the occasion when HC took control of the boundary issue and no building in Mill Lane, could you please furnish the following information.

- a) When and where exactly did this meeting take place?
- b) Who representing HC delivered the “instructions” and how many CPC members were present? Who were they?
- c) Would you please furnish me with a copy of the minutes recording this meeting?
- d) Given the aim of the Localism Act, why did the C.P.C. not use these powers to push back on the H.C. “instructions”, particularly since the C.P.C. code of Practice refers to “solely serving the community”?
- e) Why did C.P.C. choose to ignore the Localism Act and their own Code of Conduct and therefore choose not to serve the community?

- f) Having created division and mistrust through the N.D.P. process, has the Parish Council any plans to remediate? If not, why not? If so, is there any way in which our group might assist? If this is so, we are willing to meet to discuss.
- g) If responses to these questions are not made available, please explain why not?

I look forward to receiving your responses shortly.

Yours sincerely,

Brian Richardson (on behalf of The Colwall Group Promoting a Revised NDP)