

'Woodruff'
Thornbury
Holsworthy
EX22 7DD

The Monitoring Officer,
Torrige District Council,
Riverbank House,
Bideford,
EX39 2QG

Dear Mr Hollis,

Complaint regarding the Chair of the Plans Committee

I wish to register a formal complaint concerning the conduct of the Chair of the Plans Committee during the meeting at Bideford on 6th July 2017. At this meeting, the following planning applications from Thornbury Hamlets Parish Council, in respect of its desire to provide a new community hall, were heard and refused:

1/0442/2017/OUT: Demolition of existing village hall and erection of two dwellings

1/0441/2017/OUT: Proposed new community hall

A. Failure to abide by stated procedure for the meeting

This complaint concerns Para 5.2 of the Code of Conduct: *The Planning Committee should, when considering an application, take into account all views that are expressed in such a way that they are openly heard and fairly considered in a balanced way before the committee reach a decision.*

Along with three others, I spoke for my allotted three minutes, in favour of Thornbury being allowed to build a new community hall. This was my first experience of a Plans Committee meeting, and I was surprised that at no point did the Chair acknowledge or directly address any of the points made by those who spoke in support of the two applications. This was particularly surprising when reference was made to a Supreme Court judgement which I understand is pertinent to the application of planning guidelines in such a case. Considering the statement made by the Chair in her preamble to the meeting regarding the desire to foster public engagement, it is clear that this was not the case. Is this a breach of due process?

B. Failure to hold Members to account

This complaint concerns Para 5.1 of the Code of Conduct: *Members of the Planning Committee need to ensure that they do not fetter their ability to participate in the decision-making process on an*

application by making up their mind or clearly indicating that they have made up their mind on how they will vote prior to the consideration of the application by the committee.

The Chair failed to hold Members to account on this section of the Code. Statements were made by Members during discussion, to the effect that the old hall was “repairable” or “in quite good order” and “could serve our needs” which flew in the face of independent expert evidence provided to Planning Officers that the hall is not economically repairable, is of inadequate size and lacks sufficient parking space. This was never acknowledged, nor were such statements challenged by the Chair. This was followed by statements that we “do not need a hall at all”, since we are close to Bradford, which I understand to be at odds with localism policy for the provision of community resources. The persistent questioning by one member, about the ownership of the proposed new site for a hall and the application of the proceeds of sale from the old site, was in my view irrelevant to the cases in hand, yet the Chair failed to hold the Member to account.

C. Lack of impartiality

This complaint concerns Para 5.6 of the Code of Conduct:Planning Committee members need to avoid bias and predetermination and take account of the general public’s expectation that a planning application will be processed and determined in an open and fair manner. To do this, Members taking the decision on an application must take account of all the evidence presented before arriving at a decision, and should not commit themselves one way or another before hearing all the arguments.....

The Chair’s closing comments, alluding to the proposition that Thornbury does not need its own hall, and specifically regarding the state of the road from Thornbury to Bradford (via Bason Farm) totally ignored the appalling state of the Thornbury to Lashbrook road, which people from Brendon, South Wonford and Woodacott would naturally use. Apparently reacting to residents’ comments in written submissions that the old hall has become an “eyesore”, The Chair also alluded to the fact that there are plenty of other “eyesores” in the area (mentioning the tin-clad barn and the “house with all the scaffolding that looks like its been there for years” at Windy Cross. This was unprofessional, opinionated and prejudiced. I would expect better from a balanced and impartial Chair of a Plans Committee.

Conclusions

In summary, the Chair failed to acknowledge or take into account any views presented on the day, including the recent Supreme Court decision: I believe this constitutes a breach of para 5.2 of the Code of Conduct. The Chair failed to hold Members to account for unsupported and prejudicial statements made during discussion, in breach of para 5.1 of the Code. The Chair displayed a lack of impartiality and a degree of prejudice in the closing remarks, in breach of para 5.6 of the Code.

Overall, the impression given was of prejudice and lack of impartiality and accountability in the chairing of the meeting. If this is what “open government” looks like, allegedly taking the views and wishes of the public into account, then my opinion of the conduct of such matters in Torridge is now considerably lower than when we started.

I am aware that Thornbury Parish Council is inclined to take these decisions to appeal, and that the decisions rested on interpretation of planning policy and the views of TDC Planning Officers.

However, I consider that to be a separate and parallel issue to that of the conduct of elected Members of TDC, and their being held to account for their actions, and I expect my complaint to be viewed in that context.

Please acknowledge receipt, and keep me updated on your progress.

Yours sincerely,

Paul Taylor

Email to: paul@taylor.it
Telephone: 01408 261804

cc: Mr A K Hutchings, Chair, Thornbury Hamlets Parish Council
Mrs J Wallace, Chief Executive, Torridge District Council