



Chair (pro tem) NDP Working Party

From: Chair (pro tem) NDP Working Party <chair@} å] chelveston.org.uk>
Sent: 17 June 2013 12:10
To: 'mommersteeg'
Cc: 'clerk@chelveston.org.uk'; 'clerk@ndp.chelveston.org.uk'
Subject: NDP-0017 - Comments on membership of working party

Pieter,

See [NDP-0026](#) for Pieter's response

Thanks for your comments. I do understand your disappointment.

However, you can be assured that you will be consulted in full and will be entitled to make detailed submissions and to hear all deliberations in full. What you will not be able to do is to vote on the decision as to the boundary chosen for the plan, nor the contents of the plan itself. You will of course be entitled to vote in the referendum on the plan.

The terms of reference for the Working Party will be published shortly and contain a clause on the declaration of interests. Compliance with this clause will be a key part of a member's continued role on the Working Party. All potential conflicts of interest will be referred to the Clerk of the Parish Council for determination (Mark has this legal power). If in doubt he will refer to ENC for advice. Under the terms of this clause your interest would have been ruled as a conflict of interest and your membership would have been terminated at the first meeting had the Council not taken the decision first.

I accept that all members of the working party will have an interest in the outcome of the project and these interests will be clearly documented if they are material to a particular decision. With this clarity, residents will be able to make up their mind about possible motives and any potential bias of the members. Mark has reviewed the potential interests of the other members (based on their property ownership). Whilst there are factors we need to consider (proximity to potential development sites), he has determined that the members can be appointed. They will all of course still have to declare their interests before all key decisions.

In your case, the interest is more than incidental in that you have declared an aspirational site for development to both the Parish Council and ENC. You therefore have much to gain and potentially lose depending upon how the deliberations go. Such an interest could severely undermine the credibility of the group. Coupled to this is your chairmanship of the 1994 group in which you campaigned vigorously and effectively against all large scale development. Were you to be a member now, you would presumably be arguing for at least selective development (certainly of your land). Whilst everyone is entitled to change their mind, your change of heart might be seen by other residents as a response to the fact that you now wish to develop your own land. No matter how much you could argue for and demonstrate your objectivity, you would always be open to the accusation of being pre-determined on the question of whether any development should go ahead.

We reached the decision at the Parish Council when it became clear that representatives from other landowners also wanted to be part of the working group. Two such representatives had put themselves forward and one had offered material and financial assistance to the group. In both cases they of course professed a lack of any bias and a desire merely to help the Village come to the best possible decision! Were we to have offered these representatives a role (or the land owners themselves) we would have had to extend this to all land owners who might have land that might be considered for development. There are at least 12 land owners in the Village with sites that could be considered for development. It would be impossible to run an objective working party with such a membership.

If you have further questions or comments do come back to me as I am Chair (pro tem) of the Working Party until the first meeting.

Please be aware that all correspondence with the working party will be public and published as part of the archive. This project is subject to the Freedom of Information Act and we have decided that as all correspondence could be requested anyway, we will simply publish it all with suitable redactions to project personal information.

Cllr Adrian Dale
 Chair (pro tem) of the NDP Working Party
 Chelveston-cum-Caldecott Parish Council

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From: mommersteeg [REDACTED]
Sent: 17 June 2013 10:30
To: adrianrdale@gmail.com
Subject: RE: Chelveston-cum-Caldecott NDP Working Party

Adrian,

I am surprised and disappointed at the decision to exclude residents where a conflict of interest may apply. A Neighbourhood Development Plan should be inclusive and include *all* residents enabling a balanced 'consultative' group to be formed. Many residents have a potential conflict of interest, either advocating potential areas of development or protecting their property against development either directly or indirectly. Both cases have some *financial or beneficial* implication and given that these interests are disclosed, their views should be heard directly with all (representative) members of a proposed consultative committee being able to participate directly in discussions relating to the preparation of the draft plan and hereafter.

The advice recommending exclusion of land owners seems to have come comparatively recently (I was not made aware of it when asking for my name to be put forward earlier in the discussions about the questionnaire or even more recently) May I ask on whose advice the decision was proposed?

Regards,

Pieter

From: Adrian Dale [REDACTED]
Sent: 12 June 2013 06:58
To: 'Pieter Mommersteeg'
Cc: clerk@chelveston.org.uk
Subject: Chelveston-cum-Caldecott NDP Working Party

Dear Pieter

Thank you for your offer to join the Parish Council Working Party which will be preparing the Draft Neighbourhood Development Plan (NDP) in preparation for consultation with residents. We discussed your proposed membership at the Parish Council meeting on Monday 10th June 2013 and concluded that your disclosed financial interest in the outcome of the plan constitutes a conflict of interest. We need to be able to convince the inspector and residents that the NDP has been developed in an unbiased way with a robust evidence trail.

We will be basing the plan on the information which emerged from the recent survey but will also give residents and land owners the opportunity to make written submissions for consideration. These and all other working papers will of course be available for public scrutiny.

A number of the other land owners in the area have expressed an interest in joining the Working Party and we have responded in the same way to these requests.

We will be preparing a detailed brief for the group over the coming week and announcing the membership once the individuals have agreed to the brief and timescales proposed.

Thanking you in anticipation of your continued support

Best regards

Cllr Adrian Dale
Chairman of the Parish Council
Chelveston-cum-Caldecott

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