

Written statement on behalf of:

Barton in Fabis Parish Council, Clifton Village Residents Association, Lark Hill Retirement Village Residents, Thrumpton Parish Meeting and SAVE Campaign Group

1. Note questions are numbered according to the referring in Version 3 of Matters, Issues and Questions.

Matter 1 - Duty to Co-operate and Legal Issues

Question 1: Please describe the processes used for engagement with other authorities and prescribed bodies and the frequency of any meetings or other means of engagement during the Plan preparation process

2. The MLP is not legally compliant and therefore unsound because the County Council has failed to:
 - a) abide with its own Statement of Community Involvement
 - b) properly respond to or take account of responses to its own consultation process; and,
 - c) send the full documentation and responses from the above organisations to the Inspector ahead of his identification of the full list of potential MIQs.

a) Failure to abide by the Council's Statement of Community Involvement

3. The terms of the County Council's 'Statement of Community Involvement' state that:

“the County Council must consult all organisations and other bodies it considers relevant to the document being prepared. These will normally include Government departments and agencies, the minerals and waste industries, district and parish councils and environmental groups.”(3.2) and

“Neighbourhood forums for an area affected by proposals will be supplied with the materials to enable them to place notices providing information regarding site specific proposals”. (3.14) and

“Where there is no parish council, town council or parish meeting to conduct the activities ...in an area affected by the proposals, the responsibility for information is placed would fall to Nottinghamshire County Council.” (3.15)
4. The area impacted by site MP2p Mill Hill nr Barton in Fabis is unique amongst those sites allocated for mineral extraction in that it lies adjacent to the major conurbation of the City of Nottingham with an estimated 12,000 people living within a mile of the site and outside the Nottinghamshire County Council area.
5. Contrary to the SCI (3.2) there has been no attempt to engage with residents associations or ward forums in communities within Nottingham City such as Clifton, Clifton Village and Lark Hill other than display boards erected in Clifton library for a short period which is c1.5 miles from those communities. In particular, the County Council has discriminated against residents with restricted mobility such as those occupying Lark Hill Retirement Village unable to access Clifton library.

b) Failure to properly respond to or take account of responses to its own consultation process

6. Appendix 1 of the MLP Draft Plan Consultation Summary Document and the lack of resulting changes to the MLPPV is also contrary to the principles of the SCI. In contrast to the number of responses to most draft policies being no more than 20/30, no recognition is given to the fact that responses related to MP2 Sand and gravel provision is recorded at 1031. We calculate that within that number in excess of 1,000 relate to site MP2p Mill Hill nr Barton in Fabis which should be recognised in the commentary.
7. There is a dismissive reference to “a large number of proforma responses were submitted by local residents” objecting to the allocation of the Mill Hill nr Barton in Fabis site. In fact, firstly the core text of these letters was agreed by an open meeting as representing the common view and secondly, the majority of responses either did not use the proforma or included additional comments on the proforma letters.
8. The Consultation Summary Document and Council Response makes no attempt to answer the specific issues raised and simply states that “any specific issues raised are capable of being addressed / mitigated at the detailed planning stage”. In fact, the majority of responses (including the proforma responses) raised strategic issues, rather than detailed planning issues, such as the lack of data to substantiate the Council’s proposed “geographical spread” of sites and the failure to prioritise sites with potential to transport sand and gravel by barge (contrary to SO1)

c) Failure to send the full response document to the Inspector on behalf of Barton in Fabis Parish Council, Clifton Village Residents Association, Lark Hill Residents, SAVE Campaign Group and Thrumpton Parish Meeting

9. The County Council failed to send the above document to the Inspector which resulted in key strategic issues and shortcomings in the MLP not being raised with the Inspector ahead of the list of Matters, Issues and Questions being prepared.