



## Complaint GOV 53

### Note of Meeting with Councillor John Wyatt

<b>Date &amp; Time:</b>	Monday 5 February 2018 : 10.30 a.m.	<b>End Time:</b>	11.20 a.m.
<b>Venue :</b>	Cleves Room, Parkside		
<b>Complainant :</b>	Long Clawson in action		
<b>Present :</b>	Councillor John Wyatt (JW) Keith Aubrey, Monitoring Officer (KA) Senior Democracy Officer (notes)		

KA explained the Member complaints process and that there was an opportunity for informal resolution, which was a good thing to attempt, which could include JW drafting a written response to the concerns raised.

On considering the 8 questions posed in the complaint, JW responded as follows :-

1. The Melton Local Plan had not yet been approved therefore there was no new document for Members to refer to.
2. The Melton Local Plan nor the Neighbourhood Plan had been approved at the time of the meeting. Therefore Members were working with the NPPF as their reference and this supported sustainable development.
3. Same as (2) above.
4. Interpretation may be different and JW presented the alternative view which was part of the democratic process.
5. The democratic process allows for the Committee Members to lead a discussion with a voting arrangement to determine. As other Members agreed and voted in the same way, JW wondered why they were not also the subject of this complaint.
6. Same as (2) above.
7. During the Officer deliberation process, some applications are marginal and it is the Committee's role to determine such applications. There is also a constitutional process which includes a trigger point that automatically refers planning applications for the Committee to determine.
8. There was a Site Visit Protocol set out in the Council's Constitution.

KA suggested that JW may find it helpful to contact the Assistant Director for Planning & Regulatory Services for more detailed explanatory wording to support a written response along the lines outlined above.

JW referred to the apology he made at the start of the 4 December meeting. KA added that the minutes did not reflect the advice given by the Assistant Solicitor and that it would have been helpful if the advice could have been given in a written statement for JW to

read out. KA noted that the time constraints had precluded this with the advice having been verbally conveyed just before the start of the meeting with JW having then had to relay it at the meeting from memory.

KA explained that the legal advice JW received was that it was not conclusive that he was pre-determined because of his comments at the previous meeting but that only he could know for sure and that he should make a statement to the committee that he was coming with an open mind to the 4<sup>th</sup> December meeting and had not pre-determined any applications.

KA mentioned that the transcription showed that the statement was not in those terms. KA added again that it would have been helpful for JW to have had more time to ensure he had a written statement to read out at the meeting.

KA explained the process for sending a response to the complainant and that he would pass it on for JW. He also said that it would then be up to the complainant as to whether they accepted the response or not and if not, the matter may be referred to the Sub Committee for a decision.

JW referred to the petition wording which was as follows and he felt this was a criticism of the Committee.

*'We the undersigned residents of Long Clawson, Hose and Harby are concerned about excessive development in our villages and the lack of concern shown by MBC about heritage and infrastructure issues focussing on traffic, flooding and schooling for which evidence has been formally presented to them but ignored. We "request" that MBC accelerates the process for determining the Clawson, Hose and Harby Neighbourhood Plan for which Regulation 16 will be completed at the end of August before determining ANY of the outstanding planning applications.'*

JW asked for a couple of weeks to consider his approach and whether or not he wished to consider a written letter as part of an attempt for informal resolution.