

Official complaint against Councillor Wyatt

Type in blue raises our concerns

The residents of Long Clawson signed a petition asking that Melton Borough Council delay all our planning applications until the Clawson, Hose and Harby Neighbourhood Plan (which was at Regulation 16 stage) carried more weight. This was due to grave concerns raised by the residents on the sustainability of the village as a whole. A member of our Clawson in Action group was in attendance at this meeting.

This petition was put forward to the Council at a meeting on **9th November 2017**.

At this meeting Councillor Wyatt said that we were *“trying to bully the planning committee.”* He continued *“I’ve got not time for them actually and I think all they’re doing is just whipping up a storm which will come back and bite them, hopefully.”* This is wholly unprofessional conduct, by insulting the villagers who supported the petition and by completely ignoring information that was put forward to back our concerns. Full, verbatim transcript attached – See Appendix 1.

He continued *“We know what we do, we know the evidence, we read it, we study it, we live it here ..”, “these people never come to see what we do, or how we do things ar, are criticising us and erm, I’ve got not time for them”*. We will draw your attention back to this statement later in the text.

We find Mr Wyatt’s comments completely unprofessional for a Borough Councillor, one who is supposed to represent the electorate. It shows his bias and contempt for the very people he is there to represent and we are deeply offended by it.

He accuses us of being ignorant of the planning process and absent from meetings, we counter this with:-

- Clawson in Action is a group of individuals who have spent 3 years representing our village, in that time we have:-
 - developed a Neighbourhood Plan;
 - been represented at every Planning Committee meeting for Long Clawson planning applications;
 - had two members on the Reference Group for the Local Plan;
 - regularly attended Parish Council meetings;
 - attended at least 90% of the Council’s meetings on the Local Plan;

On 4th December 2017, after our Neighbourhood Plan was put forward for referendum, affording it “great weight”, all of the applications for Long Clawson were brought into one meeting.

Before this meeting, Councillor Wyatt gave the following, half-baked apology:-

“Yes, I, I, have been advised by the er, our legal council, our solicitor that some statement, a statement I made at a meeting a few weeks ago might have dis, might have misconstrued what er I meant or whatever. Our solicitors have looked at that, listened to the er recordings and they’re quite happy that I didn’t er cause any problems as far as the council is concerned. But I would quite like to apologise to everybody sort of misunderstood what I said. And it doesn’t make any difference because at the time I hadn’t seen any papers or knew anything about Long Clawson at all. Thank you.”

This is the man who said, “we live it, we study it”... now to say he knows nothing of Long Clawson?

We did not misconstrue what Councillor Wyatt was saying, he was quite clear in his narrative on his thoughts.

At this point Councillor Wyatt, who is evidently bias, should have been asked to leave the room and not take part in any planning decisions on Clawson. However, the Planning Committee meeting continued.

Planning Application 16/00303/OUT, Canal Farm Long Clawson

This site was identified in BOTH the Neighbourhood Plan (NP) and Melton Local Plan as a “reserve” site, should the need for additional housing arise within the plan period (20 years).

Mr Worley, at the outset of the meeting, highlighted the point that the NP was now going to referendum and that more “weight” should be afforded to it than the Local Plan, both of which agreed on this site. As a consequence, the Planning Officer’s advice was to “refuse” this application.

A full, verbatim, transcript of the debate on this site is attached – **Appendix 2.**

Councillor Wyatt led the Planning Committee, through his narrative, to a “permit” on this site as follows:-

Wyatt: We do class this as a brownfield site don’t we, er, Mr Worley?

Worley: Just comparing notes. A technical definition of previously developed land which is the technical jargon for it, excludes agricultural land so it’s greenfield.

Wyatt: Yeah, I find that hard to believe actually, but er, never mind thank you for that.

Councillor Wyatt should have already known the answer to this question. Apparently, *he reads it and he studies it.*

Wyatt: Yes, er, visited the site today and it's a farmyard basically, as obviously most people gathered that one and but it's not the best farmyard I've ever seen in my life. I must admit. It's er, poorly laid out and planned and it's got 300 head of cattle in there, cows in there.

Can Councillor Wyatt quantify this statement. How extensive is his experience and how comprehensive are his qualifications in the agricultural sector to be able to proof such an opinion?

Illingworth: I have to say Councillor Wyatt I did take Councillor Holmes to task for talking about matter's that weren't to this application.

Wyatt: We did bring up about the animal welfare and everything else (*it was the applicant's agent that brought up the issue of animal welfare*), with the you know the, it has been brought up earlier so I'm just expanding on that one. (*Why does Councillor Wyatt need to raise the issue of animal welfare when there is a whole Government Department dedicated to it - DEFRA*). This is NOT a planning consideration.

And to me, that's a plus for this site because the state of the site and everything else makes it really quite appealing as a development situation because it would only IMPROVE on what's there already. Which is see, is a bit negative to me and I'm really quite happy to propose that we permit this site because it would take out the farm, take out the farm where it is the farm buildings and em, em, enable them to put them up somewhere else and em, then this site then, to me it's a brownfield site. *It had already been clarified that this is a greenfield site.*

But I could be wrong on that - *we know you are.* And em, it could be redeveloped with houses and could be made to look quite pleasant as against the situation I see and I've saw there today at the moment.

Can Councillor Wyatt explain, why, after a 20 minute analysis of the site, he felt he was better qualified and knew more about the area than the local residents who produced the Neighbourhood Plan, to recommend a "permit" on this site. By his own admission, he knows nothing of Clawson.

By this point, although recommending a "permit", there is still no clear **planning** reason put forth. Twice throughout the recording, the Planning Officer can be heard asking for actual planning reasons. Mr Worley comes to the rescue:-

Worley: Right, what I took from the debate was that Councillor Wyatt's judging that the benefits of this scheme in terms of delivery of housing, affordable housing and also removal

of nuisance from the village the smell and the vehicles are sufficient to outweigh the adverse effects which includes the weight of the Local Plan and the, the more substantial weight of the Neighbourhood Plan and any other factors as well.

Wyatt: That's correct.

We have since emailed the Chair of the Planning Committee to ask exactly how many official complaints the Council has received in the last 10 years about smell and vehicle movements on this site. The Chair explained that this information was not readily available. If this is the case, what is the justification on smell and vehicles when there is no evidence to support this claim.

Twice in the commentary Councillor Wyatt refers to this site as brownfield. He had already asked the question on this at the outset of the meeting. This may well have misled the committee.

It is apparent that throughout, Councillor Wyatt is scrapping around for a reason to "permit" this site - to what end? It is in no way a justified decision and is unfair and prejudicial and represents maladministration by the Council and perceived bias by Councillor Wyatt.

Councillor Botterill seconds the "permit" with:-

Botterill: I was concerned about what we heard this morning (does this imply pre-determination, and what did he hear that morning and from whom?) because I felt had we have moved that far, er, closed that farm down and let it be built on it would be a planning gain for the village (a planning gain for the village or a planning gain for the farmer, a reason for this?), in fact, because there's, there's cows there (this is usually the case on dairy farms) there's smells and there the building are getting old and, and if you're producing milk which is a fundamental product for people to drink the conditions want to be as good as they can be (again, this is DEFRA's responsibility not the Planning Committee. There is no "evidence" that the smell from this farm is a problem in the village, there are no actual planning reasons in this statement - as it is similar to the tack Councillor Wyatt had previously taken, it does beg the question of what exactly was said at the site visit?). The farmstead is on the end of the grassland and the cows have got to go a long way to get, to go grazing in the summer and it would be far better this opportunity would if it was taken up to move that farm out of the village where you wouldn't get problems with smells and erm silage smells and all the other things that you get with, with livestock in the village nowadays.

When asked if he seconds the "permit" he continues with -

Botterill: Yes, I am Chairman because I believe this is a planning gain for the village in the long run. Also, it's a planning gain for the farmer (is this a planning consideration or a justification to permit this application) in that he can modernise his, his farm for the future for his son to carry on with and em (the benefits to the applicant are not a planning

consideration). I think that's a good thing to do. And it'll mean that the livestock won't be in the village (they're not in the village, they're on the edge of the village) and maybe they'll get perhaps to put the farm holding in the middle of his land rather than on the end of it. So I think it's a gain really (no planning reasons yet?).

Can Councillor Wyatt justify why he has:-

1. Gone against the contents of the Melton Plan, which identifies this site as "reserve". A Plan which weeks earlier he had voted in favour of. Should he not have voted against the Local Plan if he disagrees with its contents? Which one is it going to be?
2. Voted against, and led the Planning Committee to vote against, the substantial weight of the Neighbourhood Plan and with it the Localism Act?
3. Gone against the core principles of the NPPF, in which he should be well versed (*we read it, we study it, we live it here ...*)?
4. Gone against policy OS2?
5. Part 5, Codes and Protocols, 2017, Para 2.4 - ensure that the manner in which planning decisions are reached is seen to be fair, open and impartial and that only **relevant** matters are taken into account? (Cow welfare, farm layout, smell and traffic)?
6. Gone against the Town and Country Planning Act 1990 which requires the decision should be **made in accordance with the Development Plan**?
7. Gone against the Planning Officer's recommendation?
8. What did they hear that morning of the site visit to Canal Farm and from whom?

Based on the above, we write to lodge an official complaint against Councillor Wyatt. We request that he should be removed from any decisions involving Long Clawson until such time as these issues have been resolved satisfactorily.

We also request the Councillor Wyatt be withdrawn from all Planning Committee meetings, as he has conducted himself in a manner likely to bring his office and the Council into disrepute. He has failed to show respect for a perfectly reasonable petition from ordinary, concerned villagers, used bullying expressions towards us and attempted to compromise the whole planning process.

We were asked by Melton Borough Council to produce a Neighbourhood Plan. We have volunteered an inordinate amount of time and effort over a 2-year period to produce this Plan. Melton Borough Council has produced the Local Plan – a plan which all the Planning Committee members voted in favour of only a few weeks earlier.

This decision makes a mockery of the Localism Act and the Local Plan. It has indicated to other villages, who are following us in the Neighbourhood Plan process, that they may well have wasted their time too. It indicates that the Planning Committee are not in a position to deliver the contents of the Melton Plan and as such may cause the Government some alarm when allocating funding for the bypass.

In **Appendix 3** – we have indicated where we believe Councillor Wyatt has acted in a way that is contrary to the MBC Code of Practice.

On this basis we feel that the decision on the reserve site Canal Lane **16/00303/OUT** is unsound and has not been made in accordance with the ethos of the Planning Committee Code of Practice and has therefore breached protocol.