

MINUTES OF EXTRAORDINARY PARISH COUNCIL MEETING HELD

MONDAY 27TH JUNE 2022 @ 7pm

	<u>Councillors Present:</u> Bob Wilkin (BW), Mark Poyner (MP), Geoff Shute (GS) & Chrys Smith (CS) <u>Also in attendance:</u> 10 Member(s) of the Public (MOP) Kevin McBride (KMB) – Applicant for the planning consent at Clements End Farm Scott Moore (SM) – Applicant’s consultant for the Clements End Farm planning application Clerk – Sally Harrop (SH)
1	Apologies for absence. Councillor Lynne Smith Councillor Alan Wright Councillor Mo Rashid <u>Kevin Collins (KC) Ward Councillor</u> – had a holiday booked from before this meeting was arranged. At the time SPC arranged the date for this meeting (this was the third attempt), we were unable to consult KC as to his availability for this evening as he did not attend the monthly June Parish Council meeting held on Monday 6 June. KC indicated his non-availability as soon as he was contacted about the revised date. However, having few dates when everyone else was available in the immediate future, it was decided to proceed anyway. <u>Eddie Perry (EP) Ward Councillor</u> – has written to say he will not attend and giving his reasons for doing so. His letter and SPC’s response are in the data packs distributed to attendees. Copies attached in APPENDIX 1.
2	Declarations of Interest. <i>Personal /or Prejudicial</i> None declared
3	Introduction [Chair Cllr Bob Wilkin] This is an Extraordinary Meeting of SPC. In terms of process, it is much the same as an Ordinary Meeting but is normally called to deal with a specific issue. This meeting is being held so that the Parish Council can conclude its findings from a review it has undertaken of how the Central Bedfordshire Council (CBC) planning process operates in the context of more complex planning applications. This arose from the recent planning applications made for the equestrian centre at Clements End Farm [CB/21/01831/FULL] and the proposed housing development at Mile Barn Farm [CB/21/01017/FULL] on Leighton Buzzard Road. Both applications were ultimately considered by CBC's Development Management Committee (DMC) against recommendations for rejection by CBC's Planning Department with one application (Clements End Farm) approved and the other (Mile Barn Farm) rejected. Irrespective of the decisions eventually made, SPC had concerns with the way the planning process had operated for these planning applications so has undertaken a review as to: what happened; why it happened; and, the role and conduct of CBC's Ward Councillors in such process.

Signed

	This meeting: • Is NOT about the fact that the actual planning decisions have now been taken; and • is NOT about trying to reopen those decisions. The issues we have been looking at are primarily about the planning process and the involvement of CBC, SPC and the Ward Councillors in that process. We want to learn what, if anything, we and others should be doing in the future to make sure the planning process is effective and operating overall in the best interests of all those affected by it.
4	Planning application overview [Vice-Chair Cllr Mark Poyner] MP advised he is happy to take questions and that there are copies of documents he will refer to on the table in the hall. Kevin McBride (KMB) and Scott Moore (SM) are here today, and we have had various meetings with them since November 2018. MP explained the background but wanted to differentiate between the residential development (by Troy Homes) [Planning Application A] and the Equestrian Centre [Planning Application B] and a timeline of events. A summary of this overview is contained in APPENDIX 2. The following comments were made during the discussion: • KMB advised the meeting that it was always his desire to put an Equestrian Centre on the site [Planning Application B] and that SPC advised they may be supportive of the planning application if the size of the riding school was reduced. • KMB mentioned that although he wants to develop the site, the buildings are for members of his family to live there for many years to come. • SM advised that CBC have new Local Plan policy to allow equestrian developments on Green Belt land. • KMB advised that he took pre application advice from CBC (which is confidential) and that he could have used Permitted Development rights, but this would have taken some years. • KMB advised he normally aims to Parish Council support before an application is made but this was not the case for CB/21/01831/FULL. • MOP asked MP if KC was allowed to speak on behalf of application even if he is on DMC. MP confirmed that as KC was permitted by the Chair of the DMC, he assumed this possible. MOP x2 leave at 7.57pm • KMB advised that on the CBC planning portal an address needs to be inputted so that a comment can be made for a planning application. MP noted that such address information is not available to SPC. • KMB commented that out of the approx. 1200 Studham residents, only 36 gave any views on the planning application (27 for/9 against). SPC does not know if this feedback was from residents of Studham or not. A MOP noted that irrelevant objections are not registered by CBC.
5	Discussion on decision to refer the application above (and CB/21/01017/FULL - Mile Barn Farm) to DMC [All] BW outlined two initial issues: 1. The timescale of 28 days from registration of the planning application for a Ward Councillor to request a DMC call in. 2. The Ward and Parish Councillors should have an open exchange of information, and SPC feel there was a breakdown in communication. Other general comments: • MOP advised that they are of the opinion that KMB and SM are property professionals, SPC Councillors are not and EP should have guided them.

Signed

	• MOP asked what other PC's do in this situation? BW advised we don't know what interaction there is between other Ward and Parish Councillors. • KMB advised he felt that PC's views often get overlooked and that SPC should consider adopting a Neighbourhood Plan, which is more powerful. MP feels that CBC do take SPC views into account more now, than they have done previously when he first became a Parish Councillor. • EP did not say in his telephone conversation with BW after the DMC decision that SPC could appeal to the Secretary of State. • KMB has attended many PC meetings and feels that SPC should ask for a Ward Councillor to come to attend all SPC meetings. MP said Ward Councillors are invited to all SPC meetings. • MOP commented that they feel that EP should be aware that there should be more transparency as he was previously Chair of SPC. • BW admits that in hindsight SPC should have attended the DMC. MP has previously attended DMC meetings (and has recently done so in January 2022) and it was unfortunate he was on holiday. • MP commented that EP should have told us that he had called the application in before our virtual consultation. • It was discussed that the "Call In Form" has never been uploaded to CBC's Planning Portal for the Equestrian Centre application unlike Mile Barn Farm. Why the different approach? • MP considers that the DMC call in process can also be used proactively to get planning applications changed/amended. Mile Barn Farm [CB/21/01017/FULL] was also called in by EP and the DMC decision (same meeting) on this application was delayed for 6 months. KMB stated that a lot happens in the planning process with professionals, EP and other Ward Councillors do not have as much knowledge of the NPPF (National Planning Policy Framework). • SM asked how many new houses have been built in Studham and commented that generally EP does need to support new developments. MP confirmed that SPC are supportive of appropriate new developments. • KMB feels that residents should support SPC more and that EP should <u>not</u> have called in the application before getting proper opinions of more residents, not just whilst he is out walking his dog. MOP commented that EP is not correctly representing local residents. It is understood that EP did not talk to KMB or local residents (along Clements End Road) affected by the application. • MP does not feel it is right that one person has the authority to call in a planning application to DMC and perhaps both Ward Councillors need to jointly call in any relevant planning application. • SM mentioned that at a DMC meeting 10 to 15 people consider the application, not just one planning officer from the Planning Inspectorate should the planning application get refused and an appeal is made. BW felt that Planning Inspectorate might be more qualified to decide but SPC had recently seen an unexpected decision in respect of a planning appeal in Studham.
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Signed

6	Discussion on the DMC held on 28 July 2021 [All] BW wrote to EP, KC and CBC with SPC's concerns. Copy correspondence and replies are in APPENDIX 3. • BW - when EP spoke at the meeting it was in a biased way and SPC considers that this was a serious error of judgement. • The DMC meeting was chaired by CBC Councillor Ken Matthews but at times CBC Councillor Nigel Young dominated the discussion, trying to find reasons to support it and making misleading comments. KC did not correct him. • BW mentioned that CBC Highways Engineer Dave Agar said he could not see how a safe access could be obtained to/from the site and DMC certain members chose to ignore that. • KMB advised that KC insisted that a Highways condition was added to the conditions. KMB advised all planning conditions have now been met. KMB and SM confirmed they had never spoken to EP about the highway issues. • At the meeting the suggestion of the Equestrian Centre being used for Riding for the Disabled was raised. The proposal that was submitted to CBC Planning Department had no such reference; therefore, should this suggestion have validly contributed towards the required Very Special Circumstances (VSC). • SM, noting that very large planning applications are referred to DMC by default, advised they may have made the land affected by the planning application larger to make sure it was called into DMC. SM advised that KMB's daughter did not come along to this meeting. BW confirmed again that this meeting is not about the decision, SPC welcomes his daughter to the village. KMB and SM left at 9.27pm • MOP commented that it is disappointing that neither of the Ward Councillors have attended this meeting. MP felt that KC does always engage with SPC. MOP suggested EP should have attended tonight and MP agreed. MP commented that often residents do not attend SPC monthly meetings unless there is an issue they want to raise.
7	Discussion on the relevant planning conditions [All] • SPC requested sight of the conditions (at the monthly September 2021 SPM meeting), but the draft conditions were provided 24 hours before they were attached to the Decision Notice (24 September 2021). This period was too short to permit SPC to review and pass comment. • In the SPC monthly meeting held on 6 September 2021 both EP and KC advised that they had not seen the planning conditions; however, KC subsequently confirmed he saw them for the first time on 12 August 2021. KC is a member of DMC and Executive Member of CBC responsible for Planning. • MP mentioned that Lauren Rance (Planning Officer at CBC) advised SPC cannot be involved at all with the process for agreeing conditions for reasons of commercial confidentiality. • MOP advised that a letter was on CBC planning portal advising there would be three laybys built but this letter has now disappeared from the portal. • BW wonders if CBC will take responsibility if anyone is injured due to the highways situation. BW advised that if the application was refused at the DMC, the applicant would have appealed to the Planning Inspectorate who would have taken an appropriate professional view of the highway risk.

8	Discussion on DMC procedures and associated timing [All] In addition to the issues discussed earlier in the meeting, the following points were raised: • MP - why were no detailed reasons attached to the approval in the DMC meeting minutes? • MP – why was there was no reference to any VSC arguments? • MP – why was there no reference to the highways debate in DMC meeting minutes? • MP - neither Ward Councillor (EP or KP) mentioned SPC’s response, nor objection to the planning application when they outlined their comments before the DMC debate, noting the inability of SPC to attend the DMC on that day, would seem inappropriate in the circumstances. • MP – why was the “Call In Form” not uploaded to CBC’s planning portal for the Equestrian Centre application? If this is an error by CBC, we to understand what the standard process is.
9	Discussion on the role and conduct of Cllr Eddie Perry [All] • BW - EP has not done anything that is not permissible, however his judgement is flawed. He did not advise SPC in advance of his intention to call in either the Equestrian Centre or the Mile Barn Farm application to DMC. • He made no attempt to discuss the Equestrian Centre application with those directly affected. • He should have acknowledged that there was also some opposition to the Equestrian Centre either to the whole application or aspects thereof. • It was reported to the meeting that EP had advised AW in conversation that he called in the Mile Barn Farm application because he was asked to do so or it was suggested by Richard Stay (EP’s predecessor as Ward Councillor). The meeting noted that EP due to his absence was unable to respond on this point. • MP was advised by EP in January this year, that, in relation to the Mile Barn Farm application, EP attended a private function involving the developer’s family the weekend before DMC meeting. Accordingly, should EP have said at the DMC meeting that he knew the applicant/developer. • How can a Ward Councillor “Call In” a planning application if they have a personal relationship with the applicant/developer? • MP proposed a vote of no confidence in EP with regard to planning matters. This was seconded by CS and supported by GS. BW advised that with regret he has come to same conclusion. BW agreed to write to EP to outline this vote/decision.
10	Discussion on the role and conduct of Cllr Kevin Collins [All] • In respect of the Equestrian Centre application, KC did not reference SPC view in his comments to DMC or subsequently in the DMC debate. • SPC never received any feedback from him following our response to CBC’s planning team on the application despite it being emailed to him. Did he read SPC’s response to the application and ignore it, or just not read it? It was difficult to understand how given the extent of the specific objections raised, he could justify voting in favour? • The meeting considered whether KC should have been part of debate (at DMC) having proposed the application as Ward Councillor or, if having done so, should have abstained from voting. • Why did KC not correct the “misleading” statements made by CBC Cllr Nigel Young during the DMC debate/meeting?

Signed

	• BW considered that KC had an apparent conflict of interests in the combination of his roles as Ward Councillor, membership of the DMC, and as CBC Executive Committee member responsible for CBC's planning function. • Should he both propose an application to DMC as Ward Councillor and then vote on the application as DMC member? • Should he vote as a member of DMC contrary to the recommendation of the CBC function for which he has executive responsibility? • MP is not sure whether SPC need to have a vote of no confidence in KC is necessary but is keen to hear other views. • A MOP felt he should be answerable about the above questions. • A MOP thought that SPC should have further meeting to give KC the opportunity to answer specific points publicly. It was subsequently agreed that SPC would write to KC with key issues and ask for his response in writing, this response would be discussed at the next SPC meeting as appropriate.
11	Conclusions [Chair Cllr Bob Wilkin] BW thanked those who had attended and noted that the key outcomes of the meeting were for SPC: • To write further to CBC with its concerns about the DMC process as well as sending letters to EP and KC about the matters raised at Items 9 and 10 above. • To ensure that it is represented at future DMC meetings where Studham related planning applications are being reviewed. • To endeavour to ensure that in future there is effective communication between SPC and the Ward Councillors about planning applications and their management even if SPC and the Ward Councillors are not necessarily wholly in agreement in respect of such applications. • To create an aide-memoire or procedure for how SPC should manage future complex planning applications.
	Meeting closed at 10.35pm

Note. Various issues were addressed on more than one occasion at the meeting, but reference to such issues in the minutes above may have been included only once at the most appropriate point so as to avoid repetition.

Signed

APPENDIX 1

EXCHANGE OF LETTERS WITH COUNCILLOR PERRY – 20 AND 22 JUNE 2022

- **Letter from Councillor Eddie Perry dated 20 June 2022**
- **Letter from Studham Parish Council dated 22 June 2022**

Extraordinary Meeting

Studham Village Hall

20/06/22

Mr Chairman,

Reflecting on the recent atmosphere at the last few council meetings and the fact that I have had numerous email exchanges with yourself and conversations with you and the chairman of planning regarding these agenda matters, I do not believe there is anything more that I can add. It would appear to me that the purpose of the meeting is to revisit the same issues which I have already commented upon numerous times. It is also becoming obvious to me that there is a predetermined outcome to this meeting. I will therefore not be attending. I have consulted with the monitoring officer at Central Bedfordshire Council (CBC) who confirmed that I have completely complied with the code of conduct and advises me that there is no reason to attend.

I have the following points, in no particular order, to make which is my contribution to your meeting.

1. I find it extraordinary that this meeting was not widely advertised throughout the village, which you mentioned on 6th June.
2. I noted at this meeting that when rescheduling the date, one of your fellow councillors stated that they must inform a Clements End resident of the change of date. I'd be surprised if the same courtesy was afforded to all Studham residents and indeed the 27 residents who supported the planning application. This reinforces my belief that this meeting has a predetermined outcome rather than a democratic one.
3. At the Development Management Committee (DMC) meeting, as I've previously stated to you, I am afforded 5 minutes to speak and the planner had already outlined local objections and comments from Studham Parish Council(SPC). All of which were used to inform the decision by the voting panel. I have no voting rights.
4. You are aware that 9 residents opposed the application but 27 were in favour of the application. It is unfortunate that those who wish for a different outcome will take issue with decisions they do not agree with.

5. There would have been an opportunity for local residents and SPC to voice their opinions but no one attended.
6. It should also be noted that SPC had every opportunity to appeal this decision to the Secretary of State but missed the deadline.
7. To be clear you have confirmed that there is no case to answer regarding conduct subject to the provision of CBC's Code of Conduct and I had the right to act in the way that I did. It is not my role to take instruction from a parish council and you and local residents had already submitted your responses.
8. I also want to state that I believe some of the correspondence is flawed. In the minutes 6/9/21 it is stated 'that KC and EP, in acting as they had, had gone against the opposition of local residence.' This statement should not infer or mean all residents and there is no reference to the local residents who were in favour of the application. In other correspondence I refer to your comments, 'you have held meetings and /or taken part in calls with the applicant and their supporting team but have not recorded the details of such communication'. I am concerned with the accuracy of this statement. At our meeting at your house, I was asked that question and I specifically stated that my only conversation with the developer was regarding Slip End care home which was over a year prior to this meeting. For the record I will state once again that I have never had any contact with this developer regarding Clements End Farm.
9. Miles End Farm. I called this in to DMC having listened to a Zoom meeting. Before calling it in I had no contact with SPC or the general public. The first application was for 30 houses in an area of natural outstanding beauty and green belt. In my opinion the existing usage of the area was a 'blot on the landscape' and I deemed the DMC was the best place to discuss it. The application was discussed and deferred to January 2022. I spoke in support because the plan had been reduced to 16 houses and I believe the details provided covered all the points previously discussed at the earlier DMC. 22 residences voted for the development and 3 were against. The application was refused by 7 to 5.
10. Pertinent to this, is that for some considerable time I have requested to be included in the monthly planning meetings of SPC and never received an answer to this request.

I have fully supported the residents of Studham as Chairman of SPC for 6 years and for 3 years as Ward Councillor, I have helped and advised many individual parishioners in all of my 6 Wards, including updating and liaising with CBC on behalf of all parishes within my Ward.

It is deplorable that this situation has arisen and led to spurious rumours/ allegations of corruption which I strongly refute. I presume any supporting evidence will be passed to the police and /or monitoring officer.

In conclusion, this is my final contribution to this matter.

I will continue to support all 6 of my parishes to the best of my ability.

I insist that this letter is forwarded to all attendees of this Extraordinary Meeting.

Eddie Perry Ward Councillor Caddington



Clerk to the Council

Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR
Email: clerk@studhamparish.co.uk

Councillor Eddie Perry
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

By Email eddie.perry@centralbedfordshire.gov.uk

22 June 2022

Dear Eddie

Studham Parish Council's Extraordinary Meeting – 27 June 2022

I thought it appropriate to respond to your letter dated 20 June 2022 in advance of Studham Parish Council's Extraordinary Meeting on 27 June 2022. It is disappointing that you will not be attending this meeting despite it having been re-arranged, in part, to accommodate your diary.

The Extraordinary Meeting has been called in order for Studham Parish Council ("SPC") to conclude its findings from its review of how the Central Bedfordshire Council ("CBC") planning process operates in the context of more complex planning applications and using the equestrian centre (CB/21/01831/FULL) and Mile Barn Farm (CB/21/01017/FULL) applications as examples of such process (including the DMC process) in operation. As you will be aware, SPC is unhappy with what happened in the example cases, so to achieve our objective we need to understand what happened; why it happened; and discuss the role and conduct of each Ward Councillor and to agree (if any) the next steps. There is no pre-determined outcome to this meeting as you allege and, as the agenda for the meeting makes clear, no specific formal RESOLUTION or ACTION has been tabled although such may be proposed at the meeting with a vote or votes taken as appropriate.

I readily acknowledge that this process has taken longer than I would have liked with unexpected delays along the way; as an example CBC replied to our letter dated 14 February 2022 on 22 April 2022.

I also note that you have consulted with the Monitoring Officer at CBC who has advised that there is no reason to attend. For avoidance of doubt, you do not have to attend, speak or answer any questions from SPC – that is your choice. However, it would be beneficial for residents to have the opportunity to understand your actions or put questions they may have to both you and SPC.

However, as you have requested your written statement to be passed to any people attending the Extraordinary Meeting, SPC will also provide attendees with a copy of this reply.

Our responses to the specific points you made are set out below.

Point 1

The original date for the Extraordinary Meeting was Monday 16 May 2022 at 7pm.

Unfortunately, this meeting had to be cancelled at short notice due to Covid-19 but it was advertised in the same way as each monthly SPC Meeting; ad hoc Planning Meeting or any other Parish Council event.

When the potential revised date (Thursday, 9 June 2022) was discussed at the June monthly meeting, which you attended, the Parish Councillors decided that it should be further delayed due to the limited period for public notice and your non availability.

For avoidance of doubt, the second date was only a provisional date and was not formally advertised (other than as a reference in the agenda for the SPC meeting on Monday, 6 June) as it had to be first approved by Studham Parish Council at the 6 June meeting. It was not.

The revised meeting date of Monday, 27 June at 7pm is being advertised in line with usual procedures.

Point 2

The reason that SPC agreed to inform a Clements End Road resident was that person attended the first part of the June monthly meeting but left before the Extraordinary Meeting was moved to Monday, 27 June 2022. It was only fair and proper that this resident was contacted to highlight the revised meeting date.

We actually contacted various other parties who we thought should be aware of the situation including the developer (Mr Kevin McBride) as he sought to be at the first (and aborted) meeting.

A formal cancellation announcement by email was not required as the Thursday 9 June meeting was never formally advertised.

You reference the 27 “residents” who supported the planning application but we do not know their identities, nor if they actually live in Studham. This information has never been released to SPC. If you can find out how many of the 27 who supported the application live in Studham, this would be useful to know.

I have already dealt with your statement that the meeting is predetermined. As above, the purpose of the planned Extraordinary Meeting is to discuss the CBC planning procedures and how the Ward Councillors involve themselves in that process.

Point 3

This is incorrect.

Please note that SPC’s formal objection (dated 14 June 2022) to CBC’s Planning Team comprising 6 A4

pages (plus appendices) was reduced to just six bullet points (in 45 words).

Having reviewed the video of the 28 July DMC meeting, the Planning Officer (Ms Lauren Rance) does not mention at all the formal objection from SPC before you outline your thoughts.

One of the key issues SPC have is the “one sided” nature of your comments made to the DMC meeting. There is absolutely no mention of any opposing view. Yes, you have prejudged the situation by calling in the planning application to DMC but to completely ignore the local objections cannot be right.

Point 4

How do you know that the 27 responses in favour of the planning application are Studham residents?

They might not even be people living in Bedfordshire for all we know.

Point 5

We were contacted by CBC by a letter dated 15 July 2022 highlighting that this matter was going to the 28 July DMC meeting.

Unfortunately, Cllr Mark Poyner (Chairman of SPC Planning) was away on holiday that week (in the North York Moors) and could not attend. Likewise, I had another commitment that day and the Parish Clerk wrote to Ms Lauren Rance to say that no one could attend and that our formal response to CBC’s Planning Team remains valid and that we would expect the DMC to take due account of the issues raised by SPC.

Point 6

It is correct that SPC did not contact the Secretary of State about CBC’s reference of the DMC decision. However, it is also noted that neither CBC’s Planning Team nor the Ward Councillors advised SPC that this process was in hand, provide any contact details about whom one should contact or provide any formal reference and applicable dates to the process.

Point 7

We have confirmed that we do not have an issue with your conduct under CBC’s Code of Conduct.

Further, we acknowledge that you do not have to follow any feedback or opinion provided by SPC or any other interested party. To be clear, SPC has not sought at any point to direct your actions as a Ward Councillor. That said we do think it is reasonable to assume that you should review feedback received, whether or not in line with your thinking, and to acknowledge such when it is appropriate to do so. We also consider that you should notify SPC (in advance) if you are going to “call in” a planning application to the DMC and inform SPC of your reasons for doing so. Furthermore, letting SPC know in advance if you intend to speak against SPC’s and/or residents’ views at a DMC meeting would at least facilitate SPC deciding whether it is necessary to attend and speak at such meeting and to let residents know your intent.

Point 8

You make the point that your only conversation with the developer was in relation to another development at Slip End. However, you attended the virtual presentation made by the developer on 15 April 2021 and you make no reference to any contacts which you otherwise may have had with the developer’s representatives and professional team during the pre-planning and since the planning application was submitted?

Point 9

In respect of the Mile Barn Farm application, can you confirm which Zoom meeting you refer to? For avoidance of doubt, you called in the original planning application to the DMC on 8 April 2021 when SPC (1) held its “virtual” Planning Meeting on 19 April 2021 and (2) formally responded to CBC by email on 5 May 2021.

You say that you called the application in having had no contact with SPC or the general public. Did you have contact with the developer, their representatives or professional team prior to calling the application in to the DMC? At the time that you made the call in, the planning application was for 30 residential dwellings. It was not until July 2021 that we were made aware of the developer proposing to reduce the scale of the development and several months later that this was to 16 residential dwellings. What was the purpose of calling in the development proposal for 30 houses to DMC in April 2021? Was it to speak in support of the development as then proposed?

SPC considers that the call in process should use sparingly by Ward Councillors and with tactical awareness to motivate developers to alter their proposal. If you had not called in the Mile Barn Farm application on 8 April 2021, the developer would have been forced to alter this approach and inappropriate design earlier by negotiation with CBC’s Planning Department.

Point 10

SPC now aims to include its consideration of planning applications within the monthly SPC meetings and is broadly succeeding in this objective. In the last year we have only held 3 separate planning review meetings in July and August 2021 and March 2022. Separate planning meetings are advertised in the same way as the monthly SPC meetings and we aim to hold as much as possible in an open forum with the public, including Ward Councillors, present. You are more than welcome to attend any such meeting.

QUESTIONS

As you will not be attending the Extraordinary Meeting on Monday, 27 June, we set out below several questions relating to the equestrian centre planning application that we would like you to review and answer if possible.

These are:

- Who asked you to call in the equestrian centre planning application to DMC?
- Did you try to speak to residents on Clements End Road following the initial Zoom presentation by the developer or before making your presentation to the DMC?
- Why did you not refer to SPC’s formal response (and objection) and the concerns of others of which you were aware in your five minute summary to DMC?
- You reference the updated “Highways” proposal in the Late Sheet in your five minute summary but there was no reference to it on the Late Sheet. Who told you that there was an “updated” Highways proposal?

Once again, I would like to say that it is disappointing that you have chosen not to attend the Extraordinary Meeting the primary purpose of which is to ensure that in future the residents of Studham are best served by the CBC planning process and those involved in its operation.

Yours sincerely



Robert Wilkin
Chairman
Studham Parish Council

cc. Studham Parish Councillors
Clerk to Studham Parish Council

APPENDIX 2

PLANNING APPLICATION OVERVIEW [CLLR MARK POYNER]

INTRODUCTION

The planning application and the issues surrounding it being discussed this evening relate to the Equestrian Development at Clements End Farm in Studham. This application is known as CB/21/01831/FULL.

In addition, some reference will also be made to a planning application for a residential development at Mile Barn Farm on Leighton Buzzard Road (CB/21/01017/FULL).

This section will be summary of the application, essentially a timeline of all relevant matters.

BACKGROUND - CLEMENTS END FARM (RESIDENTIAL DEVELOPMENT)

Before we discuss the planning application, for the record it is important to understand the background here.

The developer Kevin McBride first made contact with SPC via an email to the then Clerk (Julie Cooper) on 1 November 2018. This email highlighted that they had acquired an interest in Clements End Farm and wanted to speak to the Parish Council about their plans.

We met with them (on 14 November 2018) and suggested that they undertake local consultation which the developer did at the Sports & Social Club on Saturday 1 December 2018.

A planning application (CB/19/00148/FULL) was subsequently submitted to CBC on 17 January 2019 for a residential development and SPC were made aware by CBC on 1 February 2019 (known as the Troy Homes development). We held (1) a site visit on Saturday 16 February 2019 and (2) a Planning Meeting on Monday 18 February 2019 in order to respond on CBC formally by letter dated 25 February 2019.

Planning consent for the residential development was eventually granted by CBC on 12 December 2019.

PRE-PLANNING APPLICATION EVENTS (EQUESTRIAN CENTRE DEVELOPMENT)

A request (from Richard Stay) was received at that time for a further meeting with the developer to discuss their further plans for the “Land Rear of Clements End Farm”. This meeting was held on Monday 13 January 2020 when they outlined their initial ideas for some form of “Equestrian Facility” on land at Clements End Farm. They promised to revert when they had looked at things in more detail.

The outbreak of Covid-19 then came along.

The next time SPC heard anything was by email dated 28 September 2020 where the developer had received a pre-planning response from CBC and that they wanted to update the Parish Council.

No meeting was fixed due to Covid-19 (Village Hall closed), but the next diary event was a Zoom call held on Wednesday 3 March 2021. The developer provided aerial plans/drawings the day before. At this meeting the developer confirmed that he had sold off the “residential” development site to Troy Homes.

In terms of the “Equestrian Centre”, SPC again wanted the developer to hold local consultation notwithstanding the then Covid-19 [Lockdown 3] and Zoom Presentation/Call was arranged for Thursday 15 April 2021.

This was highlighted at SPC’s monthly meeting held on Monday 12 April 2021.

This virtual meeting on Thursday 15 April was at times unruly with certain attendees talking over each other.

Cllr Eddie Perry attended this Zoom call. Cllr Kevin Collins did not.

Full detail of this virtual consultation is outlined in our formal reply to CBC dated 14 June 2021 but my summary contained therein was as follows:-

It is clear from this meeting (and the subsequent planning review meeting), that there is a majority view that the proposed development was inappropriate due to the size; the unknown impact on the other land within the ownership and the potential disruption locally and in particular the poor/narrow road access to/from the site along Clements End Road.

In contrast, there was support from a number of people who have had or have a current interest in horses and equestrian activities, and such support needs to be acknowledged (albeit small in number).

Cllr Eddie Perry attended the monthly Parish Council Meeting on Tuesday 4 May 2021 but did not mention Clements End Farm. SPC was not aware that the planning application had been submitted at this meeting.

For the record, due to Covid-19 restrictions (resulting in the Village Hall being unavailable) and the Government’s decision not to allow Parish Council’s to hold “virtual” meetings, there were no formal June or July 2021 monthly Parish Council Meetings.

PLANNING APPLICATION SUBMITTED (EQUESTRIAN DEVELOPMENT)

The planning application [CB/21/01831/FULL] was submitted on 23 April 2021 and subsequently registered by CBC on 4 May 2021. CBC updated SPC by letter dated 10 May 2021 requesting our commentary by no later 10 June 2021.

The planning application was reviewed at a virtual consultation held by SPC on Thursday 27 May 2021.

Before this meeting (on Wednesday 26 May 2021), Cllr Eddie Perry contacted the Chair of SPC, Cllr Bob Wilkin to say that he was expecting to call in the Clements End Farm proposal to DMC. His argument is that he has been hearing conflicting views within the Parish about the merits of what is proposed.

Post the virtual consultation, SPC submitted its formal response to CBC dated 14 June 2021.

I set out our executive summary:-

Studham Parish Council ("SPC") has found it difficult to review this planning application due to the size/scale; the type of development involved and the relevant location.

It is clear that the developer (and his family) have a real passion for creating an equestrian development on this site but the site is accessed off a rural, narrow road and we are not convinced that there are any Very Special Circumstances ("VSC") which can justify such a large development in the Green Belt; Area of Outstanding Natural Beauty ("AONB") and Area of Great Landscape Value ("AGLV").

SPC does consider such a use (perhaps reduced in size) to be appropriate for a rural setting subject to various restrictions on use (such as trading hours, prohibition against competition events and the ancillary use of the remaining ownership area); removal of any future Permitted Development rights and an absolute bar against future equestrian expansion and/or further residential development on the land held within this ownership.

In summary, the Parish Council cannot support the current application as we do not consider that the highway/road network is sufficient for such a development; there are no VSC arguments and the combined size and scale of the proposed development will significantly harm the surrounding rural landscape and setting.

SPC were not formally notified that Cllr Eddie Perry had "called-in" the planning application to DMC, nor was the "Call In" Form posted on the CBC planning portal (as CBC had done for CB/21/01017/FULL – Mile Barn Farm).

Having checked with Lauren Rance in CBC's Planning Team, the "Call in" sheet is dated 19 May 2021.

A copy of the Call-In Planning Form is attached in **DOCUMENT 1**.

The next the Parish Council was aware of progress was a letter dated 15 July 2021 from CBC highlighting that the matter was going to the DMC on 28 July 2021 and offering the opportunity to speak at this DMC meeting.

I was unfortunately away on holiday and could not attend.

The Chair Cllr Bob Wilkin asked the Clerk to write to CBC (Lauren Rance) to say that we would not be attending the DMC and that SPC's response to CBC's Planning Department regarding Clements End Farm stands and we would expect the DMC to take due account of the issues raised without the necessity of a representative of the Parish Council repeating the points made in an oral presentation. However, unfortunately, this email response was not submitted to CBC's Planning Department until the day of the DMC meeting on 28 July.

DEVELOPMENT MANAGEMENT COMMITTEE (“DMC”)
MEETING – WEDNESDAY 28 JULY 2021

We are fortunate that we have a recording of this DMC meeting in the CBC’s Council Chamber at Chicksands in Shefford.

The DMC meeting took place (according to their subsequent minutes) from 10am to 5.25pm.

The subject planning application was Item 6 on the agenda.

The relevant planning officer at CBC was Lauren Rance and she outlined a summary of the application; the site in question but did not reference the Parish Council’s position.

She confirmed that Cllr Eddie Perry had “called-in” the application as it was not contrary to policy; adds amenity/leisure/economic benefit (including jobs) and it is a suitable design for a rural area and would enhance the area.

She outlines the six reasons why the CBC’s Planning Team have recommended the application for refusal.

These are set out in the Late Sheet which are:-

1. The site is within the South Bedfordshire Green Belt and the proposal is inappropriate development within the Green Belt and would be a significant loss of openness. No VSC that would outweigh the identified harm have been demonstrated. The application is contrary to Policy SP4 of CB Local Plan and Section 23 of the National Planning Policy Framework (“NPPF”).
2. The widening of the access and road and loss of hedgerows as well as light pollution would have a detrimental impact on the rural character of Clements End Road and adversely affect the character and appearance of the Chilterns AONB.
3. The proposal is in an unsustainable location, outside of any recognised settlement envelope boundary within the open countryside, with a reliance on the private car for future users.
4. The proposal would increase vehicular usage of a substandard highway which by virtue of its restricted width, alignment and lack of forward visibility would preclude convenient movements on the public highway to the detriment of public safety and convenience.
5. The proposal would result in an access which has inadequate driver/driver intervisibility and will lead to condition of danger to all highway users, contrary to Policy T2 of CB Local Plan and Chapter 9 of the NPPF.
6. The site is located outside of any settlement envelope and as such lies within the open countryside where there is a general presumption against residential development. Inadequate justification has been put forward to justify the need for a dwelling to support a rural worker, contrary to Policies DC3 and HQ1 of the CB Local Plan and the NPPF.

Cllr Eddie Perry then outlined his commentary, see **DOCUMENT 2**.

The Chair then allowed the applicant's planning agent to speak for 3 minutes with a further 12 minutes of clarification questions.

Cllr Kevin Collins then outlined his comments, see **DOCUMENT 3**.

The DMC debate then starts and lasted for almost 2 hours.

It should be noted that the Planning Officer's Report to the DMC contained the following brief summary of the 7 page SPC response/position.

Object to the proposal on the following grounds:

- ***Inappropriate development within the Green Belt and no VSCs.***
- ***Impact on AONB and AGLV.***
- ***Site is not PDL.***
- ***No need for residential dwelling.***
- ***Concern over future use of the land within the blue line.***
- ***Highways safety concerns.***

This is equal to 45 words when our submission was 7 pages plus appendices.

DMC – VOTE

7 members of the DMC voted to approve the application, 1 voted against and 3 abstained.

Cllr Eddie Perry phoned Cllr Bob Wilkin the next day to update the Parish Council on the outcome saying that the approval was subject to certain planning conditions.

For the record, neither Ward Councillor attended the monthly Parish Council held on Monday 2 August 2021.

The decision summary from the DMC Minutes (from 28 July 2021) is set out in **DOCUMENT 4**.

PLANNING CONDITIONS & DECISION NOTICE

In **DOCUMENT 5**, I set out the commentary from the subsequent SPC monthly meetings for September 2021 to December 2021.

Please note commentary from the September 2021 meeting (in bold) concerning the required planning conditions.

EP and KC also advised that the planning approval was subject to drafting of appropriate planning conditions but that they had not yet seen them. MP requested that EP and KC give SPC sight of such conditions prior to them being finalised by CBC.

Cllr Kevin Collins emailed the “draft” planning conditions to Cllrs Wilkin/Poyner on 23 September 2021 wherein the Decision Notice was issued by CBC the following day (24 September 2021).

MEETING WITH CLLR EDDIE PERRY - TUESDAY 14 SEPTEMBER 2021

Following the September SPC monthly meeting, a meeting was arranged for Cllr Wilkin/Cllr Poyner to meet with Cllr Eddie Perry.

The minutes of this meeting are attached in **DOCUMENT 6**.

Key Points

- Cllr Eddie Perry confirmed voting at DMC was along “party” lines.
- Cllr Kevin Collins voted in favour of the planning application.
- Cllr Eddie Perry disputed commentary about alleged “corruption”.
- Cllr Eddie Perry confirmed that he had not spoken to residents close to the subject site but that no one had approached him.
- Cllr Eddie Perry thought he had referenced the Parish Council’s objection to the planning application.
- Cllr Eddie Perry stated that he had not yet seen the draft planning conditions.
- Cllr Eddie Perry stated that Studham Parish Council should have attended the DMC meeting.
- Cllr Bob Wilkin in reply stated that neither Ward Councillor had contacted SPC.
- Cllr Perry Perry justified his actions as the proposal was a “rural activity” in a rural setting and the fact that it will create “employment” opportunities (10 jobs).
- Cllr Eddie Perry referenced the 27 (in support) v 9 (objecting) and that this was taken into account.
- Cllr Eddie Perry again stated that he spoken to and sought feedback from people when walking his dog.
- Cllr Eddie Perry confirmed that he does not record any minutes of meetings with developers (including Mr Kevin McBride).
- Cllr Eddie Perry stated his role is independent from SPC.
- Cllr Eddie Perry stated that he wants to attend SPC’s meetings about “major” planning applications going forwards.

LOCAL RESIDENT CONCERNS

Following the decision by DMC, SPC have received various letters/emails from local residents requesting feedback on the situation and expressing their concerns about what happened and in particular the actions of Cllr Eddie Perry.

Text/wording from these was forwarded to Cllr Eddie Perry (copying in Cllr Kevin Collins) on Thursday 16 September 2021 and this was updated on Sunday 19 September 2021.

As these concerns are noted and are aligned to those of SPC, this is why we wrote to CBC; Cllr Eddie Perry and Cllr Kevin Collins in February 2022, and why this Extraordinary Parish Meeting has been requested and arranged following the various replies received.

DOCUMENT 1

CALL-IN PLANNING FORM DATED 19 MAY 2021

Pro-forma to call-in planning applications for determination by Development Management Committee	PLEASE SEND TO: Area Team Leader and/or Case Officer – state name/s here Lauren Rance
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For call-in requests whereby the matter is to be determined at Committee instead of being dealt with under the Assistant Director Planning's delegated powers.

NOTE: All call-in requests must be made within 28 days of registration.

Call-in by Ward Member		
From Cllr (print name below)	Ward	Date
Perry	Caddington	19/05/21
Planning Application Number:- (insert below) CB/21/01831/FULL	Planning Application title/address: Clements End Farm, Clements End Rd, Studham	
Planning reason for call-in:-	Please set out the specific issues relevant to this application	
1	Contrary to policy	Not contrary to policy
2	Loss of amenity	Adds amenity & leisure & economic benefit
3	Over development	Does not constitute over-development
4	Overbearing	Is not overbearing
5	Highways safety grounds	No impact on highways
6	Parking	No impact on parking
7	Design	Design is compatible with rural setting
8	Impact on landscape	Application enhances the landscape
9	Other	Promotes leisure & rural jobs, adds value & diversification to the rural economy
If the application is to be recommended for Refusal/Approval, request withdrawn? Yes/No		

DOCUMENT 2

COMMENTS MADE BY CLLR EDDIE PERRY AT DMC 28 JULY 2021

Introduction from Cllr Ken Matthews

Eddie, you called this in. We wish to hear you.

Comments made by Cllr Eddie Perry

Thank you, Mr Chairman. Sorry to monopolise the committee's time at this present moment.

Right, can I first say that the applicant Millie McBride would have loved to have been here today, but she has got Covid, to make it even worse she only got married two weeks ago. Maybe that's a reason, but I am sorry that she is not here. She is a very impressive lady, who has got, how can I say, lots of experience in what we are talking about.

This is a rural area, and this is, in my opinion, a very rural occupation. We are talking about equestrian; we are talking about horses. Right, the SC [Special Circumstances], what can you say, the applicant is, has long experience in riding and teaching and riding with disabled and with younger children as such. She is also in contact with the local area and hoping to offer this in this place. Therefore, sorry about my eyesight, it is a bit bad. Therefore, the VSC [Very Special Circumstances] comply with the outdoors sports and recreation criteria.

The siting of the building has little or no importance to the openness of the Green Belt.

The applicant has engaged with young people as I have said locally and with the Pony Club and it is proposed to have riding facilities with local young people to visit the site. The site will create about ten new jobs, rural jobs, which is most important. It is worth pointing out that the remainder of the arable land, the applicant would be entitled to erect a significant larger mass agricultural buildings than that which is proposed in this application which over time could be lawfully converted into equestrian [use]. The applicant does not want to do this. He wants to do the honourable thing by bringing this forward as a whole scheme now rather than playing the system and getting exactly the same outcome lawfully by playing the system over a period. The applicant sees this as a forever home and employment.

If I can go through other things.

There was concern about light pollution. This I believe, sorry I am trying to find my notes, this I believe is not correct. The lighting will be low-level LED lights which point downwards. There is to be no light pollution. The indoor school has no windows so there will be no light through the windows.

Highways, there was a concern on highways and Highways did raise it. But there is a revised highway scheme has been submitted which should appear on the late sheet. However, Highways' objections can be overcome by way of conditions, which can prevent the start of any work until the conditions have been discharged. Assessing the revised scheme involves a couple of passing bays and a realignment of the entrance. There will be a loss of 50 metres of hedgerow, but the hedgerow will be replaced with the alignment of 750m of new hedgerow.

The dwelling is a 1,600 square foot house. That is not very large. Part of the Parish Council's consultancy problems was that there was no need for a residential dwelling. I know nothing about horses, Councillors but I do understand that horses, unlike human beings don't keep 9 to 5 and they can need attention at 5 o'clock in the morning and 11 o'clock at night. So, they have to have accommodation around them so that people can look after them properly.

The applicant, I should have said she is married and is seeking a family home on this location. She is a very experienced, successful equestrian professional and she wishes to settle in this area. This scheme will be huge asset to Studham and very much in keeping with the kind of activities that fit in with the location.

With regard to the location, it was stated that it was 1.2 metres [Km] from the centre of Studham. I think you should also know that it is the furthest tip of Bedfordshire. It is, I am going to do the old money, it is a half a mile from the Hertfordshire border. I understand neither Chiltern Conservation Board or English Heritage [Natural England] have objected, and the answer is no. So, I have done the thing.

I did attend a Zoom meeting on this - the consultation. There was a number of people that attended. The planner has noted that so many people objected. But there were 29 people that were for it. I do not know if they all live in Studham, but I have walked around Studham and because of its position out of the village and because of the type of proposed development most of the villagers, if not all of the villagers that I spoke to on my walk around with my dog, have told me that they see no objection and that they think it would be an enhancement.

Thank you, colleagues.

Response from Cllr Matthews

Thank you, Eddie. Members, clarification [pause] Seems not.

Timing

6 minutes and 55 seconds.

DOCUMENT 3

COMMENTS MADE BY CLLR KEVIN COLLINS AT DMC 28 JULY 2021

Introduction from Cllr Ken Matthews

Kevin, I owe you an apology. I should have brought you in after Eddie. If you wish to make a contribution, I do apologise.

Comments made by Cllr Kevin Collins

I am getting used to you forgetting me Mr Chairman where there are applications in my Ward.

I will make a few brief comments and then maybe save the rest for general debate. I appreciate that Eddie advanced a lot of the arguments.

I think that if I have got one major problem with this application, it's that if you are sympathetic with what they are trying to do and you feel minded to see if there are reasons that you could support it, you don't want a reason for refusal written up by Lauren as because once again she has done a very comprehensive and clear report in setting out for us the relevant planning law and what we should be considering.

I am mindful of that there was a comment made earlier today about what the NPPF and other planning law doesn't say and there have been comments made that this application could possibly have been done in two or three stages – a bit of creeping. You know, let's have some agricultural buildings and then let's convert them and then let's have a minimal sized dwelling for the worker which then you know over the course of a few years gets increased and so on. So, in the context of what has been put before us is what I get the impression would be a top notched facility built to look good and do everything it needs to do from the first day it's constructed.

I am very sympathetic and similarly giving the scale of what we are doing, and I know that this presents us a problem with the Green Belt location with words like scale but I think that the location on the edge of the settlement rather than being actually within the settlement envelope or right inside it, is more appropriate. This is a rural pursuit that they are looking for and as long as we can keep in control the traffic movements and so on.

I don't know how many colleagues managed to do a site visit. A little bit of extra local knowledge that I would feed in. If you went down Clements End Road, you would absolutely agree and acknowledge that that is a quiet rural road. If you went back a few metres to where you left the main road, to where you left Pedley Hill, if you spent just 10 minutes standing there on the corner of Pedley Hill, where that junction is, I promise you, unless you went at a very weird time of day, you would have seen a lot of traffic coming up and down Pedley Hill and passing to the main road there. It's a busy road. So, in terms of traffic movements, I only really think that we're introducing a significant amount of traffic over and above, what the roads already sees on that length of Clements End Road. You are not introducing extra traffic coming 1.2 miles [km] out of Studham or whatever the measurement made was.

So, I'm picking up the feeling that colleagues will have a lot to say on this. So, I will leave a lot of it for their debate.

And, it is a shame in a way that my, with all due respect to Cllr Perry, it's a shame in a way that my former ward colleague is not here because he understands the equestrian element far better than I do given that he used to have a horse living at the end of his garden. But it is almost like we can hear some of Richard's comments with us today. So, that's fine.

I would feel lighting concerns can quite easily be conditioned and addressed to make sure that they doesn't spill out of the site. I would understand people's concerns that if you permit the large house, you would then end up with that and not the equestrian facilities that come with it. And I think that the agent was absolutely quite clear that that is not the intention. So, I think that if colleagues were minded to approve, a condition that restricts the occupation until we have the business complete or substantially complete, would be reasonable and sensible.

And I did wonder whether we would want any kind of prevention on public events and open days and so on again because of concerns about encouraging a large number of people to visit the site on the same day. But, that may be less necessary. I may contribute further to the debate but that's kind of where I feel on this. I get why on a strict application policy it is inappropriate and not right but I actually quite like what they are coming forward with.

I quite like having a high class facility in Studham.

I quite like it if we can have that kind of facility anywhere having it in a semi-rural location like this and not trying to tack it on to the built part of a town or village because that's the way to get around the planning policy.

Timing

5 minutes and 7 seconds.

DOCUMENT 4

SNIPPED IMAGE FROM THE DMC MINUTES FOR 28 JULY 2021 MEETING

6. Planning Application No. CB/21/01831/FULL (Caddington)

The Committee had before it a report regarding Planning Application No. CB/21/01831/FULL, for the change of use of agriculture land to an equestrian development of 23 stables and ancillary facilities, outdoor arena, indoor arena, open sided hay barn and tied dwelling at Clements End Farm, Clements End Road, Studham, Dunstable, LU6 2NG.

In advance of consideration of the application the Committee received representations, and sought clarification if thought necessary, from the following speakers:

- Councillor Eddie Perry, Central Bedfordshire Council ward Member
- Lucie Stone, agent
- Councillor Kevin Collins, Central Bedfordshire Council ward Member

RESOLVED that, subject to a decision by the Secretary of State as to whether or not the application should be called-in for determination, the application be **APPROVED** subject to:

Authority being delegated to the Assistant Director Development Infrastructure, in consultation with the Chair, Executive Member for Planning and Regeneration and ward Members, to impose suitable conditions including:

a. condition(s) regarding the limitation and timing of events on the site due to the potential noise and light impact on neighbouring dwellings; and

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b. condition(s) to adequately mitigate the damage to the nature of Clements End Road as a result of the intensification of its use.

On being put to the vote 7 Members voted to approve the application, 1 voted against approval and 3 abstained.

DOCUMENT 5

COMMENTARY FROM STUDHAM PARISH COUNCIL'S MONTHLY MEETINGS SEPTEMBER 2021 TO DECEMBER 2021

PC 6 September 2021 (Both Ward Councillors attended)

MOP – Inquired concerning status of planning application (CB/21/01831/FULL) for the Equestrian Centre. Advised that this had been approved at CBC's Development Management Committee (DMC) meeting on 28 July 2021. EP and KC said they had attended DMC where EP (as CBC Ward Councillor) had proposed approval and KC (as DMC member) had voted in favour of approval. MOP asked that it be noted that EP and KC, in acting as they had, had gone against the opposition of local residents, the submitted report of SPC and the recommendation of CBC Planning. EP said that he had in part formed his view from local discussions with residents he met. MOP asked that it be minuted that the actions of the Ward Councillors in this case would be a further unfortunate contributory factor to village rumours of alleged corruption in respect of CBC planning matters. EP and KC also advised that the planning approval was subject to drafting of appropriate planning conditions but that they had not yet seen them. MP requested that EP and KC give SPC sight of such conditions prior to finalisation by CBC.

PC 4 October 2021 (Cllr Eddie Perry attended, Cllr Kevin Collins did not)

Equestrian Centre – MOP feels that the planning decision is unlawful and wondered if the PC would take legal advice, as they missed the window of opportunity to ask the Secretary of State to call in the application. Various options regarding legal advice discussed, but this would be too expensive. If this application had been not called in by EP, it would have been refused. EP – there is a monitoring officer at CBC (Edwina) who can investigate any complaints/concerns. BW advised that to do this we would need to demonstrate there has been misconduct under CBC's Code of Conduct. PC don't have a misconduct issue but are concerned with the councillor's judgement. MOP – Advised that they felt it was always the intention at the site for a 4-bedroom dwelling and business, which would not benefit the community. MP – at the DMC meeting, major factor for special circumstances seemed to be disabled access. When asked by a MOP, EP advised he called the planning application in as he thought it was a worthwhile development. As the PC did not attend the DMC meeting it was felt that EP should have presented the PC views, EP advised that he accepts this and has learnt from the process. AW asked EP to advise the PC as soon as he calls in any future planning applications and confirm his reasons for doing so. EP agreed to this. MOP – thought ward councillors were elected to support us. EP feels he does represent parish. MP – commented that a consultation for the development was held in March, approx. 30 residents attended, not many were supportive.

PC 1 November 2021 (Neither Ward Councillor attended)

MOP requested an update on Clements End Farm – It was reported that following the PC meeting of 4 October 2021 where various concerns had been raised about how the CBC ward councillors had dealt with the Clements End Farm planning application and its presentation to CBC's Development Management Committee (DMC), the Councillors had agreed that SPC would: (1) write to CBC about what had happened; (2) write to EP to advise that SPC was proposing to pass a motion of no confidence in his dealings in respect of planning matters and to invite his comments; (3) write to Kevin Collins to say that SPC was concerned that he had not abstained from voting at the DMC meeting; (4) liaise with CBC Planning Department to ensure the planning conditions applicable to the planning consent were fully observed; and (5) prepare an aide-memoire to assist SPC in the future management of its interactions with CBC in respect of contentious planning applications particularly where these are likely to be taken to the DMC.

PC 6 December 2021 (Cllr Eddie Perry attended, Cllr Kevin Collins did not)

Clements End Road Equestrian Centre. EP said CBC and the Ward Councillors had received FOIA requests and a response was being prepared. EP commented that in his case there was little information to provide since he did not have contemporaneous notes of conversations.

DOCUMENT 6

MINUTES FROM MEETING WITH CLLR EDDIE PERRY ABOUT CLEMENTS END FARM TUESDAY 14 SEPTEMBER 2021

- The meeting lasted 2 hours in total.
- Attendees were Cllr Bob Wilkin (BW) – Studham Parish Council, Mark Poyner (MP) – Studham Parish Council and Cllr Eddie Perry (EP) – Ward Councillor.
- Meeting was fixed following the month Parish Meeting held on Monday 6 September 2021 in order to discuss the DMC decision to approve the planning application at Clements End Farm for an Equestrian Centre (CB/21/01831/FULL).
- EP stated that the “voting” for the Clements End Road application was on “party” lines.
- EP stated that Cllr Kevin Collins (KC) normally does not vote on planning application considered at DMC.
- KC did vote in favour of this planning application. MP thinks that KC should not have taken part in the DMC meeting as it was a conflict of interest.
- EP confirmed that he and KC will potentially pass the comments made by a resident about the alleged “corruption” to the Monitoring Officer. For the record, BW/MP consider that the resident actually stated that he felt that the process was underhand and that it supported rumours of corruption elsewhere within the village about planning matters.
- EP confirmed that he spoke to all the Conservative Councillors on the DMC before the relevant meeting.
- EP confirmed that the planning application was registered on Tuesday 4 May 2021 and that he “Called-In” the application to DMC on Wednesday 19 May 2021 should the CBC planning team decide to refuse it.
- MP questioned EP on the timing of the “Call-In” notice bearing in mind that the Parish Council only received notice of the planning application on Monday 10 May 2021 and the formal Parish Council Planning Meeting took place on Thursday 27 May 2021. EP stated that he has a very strict window to “Call-In” a planning application.
- EP accepted that such a “Call-In” notice can be withdrawn at a later date.
- MP asked EP whether or not he had spoken to the residents close to the subject site i.e. along Clements End Road and he confirmed that he had not. EP stated that he is contactable and that no one spoke to him before the DMC meeting.
- BW/MP stated that they had watched the 1 hour 52 minutes section when CB/21/01831/FULL was debated. MP asked EP why he had not mentioned or referenced Studham Parish Council’s response; the commentary therein and the resultant objection. EP thought he had. MP stated that he had not and that this was misleading and inappropriate action by the Ward Councillor.
- Highways was a major discussion point but it is noted that it has not been reference on the DMC minutes.
- BW/MP highlighted that one member of the DMC felt that the decision on Clements End Farm should have deferred pending a resolution to the “Highways” concerns especially as the “conditions” for the Highways points might not be possible (see comment from Mr Dave Ager - Principal Highways Officer). Interestingly, late information was supplied to him before the DMC meeting which had not been properly reviews (i.e. parking bays along Clements End Road).
- BW stated that the “conditions” attached to the planning consent are to be reviewed and approved by the Ward Councillors. EP stated that he has not seen anything yet but expected KC to deal with matters.

- EP stated that the Parish Council should have attended the meeting or asked one of the Ward Councillors to read out a statement. BW acknowledged that MP was on holiday but at no point, did either EP or KC ask whether or not the Parish Council were attending or whether or not the Parish Council wanted a statement read out at the DMC meeting.
- EP justified his actions by referring to the proposal being a “rural activity” and the subject proposal is in a rural setting. EP made a great play of the “employment” opportunities (10 jobs) which was more than the planning application stated, nor the skill set of those jobs. I remember the applicant saying that not many jobs would be created by the business.
- EP also stated that there were 27 letters in support v 9 objections. This was taken into account.
- EP again confirmed that he spoke to and sought feedback from people when walking his dog.
- MP pointed out that Studham is in the Green Belt, AONB and an Area of Great Landscape Value (“AGLV”) which was not discussed at all in the DMC meeting.
- ED mentioned that his role is independent of the Parish Council – and that he does not need to follow or agree with the Parish Council’s opinion/view.
- MP asked whether EP had met the applicant (Mr Kevin McBride). EP stated that he had done in respect of a large “care home” application elsewhere and touched on Clements End Farm. MP asked whether or not EP has minutes of any meeting with the applicant. EP confirmed that none were recorded.
- It is unclear whether or not Richard Stay (“RS”) has discussed this application with EP or KC. We think his position is that he is not directly involved but it is likely that he has spoken to EP or KC at some point. It should be remembered that RS is advising the planning applications on Mile Barn Farm and Hedgeside.
- EP raised Hedgeside and stated that he would be “Calling-In” this planning application as well in due course. He does not know when the planning application will be submitted. He stated that he has not spoken to or met the developer (Mr Harry Nugent) for two years and that he was against the “apartment” plan for the site but EP seems to know that a “bungalow” scheme will be suggested going forwards.
- EP wants to “sit in” where the Parish Council are discussing “major” planning applications within Studham. BW/MP to review.

APPENDIX 3

COPY OF CORRESPONDENCE BETWEEN SPC AND CBC, AND COUNCILLORS PERRY AND COLLINS

- **Letter from Studham Parish Council to Central Bedfordshire Council dated 14 February 2022**
- **Letter from Central Bedfordshire Council to Studham Parish Council dated 22 April 2022**
- **Letter from Studham Parish Council to Councillor Eddie Perry dated 14 February 2022**
- **Email from Councillor Eddie Perry to Studham Parish Council dated 27 March 2022**
- **Letter from Studham Parish Council to Councillor Kevin Collins dated 14 February 2022**
- **Email from Councillor Kevin Collins to Studham Parish Council dated 20 February 2022**



Clerk to the Council

Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR
Email: clerk@studhamparish.co.uk

Mr Marcel Coffait
Chief Executive Officer

and

Mr Richard Wenham
Leader of the Council

Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

By Email marcel.coffait@centralbedfordshire.gov.uk and
 richard.wenham@centralbedfordshire.gov.uk

14 February 2022

Dear Messrs Coffait and Wenham

Conduct of Development Management Committee Meeting of 28 July 2021 re Planning Application CB/21/01831/FULL (Clements End Farm)

Planning Application CB/21/01831/FULL ("Application") was called-in to the Development Management Committee ("DMC") by Councillor Eddie Perry for consideration at its meeting on 28 July 2021. In very brief terms the Application was for the major development of an equestrian centre at Clements End Farm and having its access point in Clements End Road, Studham.

The decision of the DMC was to grant the planning application, subject to the agreement of planning conditions with the applicant and, given that the land in question is in green belt, the application not being called in for review by the Secretary of State (which it was not). This decision was taken against a strong recommendation from the CBC Development Management Department ("CBC Planning Team") to reject the application and clear guidance from the Highways Department that the access

arrangement would not meet CBC's safety standards.

While recognising that the decision has been taken and the planning consent granted, Studham Parish Council ("SPC") has reviewed the process taken and the conduct of the DMC meeting itself and has serious concerns about certain aspects of the process and conduct which should be reviewed by CBC. Studham is in Caddington Ward and the Ward Councillors are Kevin Collins and Eddie Perry.

The Calling-In Process

The calling-in of a planning application to the DMC has to be requested by a CBC Ward Councillor within 28 days of the registration of that application with the CBC Planning Team. Other timescale factors in the planning review and response process may determine the necessity of such 28 day period but its shortness has the effect of a Ward Councillor having to decide whether to make the "call-in" before they have had the opportunity to understand the full implications of such an application including, crucially, specific factors and local opinion.

While the pro-forma document for initiating a "call-in" provides for the Ward Councillor to pre-determine at the time of submission if the calling-in should be withdrawn from DMC if the CBC Planning Team is supportive of the Councillor's view on the planning application, it is not clear at what point the Ward Councillor might subsequently seek withdrawal from DMC.

Conduct of the DMC Meeting

CBC Planning Team submitted a comprehensive 15 page brief (inclusive of late sheet) which provided a very strong recommendation for refusal of the Application.

Neither the Chairman of SPC nor the Vice-Chairman who takes SPC's lead responsibility for planning matters were able to attend and address the DMC meeting due to holiday and other commitments. Disappointingly, SPC's 6 page submission (plus relevant photographs) of its consultation findings and recommendation was reduced to 45 words but overall the brief did address the major concerns with the Application identified by SPC.

Two key aspects of the CBC Planning Team's recommendation were that:

- "Very Special Circumstances" that would outweigh the identified harm to the South Bedfordshire Green Belt had not been demonstrated; and
- The increased vehicular usage of a substandard highway would, due to visibility concerns at the point of access, would be a detriment to public safety and a danger to all highway users.

We consider adequate control of the discussion of the Application at the meeting was not maintained.

In particular:

- One member of the DMC (Councillor Nigel Young) was allowed to dominate the discussion including being allowed to make completely untrue aspersions about the properties in the vicinity of the proposed development;
- The DMC was permitted to espouse, as a material consideration in identifying the Very Special Circumstances to justify development in the green belt, the importance that providing a facility for Riding for the Disabled would play when the applicant had made no reference to such whatsoever in their Planning Statement in support of the Application; and

- The DMC proceeded with approval of the Application subject to Planning Conditions when the clear advice to the DMC from the CBC Highways Department was that, irrespective of the agreement of Planning Conditions, it would not be feasible to create access to the proposed development in a manner which was in keeping with CBC's own highway safety requirements.

The result is that the DMC has approved the Application based on spurious identification of Very Special Circumstances with potentially dangerous access to a road where serious accidents have occurred in the recent past. It would obviously be appreciated if CBC would confirm that it would accept liability for injury and damage that results from any accident which does result in consequence of the DMC having approved the Application in the manner it has.

Conduct of Councillor Nigel Young

When reviewing the video of the DMC consideration of the Application, it rapidly becomes apparent that Councillor Nigel Young dominated the discussion.

It was good to note that Councillor Young had undertaken a site visit. However, in undertaking such site visit, he completely misconstrued the nature of the residential properties opposite where the proposed development is to take place. If you watch the video of the DMC meeting, you will see Councillor Young waving his mobile phone about trying to show other members of the DMC his photograph of what he claimed was a large "seven chimney" house and then go on to claim that next to this house a used car business was being conducted. He was using this claim, amongst other things, to support the inclusion in the proposed development of the large detached house. The reality is that the large "seven chimney" house is actually three separate residences and the claimed used car business is actually the parking area for the occupants of those dwellings. There was no evidence to support Councillor Young's claim of there being a used car business at the location such as price signs on any vehicles or business name signs in evidence.

The result of this is that Councillor Young materially misled the DMC as to the nature of the surrounding neighbourhood to the proposed development. That misrepresentation could have caused some members of the DMC to vote in favour of the Application when otherwise they might have abstained or opposed the development.

Conduct of Councillor Eddie Perry

Clearly, the primary cause of all the issues which have arisen in relation to the Application was the decision by Councillor Perry to call it in to DMC (being forced by the DMC process to make such decision before the issues relating to the Application were clear) and, once having become aware of the issues, not having withdrawn the Application from DMC consideration.

A further fundamental failure was Councillor Perry not making any attempt at a fair and balanced presentation of the issues relating to the Application when he spoke at the DMC. His presentation neither acknowledged the concerns which had been expressed by local residents whose properties are on Clements End Road nor took account of the detailed comments which had been submitted to CBC by SPC following a two-stage public consultation process. However and notwithstanding his awareness of the concerns having been raised, none of these comments was drawn to the attention of DMC by Councillor Perry in his presentation.

We further understand that Councillor Perry held discussions with individual Conservative Party members of the DMC (but not others) in advance of his DMC presentation. Presumably, the purpose of this was to encourage support for the granting of the Application by DMC.

He also acknowledges that he has held meetings and/or taken part in calls with the applicant and their

planning team but has failed to record any details of these meetings and/or conversations.

While this is not an issue of councillor conduct for consideration under the Code of Conduct, it is an issue of judgment.

We have written separately to Councillor Perry in respect of this.

Conduct of Councillor Kevin Collins

Councillor Collins voted in favour of the Application at the DMC.

SPC was very surprised that he should have done so given his role as executive member responsible for the CBC's Planning Team and his awareness of the divergent opinion from within Studham as to the acceptability of the proposed development. Noting that the CBC's Planning Team had given a strong refusal commentary against the Application, the decision of Councillor Collins to vote in favour of the application is tantamount to his giving a vote of no confidence in the department for which he has executive responsibility.

In all the circumstances, it is the view of SPC should have at least abstained from the DMC vote.

While this is not an issue of councillor conduct for consideration under the Code of Conduct, it is an issue of judgment.

We have written separately to Councillor Collins in respect of this.

Subsequent Matters relating to Agreeing and Fulfilling Planning Conditions

The DMC gave its approval to the Application subject to the CBC's Planning Team agreeing appropriate Planning Conditions and that the Ward Councillors should be consulted when specifying such Planning Conditions. Eventually, there were 26 Planning Conditions specified and of those 8 were subject to subsequent submission and approval of various plans and requirements.

SPC requested the Ward Councillors to consult with SPC during the specification of the Planning Conditions and we understood that that would be the case. The eventuality was that Councillor Collins sent SPC a final draft of the Planning Conditions on 23 September 2021 on the basis of not engaging in any wider dialogue concerning what was proposed. Councillor Perry subsequently confirmed that he had also first received the draft Planning Conditions on 23 September 2021. CBC's Planning Team released the final version of the Planning Conditions to the Applicant in its Notice of Grant of Planning Permission on 24 September 2021. Given that timescale there was no reasonable opportunity for Councillor Perry or SPC to review and comment upon the final Planning Conditions before their release to the Applicant. In respect of Councillor Perry, that is clearly in contravention of the DMC's requirement that the Ward Councillors should be consulted.

We asked Councillor Collins about his involvement in the Planning Conditions process prior to 23 September 2021. His response is attached in Annex 1. It is clear from that response that the process of specifying the Planning Conditions had been going on for more than a month before the final draft was circulated on 23 September 2021 and that the process had not involved Councillor Perry. Moreover, there were known contentious issues which SPC was concerned should be adequately addressed in the Planning Conditions and was not given any opportunity to provide its input or be consulted as to whether its concerns were being adequately addressed during such process.

Conclusions

There are several key concerns about what has happened in this instance. Probably the key items of note are:

- Councillor Perry in calling in the Application to the DMC, chose to make a completely biased presentation in support of it without taking any due account of the material concerns about the proposed development of which he was well aware at the time. While others who may address the DMC may not have such constraints upon them, surely it is a reasonable expectation that the councillor should speak to DMC for all of those whom he represents and not just those whom he favours.
- Individual Councillors sitting on the DMC should not be allowed to dominate proceedings and those who try should be appropriately constrained by the Chairman.
- Councillors (including DMC members) making assertions to the DMC should verify the truth of their assertions before making such assertions.
- CBC has approved the Application notwithstanding that the Highways Department could see no fully safe means of access in keeping with CBC's highway safety requirements. This letter is therefore notice to CBC that in the event of serious injury resulting to any person resulting therefrom, it is a matter for which CBC should be held liable.
- The requirement of DMC that the CBC's Planning Team should consult the Ward Councillors when developing the Planning Conditions was not fulfilled.

We look forward to receiving your response in respect of the above.

Yours sincerely



Robert Wilkin
Chairman
Studham Parish Council

cc. Councillor Ken Matthews (ken.matthews@centralbedfordshire.gov.uk)
Councillor Nigel Young (nigel.young@centralbedfordshire.gov.uk)
Councillor Kevin Collins (kevin.collins@centralbedfordshire.gov.uk)
Councillor Eddie Perry (eddie.perry@centralbedfordshire.gov.uk)
The Monitoring Officer, CBC (monitoring.officer@centralbedfordshire.gov.uk)
Studham Parish Councillors
Clerk to Studham Parish Council

Annex 1

Councillor Collins' Involvement with the Planning Conditions

My first sight of any DRAFT conditions was 12th August, when the case officer made contact to ask if I had a note of the comments which I had made regarding the highway and hedgerow. We had further exchanges over the next few days, the last e-mail being dated 17th August. I was also able to note that certain other conditions (e.g. occupation, external lighting) were on the list. I believe Eddie was away at this time?

I stress 'draft' because it is common practise for a planning officer to start with a standard condition which is then edited and tailored to suit the particular circumstances.

It is important to understand that these drafts are subject to ongoing review and amendment in discussions with the Council's legal advisors and the applicant's legal advisors. When conditions are mentioned at DMC to be done "in consultation with ward members and the portfolio holder", this is expressly limited to confirming that the draft conditions are in accordance with the wishes of the committee; it is not within that remit to introduce items which had not been discussed nor materially vary those that were. The first sight I had of the final draft was on 23rd September, and they were forwarded almost immediately. I was actually in a meeting at the time, hence no additional commentary in the e-mail I sent.

It is not normal practise to share these drafts more widely as, although they may well become public documents once signed, they are confidential before that point. Knowing that there were conditions that spoke to some of your concerns (I am not going to claim they are necessarily as you would have wished), I felt it was useful to forward them for your information when possible but I did not feel comfortable doing this until the Head of Planning Delivery understood my intentions and was satisfied they could be released to me.



By email: clerk@studhamparish.co.uk
For the attention of Cllr Robert Wilkin
Chairman
Studham Parish Council

Your ref:

Our ref: RW/MEC/bmh

Date: 22nd April 2022

Dear Cllr Wilkin

Development Management Committee Meeting 28th July 2021 – Planning Application CB/21/01831/FULL (Clements End Farm)

We refer to your letter dated 14th February 2022 concerning the Development Management Committee Meeting of 28th July 2021 and Planning Application CB/21/01831/FULL (Clements End Farm). We apologise for the delay in responding to you.

We note the views you raise in your letter. However, having reviewed this matter and the conduct of the meeting, we are satisfied that the democratic process was followed in connection with this application. In relation to your final point, our planning officer advises that they were asked by Cllr Perry to liaise directly with Cllr Collins in connection with the conditions, as this is Cllr Collins' area of expertise as portfolio holder, and that Cllr Collins would update Cllr Perry on the progress of the conditions. Cllr Collins was aware of this request and stated that he regularly speaks to Cllr Perry about ward matters.

Conditions were drafted and checked with Cllr Collins in August prior to submitting the application to the Secretary of State. Once the Secretary of State had responded to say they did not wish to call in the application (response received in September), Cllr Collins requested if he could share the conditions with the Parish Council prior to issuing the decision. The Parish Council was then sent the conditions prior to issuing the decision and both Cllr Perry and the relevant officer were copied into this email. We have not had anything from Cllr Perry to state that he objected to the conditions, nor to query why he was not involved further.

Should you wish to raise a complaint about individual councillors, please use the link below:
https://forms.centralbedfordshire.gov.uk/officeforms/Complaint_form_for_councillors_conduct.ofml

Yours sincerely

Cllr Richard Wenham
Leader of the Council

Marcel Coiffait
Chief Executive

Central Bedfordshire Council

Priory House, Monks Walk
Chicksands, Shefford
Bedfordshire SG17 5TQ

Telephone 0300 300 8000

Email customer.services@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk



Clerk to the Council
Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR
Email: clerk@studhamparish.co.uk

Councillor Eddie Perry
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

By Email eddie.perry@centralbedfordshire.gov.uk

14 February 2022

Dear Eddie

**Councillor Conduct re Planning Applications CB/21/01831/FULL
(Clements End Farm) and CB/21/01017/FULL (Mile Barn Farm)**

You are well aware that Studham Parish Council ("SPC") has had significant concerns with the manner of your involvement with planning application CB/21/01831/FULL for the equestrian centre at Clements End Farm ("Clements End Application").

SPC feels it necessary to put its concerns in writing to you because your conduct in respect of the Clements End Application gives serious misgivings to SPC about what might be your future conduct regarding other planning applications; indeed, this has already been noted over the calling in to CBC's Development Management Committee ("DMC") of the planning application CB/21/01017/FULL for Mile Barn Farm ("Mile Barn Application").

To be clear at the outset, our concerns are not a matter of conduct subject to the provisions of CBC's Code of Conduct. We recognise that you have the right to act in the way you have, but in choosing to do so you have made what is, in our view, a serious misjudgement to the extent that SPC is currently minded to pass a vote of no confidence in you in respect of planning matters.

You are a copy addressee of a letter which SPC has sent to Marcel Coffait, the Chief Executive Officer of CBC and Richard Wenham, Leader of CBC concerning DMC's involvement with the Clements End Application. That letter addresses many of the concerns SPC has with your conduct and, for the sake of

brevity, they are not repeated here.

To be specific:

- You were biased in not taking due account of the concerns of key residents affected by the Clements End Application even though those concerns had been known to you at the time of your presentation to DMC (including through having received a copy of SPC's submission to CBC's Development Management Department).
- Your presentation to DMC gave all the appearance of you being the spokesperson for the applicant; and
- While the constraints of the DMC process might have necessitated your calling in of the Clements End Application, you should have given serious consideration to withdrawing the calling in once it was clear there were significant local objection and other issues including serious highway safety concerns, rather than continuing with a full-frontal support of what was proposed.
- You have held meetings and/or taken part in calls with the applicant and their supporting team but have not recorded the details of such communication.

The Mile Barn Application (now refused planning consent at the January 2022 DMC meeting) had many of the same issues regarding the Clements End Application which are repeating themselves.

Perhaps most significant of all was your decision to "call in" the original application to DMC when it was painfully evident that the initial proposal submitted by the applicant was wholly inappropriate to the site. The applicant itself recognised this and has now submitted a completely revised proposal but you were minded to support the original Mile Barn Application design/layout before the DMC.

We look forward to receiving your earliest response to the above.

Yours sincerely



Robert Wilkin
Chairman
Studham Parish Council

cc. Studham Parish Councillors
Clerk to Studham Parish Council

Subject: RE: Development Management Committee Meeting of 28 July 2021
Date: Sunday, 27 March 2022 at 16:16:35 British Summer Time
From: Eddie Perry (Cllr)
To: Chairman of Studham Parish Council

Hello Bob,

Thank you for your email dated 9th March regarding the above issue,

Regarding the issues you have raised, when I met with you and Mark I informed you both that I had met with the developer on a totally different matter regarding Slip End and that I had not met or discussed this development with him or his supporting team. There are therefore no details to record.

You suggest that I should have considered withdrawing the calling in because of significant local objection, I'm assuming you are referring to the local residents opposite the development, whereas my understanding is that there were 27 locals who were in favour of it and 9 against. I did attend the zoom consultation meeting on 18th April, no one at that meeting or afterwards contacted me or spoke to me about it.

I did consider the development to be the right type of development for a rural area, providing appropriate conditions were applied. I received these conditions at the same time as you. My presentation to the DMC was certainly not as a spokesperson for the developer, as previously stated I had had no discussions or communications with them about this development.

As you know I'm afforded 5 minutes to speak at DMC and the planner had already outlined local objections and SPC's comments. There would also have been the opportunity for SPC or local residents to attend the DMC and voice their opinions. Finally I want to stress that I am not a member of the DMC and have no voting right on this committee..

Eddie Perry (Cllr)

From: Bob Wilkin <bob@afroirmosia.com>
Sent: 09 March 2022 16:32
To: Eddie Perry (Cllr) <Eddie.Perry@centralbedfordshire.gov.uk>
Cc: Clerk to Studham Parish Council <clerk@studhamparish.co.uk>
Subject: Development Management Committee Meeting of 28 July 2021

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Dear Eddie,

I wrote to you on 14 February 2022 concerning the conduct of the Development Management Committee Meeting of 28 July 2021 re Planning Application CB/21/01831/FULL (Clements End Farm). Thank you for having acknowledged receipt of the letter. Studham Parish Council is now wishing to take forward its consideration of what it wishes to do in respect of this matter. It would be very much appreciated therefore if you were to provide a substantive response to our letter by close of play on Monday, 28 March 2022.

Regards

Bob Wilkin
Chairman
Studham Parish Council

www.studhamparish.co.uk

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Clerk to the Council
Mrs Sally Harrop
32 The Orchard
Kings Langley
Herts
WD4 8JR
Email: clerk@studhamparish.co.uk

Councillor Kevin Collins
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ

By Email kevin.collins@centralbedfordshire.gov.uk

14 February 2022

Dear Kevin

**Councillor Conduct re Planning Application CB/21/01831/FULL
(Clements End Farm)**

You are aware that Studham Parish Council ("SPC") has had significant concerns with planning application CB/21/01831/FULL for the equestrian centre at Clements End Farm ("Application").

You are a copy addressee of a letter which SPC has sent to Marcel Coffait, the Chief Executive Officer of CBC and Richard Wenham, Leader of CBC concerning DMC's involvement with the Application. That letter addresses SPC's particular concern with your surprising decision to vote in favour of the Application at DMC given your role as executive member responsible for the Development Management Team at CBC; your awareness of divergent opinion from within Studham as to the acceptability of the proposed development, and the strong local opinion against the Application.

Your decision to vote in favour of the Application has the appearance of you lacking confidence in the department for which you have executive responsibility. In all the circumstances, it is the view of SPC that you should have at least abstained from the DMC vote.

While we do not consider that this is not an issue of councillor conduct for under the Code of Conduct, it is an issue of judgment.

We look forward to receiving your earliest response to the above.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'R. Wilkin'.

Robert Wilkin
Chairman
Studham Parish Council

cc. Studham Parish Councillors
Clerk to Studham Parish Council

Subject: RE: Development Management Committee Meeting of 28 July 2021

Date: Sunday, 20 February 2022 at 21:25:14 Greenwich Mean Time

From: Kevin Collins (Cllr)

To: Chairman of Studham Parish Council

CC: Mark Poyner, Geoff Shute, Alan Wright, Chrys Smith, Lynne Smith, Mo Rashid, Clerk to Studham Parish Council

Dear Cllr Wilkin,

I am writing in response to the specific points raised in your letter addressed direct to me dated 14th February 2022.

My voting decisions at DMC are a reflection of the officer report and other documentation available (being that which is available on the planning portal, plus unredacted comments available for a limited period to committee members only), plus the oral arguments heard on the day from registered speakers and subsequent debate. I do my best to form an opinion on what are often finely balanced decisions; it is unfortunate but entirely predictable that those who wish for different outcomes will take issue with decisions they do not agree with.

I note your comments about 'lacking confidence' in my officers; you are of course entitled to form your own opinion but that is one I strongly disagree with. I am proud of the team that I work with and your binary view that deciding against officer recommendation invalidates their work is flawed.

I frequently find that my initial predisposition on first reading the papers is altered on hearing the speakers and debate, which is the right and proper purpose of the public meeting.

I note your preference that I should abstain. I believe that abstention at DMC is an option which should be rarely used and certainly not just for politically convenient reasons. I do remember wrestling with this decision as the item progressed and seriously considered abstention on the grounds I was not completely persuaded for or against but, at the moment we moved to the vote, I decided that on balance I was leaning more towards approval than refusal and cast my vote accordingly. You are, of course, aware that my vote is only 1 of a potential 13.

I note that you apparently lack faith in my judgement; that is your right and I have stated above that I find your judgement flawed in elements of the position you have chosen to take. That is something upon which we obviously cannot agree.

Regards,

Councillor Kevin Collins

Member for Caddington Ward, Central Bedfordshire Council

Covering the parishes of Caddington, Hyde, Kensworth, Slip End, Studham & Whipsnade

Tel: 0300 300 8523 | Mail: kevin.collins@centralbedfordshire.gov.uk

Priory House, Monks Walk, Chicksands, Shefford, Beds, SG17 5TQ

For my full councillor details please [click here](#)

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From: Bob Wilkin <bob@afrosmosia.com>

Sent: 14 February 2022 10:55

To: Kevin Collins (Cllr) <Kevin.Collins@centralbedfordshire.gov.uk>

Cc: Mark Poyner <Mark.Poyner@brasierfreeth.com>; Geoff Shute <geoff.shutelu6@talktalk.net>; Alan Wright <wrightalan@aol.com>; Chrys Smith <smithlaws@hotmail.co.uk>; Lynne Smith <lynnebsmith@outlook.com>; Mo Rashid <m.rashidm@hotmail.com>; Clerk to Studham Parish Council <clerk@studhamparish.co.uk>

Subject: Development Management Committee Meeting of 28 July 2021

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Kevin,

I attach a letter from Studham Parish Council concerning the conduct of the Development Management Committee Meeting of 28 July 2021 re Planning Application CB/21/01831/FULL (Clements End Farm).

Regards

Bob Wilkin
Chairman
Studham Parish Council

www.studhamparish.co.uk

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