

# Report on the process the parish council followed in reviewing the 'made' Fressingfield Neighbourhood Development Plan (NDP)

## Introduction

This report analyses the actions taken by the parish council (the qualifying body) and the NDP steering group in formulating the draft revised NDP.

The current NDP, made in March 2020 is not due to expire until 2036, but government guidance recommends that a review be undertaken every five years to ensure that the plan remains relevant. Additionally, as a Plan carries reduced legal weight over time reviews are recommended in order that a plan can continue to have a major influence on planning decisions. The parish council, in spring 2024 decided to commence the process in re-examining the adopted plan.

This paper attempts to identify the key timeline of events and, wherever possible, provide evidence to support the statements made.

The key theme running through this analysis of events is the testing of the legal requirement that the development of an NDP is required to be community lead. The leading body (in this case Fressingfield Parish Council) is legally required to engage with residents, local businesses and community organisations to ensure that the plan reflects local views and aspirations <sup>(1)</sup>. The wider community should be able to make their views known throughout the process.

## 17 February 2024

A 'sustainability forum' was organised by the parish council to take place in the village hall on 17<sup>th</sup> February. Posters advertising the event were placed on notice boards five days before the meeting and on the parish council website two days before the meeting and some houses received a leaflet. The advert made no mention that the parish council intended to feed the outcome of the forum into a possible review of the NDP <sup>(2)</sup>. Thirty people attended - six of whom were parish councillors. At that meeting, I gave a detailed explanation as to why the sewers overflowed in Fressingfield (possibly the most serious infrastructure deficit/sustainability problem in the village). In his summing the Convenor ignored this and focused on comparatively minor domestic issues. I did express concern that this serious matter was being dismissed and wrote to the convenor after the meeting. The notes of the meeting appeared over a month later making very scant mention of the sewage issue <sup>(3)</sup>.

Several residents wrote and expressed concern about the lack of openness in advertising the event and its purpose and the notes which were not a true reflection of events.

I wrote a very detailed note to all parish councillors on 10<sup>th</sup> May concerning the sustainability forum and, in particular, reminding the councillors of the serious issues with the capacity of

the sewerage which was not addressed at the 'sustainability forum'. My email concludes '*I think it totally wrong to use the forum as evidence for a review of the NDP. No one knew that was the purpose<sup>(4)</sup>*'.

5<sup>th</sup> March 2024

At the scheduled meeting of the parish council, Andrea Long, the consultant who advised on the original NDP, was invited to give a public presentation to the council. Major problems emerged during this meeting. These are summed up in an email sent to Paul Bryant (the officer at MSDC with responsibilities for NDPs) by a Fressingfield resident after the meeting. '*When it was time for members of the public to put questions to the PC they were told we could, but they would not be answered! This was a very unfriendly way to start the meeting and people were not happy about that. However, the chair sensibly judged the mood of the meeting and allowed questions to be answered if necessary. There must have been 40 or more members of the public attending, and our questions were met with a degree of irritation and sometimes aggression. It was not a happy meeting. It felt like 'them and us' and one question put to them was one of trust - there is a real sense amongst the community that the PC aren't trusted and there is a lack of transparency<sup>(5)</sup>*'.

Three days after the meeting a further parishioner wrote to the chair of the parish council. '*An interesting meeting on Tuesday! It is clear to me that there is a strong feeling in the village that the PC needs to be more consultative with the village. If we really are all singing from the same hymn sheet then the views of villagers must be sought and not just assumed<sup>(6)</sup>*'.

From the outset the parish council must have been fully aware that there were major issues around openness, transparency and trust.

20<sup>th</sup> May 2024

A parish council meeting was to be held on 21st May 2024. The preceding day there was an email exchange between the professional advisor and the chair of the council. This information was obtained in response to an FOI. In this email it was proposed that there be four parishioners and three parish councillors on the steering group taking responsibility for drafting the revised NDP. It is clear at this point the chair was trying to control the choice of members on the group '*It would be really good to get some new faces on working group and perhaps if possible some of the less strident members of the parish<sup>(7)</sup>*'

In response, the professional advisor states '*I think terms of reference for the group; confidentiality and any pre-disposed interests will be important so you will be looking for people with an open mind but not an open mouth<sup>(8)</sup>*'.

It is very clear from this statement that confidentiality was the primary focus, not community involvement and ownership.

4<sup>th</sup> June 2024

In June, the parish council proactively proceeded to recruit villagers to sit on the working group. Minute 8.2 of the 4<sup>th</sup> June 2024 states that all groups in the parish would be contacted to see if they wished to nominate <sup>(9)</sup>. At the time I spoke to several people involved in local groups. They were unaware of the proposal and had not received an invitation.

### March through to September 2024

Having decided in March to proceed with a review, the parish council (before the formation of the steering group) in this period appointed Andrea Long as consultant; agreed to undertake a housing needs assessment; appointed AECOM to undertake the HNA and the design code and drew up the terms of reference for the steering group. These decisions did not involve any members of the community other than parish councillors and there is no record as to how these decisions were arrived at. It is very unfortunate that six months elapsed between the decision to undertake a review and the first meeting of the steering group.

There are concerns as to how the parish council proceeded to appoint members of the steering group.

Firstly, the terms of reference for the steering group were prepared by the parish council in advance of the first steering group meeting. They were made available on the parish council website <sup>(10)</sup>. Attached to the terms of reference was a long statement concerning membership of the group and specifically addressed any potentially prejudicial interests citing *'membership of an organisation with a predetermined interest or opposition to building development'*. This effectively debarred SAFE members from applying to sit on the group, thereby exhibiting a lack of objectivity and demonstrating bias.

I know of three people that parish councillors approached asking them to sit on the group (there may be more). This confirms that the council was directly influencing the membership.

Three excellent and well qualified villagers volunteered to sit on the group (two of whom were members of the original NDP steering group). They were not appointed, and on enquiry of the parish council were informed that their expressions of interest had been 'lost'.

Three villagers who were invited to sit on group either never attended a meeting or resigned shortly afterwards. (in addition, two chairs resigned, making a total of five) The professional advisor does not agree with this figure. In an email of 14<sup>th</sup> January 2026, she reported that there had been only one resignation <sup>(11)</sup>.

One person who was appointed did not volunteer to sit on the group but had expressed an interest in having an input into a specific working party and was then informed that they would sit on the main group, not having expressed an interest to do this. I have the names of all the individuals referred to, which have been confirmed by the then steering group chair, but it would be inappropriate to include these due to confidentiality reasons.

An analysis of attendees at steering group meetings throughout 24/25 demonstrates that at no meeting were there less councillors than villagers. The group was 'top heavy' with parish councillors. At one point all but two of the parish councillors sat on the group and one retained an option to attend if they wished.

### 10<sup>th</sup> September 2024

The first meeting of the steering group took place on 10<sup>th</sup> September, six months after the original decision to conduct a review had been taken. During this six month period all of the major strategic decisions concerning the review had been made by the parish council. There is no record as to whether the full council endorsed the decisions or whether they were made by a few councillors in conjunction with the professional advisor.

The AECOM report into the housing needs assessment and the data sets were finalised.

The AECOM report and data sets were not publicly made available. There were repeated requests from several villagers to have sight the AECOM report. This was consistently refused by the chair of the parish council on the grounds that it would be available at the consultation stage. The chair of the NDP group did issue the AECOM report to a trusted third party not on the steering group. He was severely reprimanded for not having obtained 'confidentiality clearance' prior to forwarding the report.

### October 2024

A request was made for villagers to have the email addresses of members of the steering group in order to make representations to have some influence on the evolving process. This was refused and on 29<sup>th</sup> October 2024 the chair of the parish council wrote to John Castro '*I will not be passing on your email or emails from any other individual members of the parish. The time for raising issues will be at the consultations*'<sup>(12)</sup>. This very clear statement does not comply with the requirements of localism act. Very clearly the wider community had no influence or input into the evolution of the draft NDP. This is in complete contradiction of item six of the terms of reference for the working group which states '*seek to gather views of the whole community, including residents, groups, businesses, landowners and other relevant interested parties to inform the review of the neighbourhood plan*'<sup>(13)</sup>. None of this happened. Steering group members were repeatedly reminded by the parish council chair that all the discussions within the group were confidential and must not be discussed outside the group. This is stark contrast to the manner in which the original NDP group functioned.

At the same time, the chair of the of the parish council informed the chair of the NDP group (not a parish councillor) that his role was to chair meeting and he had no other role. This was unacceptable to the NDP chair. A chair's role is far greater than a clerical function. Reluctantly the parish council did agree to expand the role of the chair in line with common practice, and the terms of reference were amended. This incident, I believe, is indicative of the parish council attempting to limit input from and the influence of villagers into the process.

### 18<sup>th</sup> March 2025

The chair of the steering group resigned. His resignation letter runs into six pages. I have not reproduced this in full as it is highly critical of the parish council and highlights failings by individuals<sup>(14)</sup>.

The resignation letter centres on what he believed to be a breach of the parish council's code of conduct, with a lack of the openness, transparency and impartiality required by the code. Throughout his period as chair, he had strongly argued that the AECOM report be made public, with the proviso that no comments would be accepted until the formal consultation stage. Ultimately the AECOM report was only made public with the draft plan at the formal consultation stage - ie, at the latest time possible time for release.

### Late March-7<sup>th</sup> April 2025

The parish council issued a 'housing and environment survey' to all adults in the parish on the electoral role. There is general agreement that this survey was heavily biased in the way the questions and responses were formatted. There was an option to make comment and the written comments made were fully reported. The parish council has repeatedly stated that this level of consultation was over and above that required under the regulations.

The problem with the results of the survey is that the steering group/parish council ignored the results in the preparation of the draft plan. For example, in prioritising sites for possible development the majority of respondents choose 'none of the sites'. Regardless, the steering group then went ahead and allocated sites. There is almost no support for affordable housing and a strong preference for small sites under 10 houses. Infrastructure to support any development was a key feature in many of the responses. These issues are not incorporated into the draft plan. The parish council has not taken the very clear local views of the community into account. The result is a plan which is not lead by the community. Two separate critiques of the interpretation of the written response to the survey were undertaken. Both are available on the SAFE website<sup>(15)</sup>.

### 10<sup>th</sup> April 2025

A resident wrote to the professional advisor concerning the failure to release the AECOM report *'I cannot understand what is so sensitive that we, the people whose views are apparently so relevant to the NDP process cannot be allowed to view what presumably is a detailed report'*<sup>(16)</sup>.

An attempt to obtain the report via an FOI was rebuffed by the parish council relying on the Freedom of Information Act S.22 stating that as the report would ultimately be in the public domain it need not be released at the time of the request as an FOI response.

### 30<sup>th</sup> April 2025

Four residents (including myself) met with councillor Stringer - a cabinet member. Heritage, planning and Infrastructure. Our main area for discussion was the way in which the NDP review was being conducted. Councillor Stringer was adamant that the process should be open and transparent. He agreed to discuss the matter with the officers at MSDC with a view

to making representations to the parish council. I do not know the outcome, but there was no apparent change of procedure.

### 3<sup>rd</sup> November 2025

On 3<sup>rd</sup> November the second NDP chair resigned. His resignation letter is very detailed and explores a number of concerns<sup>(17)</sup>. His opening paragraph states '*I have spent a great deal of time going over the revised plan and I am not happy with it*' He discusses anomalies between the AECOM analysis of housing need and what is proposed in the final NDP draft.

On the sewerage issue he states '*To say that 'if surface water for new developments can be held on site and not enter the sewage system the current problem would not be exacerbated' is nonsense. The additional sewage generated in these new properties would add to the discharge and exacerbate the problem. I do not think this document will serve the people of Fressingfield as well as it should. I have felt I was fighting an uphill battle to get my views across, views which coincide with those of many Fressingfield residents.'*

### 14<sup>th</sup> January and 17<sup>th</sup> January 2026

Two public consultation 'drop in' events were organised for the 14<sup>th</sup> and 17<sup>th</sup> January. The first event had a total attendance of six people, including my husband and myself. The parish council minutes report a total attendance of 44 people for both events<sup>(18)</sup>. I do not know if the volunteers from the Women's Institute providing the teas are included in this figure. Suffice it to say this was a very poor attendance when compared the original NDP consultation event when over 100 people attended.

### 17 January - 2<sup>nd</sup> March 2026

The formal consultation period takes place. There are issues in completing the response form unless you have two devices, one on which to read the draft document and the other to complete the response form. There is an option to obtain a hard copy of the response form from the shop. It is very unfortunate that the PC website did not configure the response form in a manner in which it could be downloaded which would have enabled residents to draft out a response whilst reading the document.

The SAFE website recorded the issues with the form as soon as the consultation period commenced. Minute six of the parish council meeting of 20<sup>th</sup> January also highlights the problem with the response form and records that the form had not been seen by the steering group prior to release<sup>(19)</sup>.

## Conclusion

There is overwhelming hard evidence that that the parish council did not want or seek community involvement in the redrafting of the NDP. It is clear from the outset with the 'sustainability forum' and the parish council meeting in March 2024 right through to the

difficulties with the response form that the parish council had their own agenda and wanted to limit any challenge to that agenda.

The following events are highly significant

- the predetermination of the composition of the steering group
- the resignation/non-attendance of five villagers on the steering group (including two chairmen)
- the failure to release the data sets, and particularly the AECOM Report
- the email from the PC chair of 29<sup>th</sup> October 2024 confirming that the community would have no input into the report until the consultation stage.
- the total disregard of the parishioners' views in response to the 'housing and environment survey'
- a disregard for the very serious issues with the sewerage and an ongoing insistence that more foul sewage from new houses will not directly impact on sewage egress in Low Road

Throughout the meetings of the steering group, there was intense pressure to preserve secrecy, and the minutes contained little information, particularly of discussion of minority views.

In conclusion the process did not adhere to the Nolan Principles of openness and transparency and did not accord with parish council undertaking to be open and transparent every step of the way.

Pam Castro 11.02.26

[REFERENCES ON THE FOLLOWING PAGE](#)

## References

1. Localism Act 2011
2. poster for sustainability forum
3. notes of meeting of 17<sup>th</sup> February 2024
4. email from Pam Castro to parish councillors – 10<sup>th</sup> May 2024
5. email from Paul McCann to Paul Bryant (MSDC) 11<sup>th</sup> March 2024
6. email from John Kelsall to PC chair 8<sup>th</sup> March.
7. email from the PC chair to professional advisor 20<sup>th</sup> May 2024
8. email response of professional advisor to PC chair 20<sup>th</sup> May 2024
9. parish council Minute 8.2 4<sup>th</sup> June 2024
10. terms of Reference for the steering group September 2024
11. email from professional advisor to Pam Castro 14<sup>th</sup> January 2026
12. email from parish council chair to John Castro 29<sup>th</sup> October 2024
13. terms of Reference for the steering group September 2024
14. resignation letter from the chair of the NDP group to all parish councillors 18<sup>th</sup> March 2024
15. SAFE web site - two critiques of survey Jenny Morris and John Castro
16. email from Charles Comins to professional advisor 10<sup>th</sup> April 2025
17. resignation letter from chair of NDP group to PC chair 3<sup>rd</sup> November 2025
18. parish council minutes 20<sup>th</sup> January 2025
19. parish council minutes 20<sup>th</sup> January 2025. Minute 6