

Appendix C - Correspondence with lead petitioner in response to complaint

From: "Samantha Wightman"

Date: 10 April 2018 at 16:14:46 GMT

To: "

Subject: Response to Complaint

Dear

I write further to your online complaint dated 21 February of which I acknowledged receipt via email on 9th March.

I can confirm that I have reviewed your request and can now respond as follows.

You have outlined where you believe things have gone wrong and I apologise that you feel residents have not been listened to. Ultimately, you have asked that the Scrutiny Board now reviews the steps taken in response of your Petition:

1. As Lead Petitioner and on behalf of those who signed the petition, the group known as Save Warsash & The Western Wards (SWWW), we request the council's Scrutiny Board review the way this petition has been handled. The outcomes we want from a review include:
 - A date to be set for the debate of the petition
 - To recall all planning applications that have been granted outline planning permission since the petition was submitted, as this pre-empts the outcome of that debate and cuts across the consultation process of the Draft Local Plan
 - At the very least delay granting full planning permission to those applications for the reasons given in the previous bullet point above
 - Residents want a say in the numbers and types of properties and open spaces that they will have to tolerate on a daily basis. They want fewer properties than proposed. To facilitate this, residents want dialogue, and collaboration between themselves and Planners and developers.
 - A full apology for the way we have been treated by Democratic Services, other Council officers and Planning Committee members.

I can advise you that Officers will now bring a report on this issue to the next meeting of the Scrutiny Board which is scheduled for the 17th May 2018, inviting them to undertake a review on the handling of the petition in order that your complaint can be considered and resolved.

If you wish to make a Deputation to the Scrutiny Board, you can register your request once the Agenda has been published on the website which will be five clear working days before the meeting date. You may make this request via an online form or by emailing democraticservices@fareham.gov.uk. Further information about making a Deputation to meetings can be found on the Council's website at http://www.fareham.gov.uk/about_the_council/council_and_democracy/deputationsot her.aspx

In respect of the outcomes you are seeking from the Scrutiny Board, I am able to advise you that the Scrutiny Board will be able to review the Petition and the way in

which it has been handled. They will not however be able to set a date for the debate of the Petition, nor can they direct that all planning applications that have been granted outline planning permission since the Petition was submitted be recalled, nor will they be able to delay the granting of full planning permission.

Fareham Borough Council as Planning Authority, is required to prepare a Draft Local Plan which is a statutory requirement. Draft Local Plans will go through several processes until such time as they are debated at a Council meeting. The reason your Petition cannot be debated yet is because Councillors will, when debating the Draft Local Plan at a meeting of the Council, be voting on proposed site allocations. Therefore, they are unable to indicate what their voting intentions would be in advance of that meeting.

As indicated above, the Scrutiny Board are also unable to direct that all planning applications that have been granted outline planning permission since the Petition was submitted be recalled, nor will they be able to delay the granting of full planning permission.

To reiterate the rationale given previously to you in correspondence with Ms Usher's: the reason why they are unable to do so is because determination of planning applications is a regulatory function of Fareham Borough Council, delegated to the Planning Committee and set out in the Town and Country Planning Act 1990.

The Planning Committee, when deciding planning applications, are required to determine applications in accordance with the Local Plan, having regard for material considerations. There are timescales set out in the regulations which dictate that a planning application should be considered for decision within 13 weeks of the application being made. If this timeframe is not met, the Council would put itself at risk of a Non-Determination Appeal being submitted by the applicant.

I can assure you that regardless of the above, all points raised in your request for this matter for be considered by the Scrutiny Board will be given to them for consideration and I felt it was only fair to advise you of the limitations of powers that the Scrutiny Board will have when reaching their conclusion.

I reiterate that in respect of your complaint, Officers will take a report on this issue to the next meeting of the Scrutiny Board which is scheduled for the 17th May 2018 and invite them to undertake a review on the handling of the petition.

I hope this has assisted you but if you have any further points for clarification, please do not hesitate to contact either myself or the Head of Democratic Services, Leigh Usher.

Yours sincerely,

Samantha Wightman
Committee and Information Services Manager
Fareham Borough Council
01329 824594

From: >

Subject: Re: Response to Complaint

Date: 18 April 2018 at 13:59:11 BST

To: "Wightman, Samantha" <SWightman@Fareham.Gov.UK>

Thank you for your response to my complaint regarding the handling of the SWWW petition. I'd appreciate it if you would answer 2 further questions for me please:-

- What is your timescale for responding to complaints regarding petitions please? This information is not available on the FBC website
- What are the names of the members of the Scrutiny Board and who are they employed by please?

Thank you

From:]

Sent: 19 April 2018 09:17

To: Wightman, Samantha <SWightman@Fareham.Gov.UK>

Subject: Fwd: Response to Complaint

Good Morning Samantha,

In addition to the 2 questions below, could you also tell me if the Scrutiny Board meeting on the 17th May is a meeting which is open to the public please? Also how many deputations are we allowed to deliver at that meeting?

Thank you

From: "Samantha Wightman"

Date: 19 April 2018 at 18:11 GMT

To: "

Subject: RE: Response to Complaint

Dear

Thank you for your further correspondence and, in response to all of your questions, I will answer these in turn:

What is your timescale for responding to complaints regarding petitions please? This information is not available on the FBC website

There is no separate timescale for complaints in respect of Petitions. We would endeavour to respond to complaints within three weeks of the date of

receiving it but in some cases (such as complex matters), this may take longer. Details of the Council's complaints procedure can be viewed [at http://www.fareham.gov.uk/have_your_say/ccc/complaintsprocedure.aspx](http://www.fareham.gov.uk/have_your_say/ccc/complaintsprocedure.aspx) Having regard to your complaint in respect of the SWWW Petition, I can reiterate, as set out in my initial response to you, that Officers will now bring a report on this issue to the next meeting of the Scrutiny Board which is scheduled for the 17th May 2018, inviting them to undertake a review on the handling of the petition in order that your complaint can be considered and resolved. I can confirm that your request to have this considered by the Scrutiny Board was added to the Scrutiny Board's Work Programme on the 22nd March as outlined in Minute 7 [here](#). Further information about what may happen after the matter is considered by the Scrutiny Board is outlined on the Council's Petition page of the website [here](#).

What are the names of the members of the Scrutiny Board and who are they employed by please?

The names of the 9 Councillors who currently sit on the Scrutiny Board are:

- [Councillor Susan Bayford](#) (Chairman)
- [Councillor Simon Martin](#) (Vice-Chairman)
- [Councillor Fred Birkett](#)
- [Councillor Pamela Bryant](#)
- [Councillor Shaun Cunningham](#)
- [Councillor Michael Ford, JP](#)
- [Councillor Connie Hockley](#)
- [Councillor Arthur Mandry](#)
- [Councillor Sarah Pankhurst](#)
- [Councillor Brian Bayford](#) (Reserve)
- [Councillor Maryam Brady](#) (Reserve)
- [Councillor Louise Clubley](#) (Reserve)
- [Councillor Nick Walker](#) (Reserve)
- [Councillor Tina Ellis](#) (Reserve)
- [Councillor Leslie Keeble](#) (Reserve)

However, at the Annual Council meeting on 10 May, appointments to Committees will be made and the membership of this Committee will change. Information about the Scrutiny Board can be viewed at our [website](#). Changes made to the membership will be updated on this webpage.

In respect of the Scrutiny Board itself, it consists of 9 Fareham Borough Council Councillors. In respect of their employment, if you are referring to their personal

employment, Councillors must declare this on their Register of Interests form and these can be viewed at each individual Councillor's page on the Council's website.

Could you also tell me if the Scrutiny Board meeting on the 17th May is a meeting which is open to the public please?

I can confirm that the Scrutiny Board meeting is a meeting held in public and therefore members of the public are welcome to attend. The meeting will take place at the Civic Offices, commencing at 6pm.

Also how many deputations are we allowed to deliver at that meeting?

There is no limit to the number of people who are allowed to make a deputation to the Scrutiny Board. No one person is allowed more than a maximum time of 10 minutes, if there are 3 or more deputation requests then the maximum time allowance of 30 minutes (for the entire meeting, not per item) would then be shared equally amongst the speakers. We will only accept deputation requests from people who either live or work within the Borough. For awareness, there is no option to appoint a spokesperson at this meeting as this is something that is only permitted under the Planning deputation scheme.

I hope this has answered your questions but please do contact me if you require clarification on any points.

Yours sincerely,

Samantha Wightman
Committee and Information Services Manager
Fareham Borough Council
01329 824594

