

Neighbourhood Planning forum Refusal Statement Town and Country Planning Act 1990 (section 61F) (the Act) and The Neighbourhood Planning (General) Regulations 2012 (Regulation 10(2)) (the Regulations)

Name of designated neighbourhood planning area: Sudbury Town Neighbourhood Area

Name of Applicant: Sudbury Town Residents' Association (STRA)

Consultation Period: 12th January and 23rd February 2023

Decision:

Notice is hereby given that the London Borough of Brent, pursuant to a decision made on the 13th November 2023, has refused the designation of the Sudbury Town Residents' Association Neighbourhood Forum.

Consultation feedback:

In relation to the desirability to designate, through the public consultation regarding the designation of the Sudbury Town Neighbourhood Forum whilst a small number were supportive, greater than half of all respondents who submitted representations objected to the designation of the forum. Reasons included lack of transparency of the organisation and representation in relation to meetings and other material, lack of meetings of a frequency consistent with the constitution, lack of focus and clarity on neighbourhood planning matters, lack of political impartiality and the requirement of a membership fee.

Reasons for Decision:

The Act Section 61 F(5)

The Council considers STRA's submitted constitution's requirement for payment of a membership fee as incompatible with Section 61 F(5) (b) (ii) of the Act in that membership is considered to not be genuinely open to any individual who lives or works in the area and therefore is considered to fail 61(5)(b) in this respect.

The Act Section 61F(7)

Taking account of the application and responses, the Council considers that the application does not satisfactorily evidence that STRA's membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area. The potential reflectiveness of the membership of the area due to the actions of STRA in the past is also a concern in relation to a number of matters associated with the constitution. The residents' concerns raised to the Council in 2019, as well as (former) local councillor concerns and consultation responses indicate that a significant minority do not feel comfortable with previous conduct of some of the STRA executive in relation to other STRA executive members or other STRA members, or the way business is conducted at STRA meetings. Without any proposed changes, they have no confidence in the ability of the organisation to address this satisfactorily. Taking account of these factors, it is considered the application does not meet the 61(7)(a)(ii) test.

Other matters taken into account for the purposes of the Section 61F(5) decision

The level of dissatisfaction amongst some existing and former ordinary members is so great that it has been one of the contributing factors to a rival 'Sudbury Matters' submission. This

indicates a significant unease in the community with STRA continuing to be a neighbourhood forum. STRA has not to any significant degree sought to allay the concerns, either in the material supplied in support of the application, or positive and meaningful on-going engagement with the Urban Vision independent representative who has sought to bring greater consensus on a prospective forum for the area. The matter of respect of members views and behaviours has not been sufficiently addressed in the application. Therefore, there is no expectation that such issues will not remain in affecting the accessibility and transparency of the organisation, likely disenfranchising people who would otherwise want to be active in taking forward neighbourhood planning in the area.

STRA's capacity to fulfil its constitutional obligations is, based on previous performance, uncertain. The frequency of meetings has been inconsistent with STRA's constitution, which sets out an Ordinary Meeting or Public Meeting of the officers and members will be held at least three times a year. This has not occurred since 2019. STRA's website is very dated, and details of meetings minutes are not publicly available on it; the last one being the 2018 AGM. As such, its openness and accountability are also unclear.

The Council considers STRA's submitted constitution fails to sufficiently address the Council's previously raised need for STRA to clearly address the different spatial coverage and clarity around decision making in relation to how it operates as a residents' association and in matters related to the statutory role as a neighbourhood forum.

STRA has not submitted a credible response to requests from the Council for an indicative work plan related to neighbourhood planning matters. This lack of clarity on priorities and likely outcomes for the local community is considered to be inconsistent with the desire shown in consultation responses from a significant body of the local community for meaningful momentum on neighbourhood planning matters to occur.

Notwithstanding the work that STRA has historically done in taking forward a neighbourhood plan, given the issues raised and on-going discussions with STRA since early 2019, plus the responses to the consultation the above issues cannot be regarded as minor, and STRA given the benefit of the doubt that these limitations will resolve themselves. Taking account of the factors set out above and considered in full in the [Report to Cabinet](#), it is considered that it would not be appropriate to approve STRA's application as a neighbourhood forum.