Elmbridge Local Plan

Proposed Neighbourhood Area and Forum Applications for Burwood Park, Hersham

Consultation Statement

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1. Introduction

The purpose of this consultation statement

1.1 This statement has been prepared by Elmbridge Borough Council in order to present the findings of the Burwood Park Proposed Neighbourhood Area and Forum consultation which took place between Monday 14 March and Monday 2 May 2016.

Background to the Consultation

1.2 On the 29 February, the Council received an application to designate a neighbourhood area and forum for the Burwood Park private estate for the purpose of preparing a Neighbourhood Development Plan (NDP). The proposed area and forum application is the first part of a formal process which requires Elmbridge Borough Council to consult on and consider whether to designate both the proposed area the plan will cover and the community group leading the process. The content of a future NDP is not part of this initial process and cannot influence the decision to designate the proposed area or forum.

1.3 In accordance with Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012 and as soon as possible after submission, the Council has to publicise the proposed neighbourhood area and forum application inviting representations for a minimum of six weeks. On Monday 14 March 2016, the Council began a seven week public consultation (with an extra week to account for the Easter bank holidays). A copy of the application, details on how to make representations and the date by which representations need to be received was published on the Council’s website. This consultation document sets out which consultation techniques have been adopted to comply with regulations. The consultation finished on 2 May.

The Requirements of a Neighbourhood Area and Neighbourhood Forum

1.4 The Government’s process for preparing a NDP is set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulation 2012. The first stage in the NDP process is the identification and designation of the neighbourhood area i.e. the area to be covered by the plan. The neighbourhood area is established by the community, proposed to the Council and then consulted on for a six week period. The Council must then decide whether to designate the proposed neighbourhood area i.e. whether it is appropriate having taken into account the information submitted by those seeking to establish the neighbourhood area and the responses received during the public consultation.

1.5 When applying for the designation of a neighbourhood area, the following information must be submitted:

- A map which identifies the area to which the application relates
- A statement explaining why this area is considered appropriate to be designated as a neighbourhood area.
1. A statement that the organisation making the area application is a Parish Council or capable of being a neighbourhood forum.

1.6 In non-parished areas a neighbourhood forum, which will lead the preparation of the NDP, must also be established by the community. It follows the same process a proposed neighbourhood area in terms of public consultation and designation.

1.7 When applying for the designation, the proposed neighbourhood forum must demonstrate that it has met the following conditions / requirements set out in the Localism Act and Regulations:

1.7.1 it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned.

1.7.2 its membership is open to

(i) individuals who live in the neighbourhood area
(ii) individuals who work there, and
(iii) individuals who are elected members of a county council, district council of whose area falls within the neighbourhood concerned.

1.7.3 That its membership includes a minimum of 21 individuals each of whom:

(i) Lives in the neighbourhood area concerned or
(ii) Works there (whether for business carried on there or otherwise), or
(iii) is an elected member of the county council or district council whose area falls within the neighbourhood area concerned.

1.7.4 That it has a written constitution

1.7.5 Such other conditions as may be prescribed.

1.8 In determining whether to designate a group as a neighbourhood forum, a local authority must also have regard to the desirability of designating a group:

1.8.1 which has secured (or taken reasonable steps to attempt to secure) its membership of individuals who live in the neighbourhood area; work in the neighbourhood area; and has at least one elected member.

1.8.2 Whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area.

1.8.3 Whose purpose reflects (in general terms) the character of that area.
What happens next?

1.9  A decision as to whether or not to designate the proposed neighbourhood area and forum will be made at Cabinet on the 6 July 2016. This consultation statement sets out the comments made during the public consultation and has been prepared to help Members of the Cabinet make a decision regarding designation and to consider the above conditions fully.

1.10  If approved by the Council, the community group submitting the application (the Burwood Park Forum) will become the authorised body to prepare the plan for the proposed neighbourhood area. Elmbridge Borough Council has a legal duty to provide support and advice to designated Neighbourhood Forums preparing a plan.

1.11  If the Council refuse the application/ s the Council will publish a statement setting out the decision and the reasons for making that decision and details of where and when the refusal statement may be inspected.
2. Consultation on the Neighbourhood Area and Forum Applications

Who was consulted and how

2.1 In accordance with the Neighbourhood Planning (General) Regulations 2012, Regulation 6 for neighbourhood areas and Regulation 9 in relation to Neighbourhood Forums, the Council undertook the following consultation methods.

Website

2.2 A specific consultation website was designed and located as a link on the main homepage under ‘Let’s Talk Elmbridge’ and ‘Consultations’. The website contained information about Neighbourhood Planning, the proposed Burwood Park Neighbourhood Area and Forum Applications and how to submit representations. It also included information on what happens next including the following statement that is in accordance with Regulation 9 (b),

If the Forum is designated, no other organisation or body can be designated to prepare a Plan for any part of the area until the designation has expired (5 years from the date of designation) or the designation has been withdrawn.

2.3 The published information consisted of a consultation document (Appendix 1), which included information about the proposal including links to the application and area map. It explains what people should consider when submitting comments and then included two questions of an online questionnaire. The online questionnaire consisted of the following questions:

1. Do you think the proposed boundary is appropriate for designation as a neighbourhood area?

2. Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community? The application includes a written constitution setting out the purposes of the Forum, membership and governance arrangements.

2.4 A further question asks whether the respondent would like to be contacted about the designation decision. As well as this consultation document / questionnaire, the supporting documents also include the following:

- Consultation Notice (Appendix 2)
- Neighbourhood Area and Forum Application (Appendix 3)
- Proposed Neighbourhood Area Map (Appendix 4)
- Constitution of Burwood Park Forum (Appendix 5)
- E-mail Invitation (Appendix 6)
2.5 In line with both Regulations 6 and 9, the submitted applications and all supporting information were listed and downloadable.

**Individual Letters**

2.6 The regulations also state that a local planning authority must publicise the above documents on their website and in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application relates. Therefore, individual letters were sent to all owners and occupiers of the properties in the proposed Burwood Park application area and all neighbouring properties on Burwood Road and neighbouring roads in Burwood East\(^1\). Please see the map and list at Appendix 10 which shows the properties and roads consulted. The content of the individual letter is available to view at Appendix 11.

**Planning Database**

2.7 Any residents’ associations and residents groups in Hersham that are registered on the planning database were sent a letter or e-mail invitation to join the consultation. Please see Appendix 12 for a list of those people consulted from the database.

**Members of the Council**

2.8 Every Councillor across all the wards of Elmbridge received an e-mail notifying them of the consultation. Please see Appendix 13 for the original e-mail.

**Planning Services and Customer Services**

2.9 All planning officers and customer services were notified of the consultation. Please see Appendix 14 for the original e-mail.

**Hard Copies of the Consultation Notice and Submitted Application / Map**

2.10 These documents were available at the Council Offices and Hersham Library for those people needing access to hard copies to view.

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\(^1\) Burwood East covers the non-gated area east of Burwood Park and contains the roads: The Heronry, Kenwood Drive, Westcar Lane and Eastwick Road.
3. The Results of the Consultation

3.2 A total of 81 people responded to the consultation and this included 46 people who signed a petition (2 of which already provided written responses). The following bullets set out the breakdown of people responding to the consultation overall:

- 64 residents living in Burwood Park
- 5 residents living in neighbouring Burwood East
- 3 local estates agents
- 4 developers that are freeholders of properties in Burwood Park
- 5 people living outside of Burwood Park with an interest in the area

Excluding the 44 people who signed the petition (minus two signatures that also supplied individual questionnaire responses), the consultation consisted of,

- 32 Residents living in Burwood park
- 5 Residents living in neighbouring Burwood East

The 46 Petition signatures consisted of:

- 34 residents living in Burwood Park
- 3 local estate agents
- 4 developers that are freeholders of properties in Burwood Park
- 5 people living outside of Burwood Park with an interest in the area

Response to Question 1: Do you think the proposed boundary is appropriate for designation as a neighbourhood area?

3.3 Overall, 21 people (26% of the respondents) agreed with question 1 and 59 people (73% of the respondents) disagreed. 1 person did not answer this question. Those who disagreed provided comments to explain their reasons for objecting. Please see Appendix 15 to read the representations provided.

3.4 2 respondents comment that the boundary line should be extended to include properties within the Burwood East area. One of the respondents states that this would be in line with the Burhill Estates area and the other explains that the roads in Burwood East including Westcar Lane should be included because they were developed at the same time, have shared services and are all within the Burhill Estates area. Furthermore 1 respondent felt that the neighbourhood area should be much wider and include the area around Hersham Train Station rather than an exclusive gated area. In contrast with the 3 responses to widen the area, one person stated that the boundary area should only include properties which are actually in the park. They add that
they are not in favour of the area or forum and never received the invitations which were uploaded on the Council’s consultation webpage.

3.5 56 people felt that the area of Burwood Park has a number of different zones each with their own individual covenants and these along with existing planning policy and guidelines such as the Design and Character SPD is enough to secure good design in the estate. They feel that the proposed neighbourhood area designation is unnecessary given the amount of planning guidelines and legal covenants already in existence.

3.6 The 56 respondents also noted that the neighbourhood area was solely residential, making the government’s purpose of a neighbourhood planning and the shaping of development unnecessary for the area. They questioned whether the social, economic and environmental well-being of the area can be achieved. The representation also states that little engagement has taken place with the local community and that the proposed forum has not communicated their intentions to the community properly. A lack of appetite for the participation in a neighbourhood plan is also described and concerns are expressed about the forum and its ability to respond to the diversity of community views.

3.7 One respondent expressed concerns regarding the diversity of design in the area and whether any future plans would impact on this diversity. There were also concerns raised about the nature of design policies that would be created for across the neighbourhood area.

**Council’s Response to Objections**

3.8 The Council has set out an individual response to each comment raised in the public consultation and these are detailed at Appendix 15. However, the following paragraphs provide a summary of the Council’s overall response. Many respondents have raised concerns about the future content of the plan, however this cannot be considered as part of the designation applications.

3.9 With regard to the boundary line being extended to take account of Burwood East and Hersham train station, the Council consider the boundary and proposed area to be appropriate. In line with planning guidance, the proposed neighbourhood area has a consistent scale and style. It also forms part of a coherent estate for residents. Whereas, Burwood East has a slightly higher density and is not gated or part of a coherent estate with a formal community based group. The boundary line follows the special low density area designation in the Elmbridge Local Plan which is featured on the policies map 2011.

3.10 Other objections relate to the idea of a proposed NDP and indicate that people that are not supportive of a neighbourhood plan for the area. These discussions are important to have at the beginning of the process and are part of early engagement. Local resident’s resistance to the plan is noted but
cannot result in a refusal as there are more than 21 members of a forum that do want a neighbourhood plan for the area.

3.11 There are concerns expressed that the neighbourhood area is solely residential and as a result question how the social, economic and environmental well-being of the area can be achieved. The regulations and guidance does not advise that the area has to include a number of different uses. It can be solely residential and can deal with wide ranging issue or a single issue. The written constitution does include the purpose of the forum and although general is in line with legislation.

3.12 There are many objections to the lack of early engagement and discussion on neighbourhood planning with the community and the petition response also clearly identifies a resistance to the plan. This demonstrates that not enough discussion and early engagement was provided by the group. However, the fact that early discussion took place in the open BPRL meetings where all residents were invited and the separate invitations to join the forum all demonstrates that opportunity to engage had been made available to all in the Park.

Response to Question 2: Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community? The application includes a written constitution setting out the purposes of the Forum, membership and governance arrangements.

3.13 Overall, 21 people (26% of respondents) agree with question 2 and 60 people (60% of respondents) disagree. Those who disagreed provided comments to explain this and these are set out in full at Appendix 15.

3.14 One respondent stated that the Forum was neither appropriate nor representative and again discuss a group of residents imposing their views on the whole Park. Another explicitly stated that residents in Onslow Road were forcing their views on the whole park. They stated that guidelines are currently being created and the group should wait until these are finished before considering a Neighbourhood Plan. One person thought that large properties had already been built and so to not to include any larger properties would be detrimental to the area. One respondent questioned the cost to the Council for the Neighbourhood Plan.

3.15 A detailed response was provided for 10 residents and some 46 people signed the petition in agreement with this response. The response stated that the Forum is not a qualified body as membership has not been drawn from different sections of the community. It has not actively invited individuals carrying work out in the area and individuals who have a material and on-going social, cultural, economic or financial interest.

3.16 The representation states that there is an inadequate constitution and fails to reflect the diversity of people eligible for membership as already stated. It does not include an overarching objective as to what the forum is aiming to
achieve. It fails to show whether its members represent a cross section of views and are not in a position to claim to have proportional representation.

3.17 They also object on grounds of inadequate process of consultation pre-submission. They state that there has been very little effective engagement and consultation by the proposed forum. Using the Burwood Park Residents Limited meetings to discuss the NDP is questioned as only those who are paying members can vote. This excludes those interested in just the Neighbourhood Plan and not the other matters. Financing the NDP with residents’ membership money has also been questioned. The representation questions the steering committee election process and states that this was decided at a NDP meeting in February 2016 without broader elections and advertising, hence not providing fair and equal opportunity to all members.

3.18 The representation also objects to the protectionist and anti-development agenda that they believe is the intention of the forum. They discuss that this could cause a loss of value to their home and reduce CIL contributions.

Council’s Response to Objections

3.19 The Council has set out an individual response to each comment raised in the public consultation and these are detailed at Appendix 15. However, the following paragraphs provide a summary of the Council’s overall response.

3.20 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood area and shape development and growth of their local area. It has to be in line with national and local policy and cannot stop or restrict development or growth. There are concerns that the NDP will be restrictive but neighbourhoods should plan positively to support local development shaping and directing development in their area. Policies cannot block or restrict development.

3.21 Any future neighbourhood plan must take account of existing local policies. The neighbourhood planning process provides a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area. This community group has decided that neighbourhood planning will be the best route to achieve this.

3.22 With relation to comments about larger properties already granted. Again, the future content of the plan is not subject to this consultation however as stated above a neighbourhood plan cannot restrict development and this would include the size of properties.

3.23 In terms of the financial implications to the Council, the Government are supporting local authorities in the neighbourhood process and recently announced updated arrangements for funding. Local planning authorities can claim £5,000 for the first five
neighbourhood areas designated. They can also claim £5,000 for the first five
neighbourhood forums designated. In the event of the Cabinet agreeing to designate
the Burwood Park Area and Forum, a claim for £10,000 will be made to the
Government. A further payment of £20,000 will be made on successful completion of
the neighbourhood planning examination. Therefore, the financial implications of the
Burwood Park Neighbourhood Plan for the Council will be mitigated by the availability
of Government grants. BPRL is managing the costs of producing a Neighbourhood
Plan for the area. How this is organised is a matter for the BPRL to discuss with their
paying residents and community.

3.24 Concerns have been raised regarding the Forum not being inclusive or taken from
differing section of the community including people that work in the proposed
neighbourhood area. There appears to be a section of the community that have
differing views about the future development of the park and do not feel that they have
been included in the formation of the forum. The group have stated that there have
been three open meetings that all members of the BPRL and the owners/occupiers of
Burwood Road have been invited to. The written constitution also states that it will
include individuals who have a material and on-going social, cultural, economic or
financial interest in or involvement in the area. There are no offices or work places
within the park to invite people who work in the area. However, the constitution states
that the forum will operate without distinction or discrimination on the grounds of
gender, disability, sexual orientation or race, or of political, religious or other beliefs.
The group believe that the have been inclusive when setting up the prospective
‘Burwood Park Forum’.

3.25 The objection states that the community group have failed to reflect the
diversity, character and inclusivity of the area and diversity of people eligible
for membership already in its proposed forum. It also states that the generic
aim is taken from the Act but does not include the overarching objectives of
the group and the NDP. However the constitution does say that membership
in open to all and provides a purpose of the forum, which although broad is
included.

3.26 With 90% of the park being members of the BPRL, residents were
automatically invited to the open meetings which discussed the idea of a
neighbourhood plan for the area. Invitations to join the forum were also sent to
all addresses and e-mail addresses of residents in the park. Therefore, efforts
have been made to engage residents of Burwood Park. There has been
concerns raised regarding the BPRL use of meetings to promote this, but the
written constitution has now been revised to ensure the two groups operate
separately (Track changed copy at Appendix 16). This will help to ensure
members with an interest in the area can attend the forum meetings.

3.27 Whilst there are concerns expressed in the consultation responses that there
are other agendas behind the proposed forum, there is no evidence to
suggest that the express purpose of the forum is not the social economic or
environmental well-being of the area. The fact that there may be different
views as to how this well-being is achieved will be a key part of the
development of any neighbourhood plan.
4. **Conclusion**

4.1 The Council's Cabinet will consider and decide whether to formally designate the Burwood Park Neighbourhood Area and the Burwood Park Forum.

4.2 If the Council decides to designate the neighbourhood area and forum, formal notification will be given and the process of preparing the plan will officially start. The decision will also be available on our website after the Cabinet meeting scheduled for the 6 July 2016.

4.3 If the Council are minded to refuse the application/s the Council will publish a statement setting out the decision and the reasons for making that decision and details of where and when the refusal statement may be inspected.
Appendix 1: Consultation Document for the Proposed Burwood Park Neighbourhood Area and Forum

Neighbourhood Planning

Consultation Document for the Proposed Burwood Park Neighbourhood Area and Forum

Consultation Information and Questionnaire

About the Proposal

The Council has received an application to designate a neighbourhood area and forum for the Burwood Park Estate. This is for the purposes of preparing a neighbourhood development plan. This application is part of a formal process which requires Elmbridge Borough Council to authorise both the area the plan will cover and the community group leading the process. This document informs you about the application submitted and how to submit your comments.

If approved by the Council, the community group submitting the application (the Burwood Park Forum) will become the authorised body to prepare the plan for the proposed neighbourhood area. Elmbridge Borough Council has a legal duty to provide support and advice to designated Neighbourhood Forums preparing a plan.

A Neighbourhood Plan is a new type of plan introduced by the Localism Act 2011. It enables communities to prepare a plan for their area. It is intended to give communities more of a say in the development of their local area. Neighbourhood development plans are led by authorised community organisations (a Neighbourhood Forum). In accordance with the Neighbourhood Planning Regulations 2012, community groups intending to take up neighbourhood planning will first need to apply to the Council for neighbourhood area and forum designation.

In accordance with the Neighbourhood Planning Regulations, the Council is inviting comments on the proposed Neighbourhood Area and Forum. The consultation period runs from 14 March to 2 May 2016.

Proposed Neighbourhood Area and Neighbourhood Forum

The proposed Burwood Park Neighbourhood Area covers the Burwood Park private estate. It is located within Hersham South Ward.

The Burwood Park Neighbourhood Forum has been established with more than 21 people with its primary purpose (as stated in the application) to promote the social, economic and environmental well being of the area. Supporting information provided includes a written constitution and a statement explaining why the area has been proposed for designation. There is also a copy of an e-mail and letter that was sent to all residents within the proposed neighbouring area inviting them to join the Forum. The application is dated February 2016 and has been initiated by Burwood Park Residents Limited.

Nick Kirk is the named contact for the purpose of this application and he can be contacted c/o managingagent@burwoodpark.co.uk or c/o Managing Agent, GCS Estate Management Ltd, Springfield House, 23 Oaklands Drive, Weybridge, Surrey KT13 9LZ.

Please read the full Burwood Park Neighbourhood Area and Forum application before answering the consultation questions below.
Proposed Neighbourhood Area Boundary - Burwood Park

The Proposed Neighbourhood Map is also available to view as a separate PDF.
Submitting Comments
Comments must relate to the proposed Burwood Park Neighbourhood Area and the Forum (Burwood Park Forum). You should consider and comment on for example:

- Whether the Neighbourhood Area proposed is appropriate (see map of proposed area)
- Whether the proposed Neighbourhood Forum has secured or taken reasonable steps to secure membership which is representative of the local community.

1. Do you think the proposed boundary is appropriate for designation as a neighbourhood area?
   
   (If you have ticked No and think the boundary should be altered, please suggest areas that should be included or excluded and your reasons in the text box below).

   ○ Yes
   ○ No

   If No, please explain:

2. Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community? The application includes a written constitution setting out the purposes of the Forum, membership and governance arrangements.

   Please see the application for a description of the Forum Membership and the e-mail / letter inviting residents to join the proposed Forum.

   ○ Yes
   ○ No

   If No, please provide your comments below:

Save these answers

The Council’s Cabinet will consider and decide whether to formally designate the Burwood Park Neighbourhood Area and Burwood Park Forum. Would you like to be informed about the designation decision?

○ Yes
○ No
Appendix 2: Consultation Notice

Notice is given that an application has been submitted to Elmbridge Borough Council for the designation of a Neighbourhood Area and Forum for Burwood Park. The application has been submitted in accordance with the Town & Country, England, Neighbourhood Planning (General) Regulations 2012.

If approved, the Burwood Park Forum will become the authorised body to prepare a neighbourhood development plan for the area below.
Comments on the application

In accordance with the Neighbourhood Planning Regulations, the Council is inviting comments on the proposed Neighbourhood Area and Forum for Bunwood Park.

The consultation runs from Monday 14 March to Monday 2 May 2016. You can view the applications and all supporting documentation online at:

http://consult.elmbridge.gov.uk/consult.ti/nplan

Alternatively hard copies are available at:

- The Council Offices, Elmbridge Borough Council, Civic Centre, High Street, Esher, KT10 9SD between 8.45am and 5.00pm (Monday to Thursday) and 8.45am and 4.45pm (Friday); and
- Hersham Library—see the Surrey County Council website (www.surreycc.gov.uk) or call 0300 200 1001 for opening times.

All comments must be received by 4pm on Monday 2 May 2016 and can be submitted either:

- through the Council’s consultation portal at: http://consult.elmbridge.gov.uk/consult.ti/nplan
- by email to planningpolicy@elmbridge.gov.uk
- by post to Planning Policy, Planning Services, Elmbridge Borough Council, Civic Centre, Esher, KT10 9SD

We encourage you to answer the short questionnaire, of only two questions, online using the consultation portal. You will need to register but can opt out of receiving any further information which will prevent you from being contacted in the future. Alternatively you can fill out the separate response form (available online or in hard copy) and either e-mail or post back to us using the address stated below.

For any further enquiries regarding the consultation, please contact,

Planning Policy Team, Planning Services
Elmbridge Borough Council
Civic Centre, High Street
Esher, Surrey, KT10 9SD

Tel No. 01372474474
E-mail: planningpolicy@elmbridge.gov.uk

If the Forum is designated, no other organisation or body can be designated to prepare a Plan for any part of the area until the designation has expired (5 years from the date of designation) or the designation has been withdrawn.
Appendix 3: Neighbourhood Area and Forum Application

Application to Elmbridge Borough Council for designation of:

1. Burwood Park neighbourhood area
2. Burwood Park Forum as a neighbourhood forum
for the purposes of the Localism Act 2011

Neighbourhood area

Map of Burwood Park Neighbourhood Area boundary – This is attached

Appropriateness of area – The proposed boundary defines the area of Burwood Park with a coherent physical and functional identity in the terms set out in the Government’s Planning Practice Guidance. In the terms of the PPG it is notable for being a “coherent estate” – Burwood Park – and for being the area of a “formal … community based group” – Burwood Park Residents Limited. It also has a consistent physical appearance and clear boundaries.

The area is bounded by a major road (Burwood Road) to the south, west and north. It includes the green buffer along Seven Hills Road and Queens Road. Its eastern boundary separates the dwellings along Eastwick Road and The Heronry which do not form part of the Burwood Park estate. Those dwellings along Burwood Road which do not have direct access to Burwood Park roads are included in the neighbourhood area and can participate as full members of the Burwood Park Forum.

The proposed area lies within a single ward, currently Hersham South

Burwood Park Forum is being initiated by Burwood Park Residents Limited and is capable of being a qualifying body for the purposes of the Localism Act 2011 because:

- The express purpose of the Forum is to promote or improve the social, economic and environmental well-being of the neighbourhood area.
- The membership is and will remain open to:
  i. individuals who live in the area
  ii. individuals who work in the area, whether for business carried on there or otherwise;
  iii. individuals who are elected members of local authorities, any part of which falls within the Area, who shall be ex officio members
  iv. individuals who have a material and ongoing social, cultural, economic or financial interest in or involvement in the area
- The membership includes a minimum of 21 individuals drawn from different parts of the area and different communities.
- There is a written constitution.

Neighbourhood Forum

Burwood Park Forum meets the requirements of the Localism Act 2011 to be recognised as a qualifying body. It has been established with more than 21 people to promote the social, economic and environmental well-being of the neighbourhood area in a manner which reflects the diversity, character and inclusivity of the area and includes people who live and work in the area and local councillors.

Name – Burwood Park Forum
Constitution – Attached

Name of neighbourhood area – Burwood Park (boundaries defined on map)

Statement of objects – The constitution states:

“The purpose of the Forum is to promote and improve the social, economic
and environmental well-being of Burwood Park neighbourhood area”

Membership – Membership is open to all and includes people who live and work in
the area and local councillors. Burwood Park is entirely residential. Others with a
material and ongoing interest in the work of the Forum but who do not reside or work
within the neighbourhood area may also be members. This will allow, for example,
those living adjacent to the neighbourhood area who are subject to the same or
similar covenants to participate. The constitution states that Burwood Park Forum
will “use best endeavours to reflect the diversity, character and inclusivity of
the area”. The steering group and officers will be elected through open meetings. At
least one member shall be a Committee member of Burwood Park Residents
Limited. Burwood Park Residents Limited shall also manage the finances of
Burwood Park Forum.

The process of establishing Burwood Park Forum has given everyone in the
neighbourhood area the opportunity to get involved and to join the Forum. It has
included three open meetings in May 2015, November 2015 and February 2016
attended by 57, 88 and 32 people respectively. Invitations were sent to everyone in
Burwood Park regardless of their membership of Burwood Park Residents Limited. A
further invitation was sent in February to everyone in Burwood Park (whether or not
they are members of Burwood Park Residents Limited) inviting anyone to join
the proposed Forum. The residents along Burwood Road whose houses are in the
proposed neighbourhood area but who do not have direct access to Burwood Park
roads have been specifically approached to join the Forum. The invitation to join the
Forum remains open to anyone resident in the neighbourhood area for the duration
of its life. A survey of those living in the area about their interest in the landscape of
Burwood Park has also been undertaken which attracted 290 responses. Burwood
Park Residents Limited passed a resolution at its May 2015 AGM to approve the
initial stages of producing a neighbourhood plan by forming the Neighbourhood
Forum and preparing an application for submission to the local planning authority.
Evidence of the process undertaken is provided with this application.

The details of residents and councillors who are the initial members of the proposed
neighbourhood forum and support the neighbourhood area are attached. One of the
members is a local ward councillor, Ruth Mitchell, who also lives in the proposed
neighbourhood area. The members are drawn from across the neighbourhood area
(see attached map).

Nick Kirk is the named contact for the purpose of this application and he can be
contacted o/l managingagent@burwoodpark.co.uk or o/l Managing Agent, GCS
Estate Management Ltd, Springfield House, 23 Oatlands Drive, Weybridge, Surrey
KT13 8LZ

February 2016
Appendix 4: Proposed Neighbourhood Area Map
Appendix 5: Constitution of Burwood Park Forum

Constitution of Burwood Park Forum

1. Name
   The name of the organisation is the “Burwood Park Forum” (“the Forum”).

2. Purpose
   The purpose of the Forum is to promote or improve the social, economic and environmental
   well-being of the Burwood Park neighbourhood area. It shall operate without distinction or
   discrimination on the grounds of gender, disability, sexual orientation or race, or of political,
   religious or other beliefs. It shall use best endeavours to reflect the diversity, character and
   inclusivity of the area. Its activities shall include neighbourhood planning.

3. Area
   The Forum shall cover the area agreed when the Forum was recognised as a Qualifying Body
   for the purposes of neighbourhood planning and shown in Annex A.

4. Membership
   a. Membership shall be open to:
      i. individuals who live in the area;
      ii. individuals who work in the area, whether for business carried on there or
          otherwise;
      iii. individuals who are elected members of Elmbridge Borough Council for any part
          of the Area, who shall be ex officio members;
      iv. individuals who have a material and ongoing social, cultural, economic or financial
          interest in or involvement in the area who support the purpose of the Forum and
          provide the Secretary with satisfactory evidence of eligibility.
   b. The Management Committee may refuse to accept, or may revoke, membership of
      any individual or organisation which in its opinion fails to meet the criteria for membership
      or which acts in a way inimical to its purpose. Any person or organisation whose
      membership is revoked shall have the right to appeal to a General Meeting of the Forum.

5. Management Committee and Officers
   a. The day-to-day business of the Forum shall be administered by Burwood Park
      Residents Limited and conducted by the Management Committee (“the Committee”).
      Subject to decisions of any General Meeting, the Committee shall comprise between six to
      eight members elected by a General Meeting. The Forum shall strive for the Committee to
      reflect the diversity of people eligible for membership.
   b. Councillors or others elected to public office for any part of the neighbourhood area
      shall not be eligible for election, but may be co-opted to the Committee under para 5.d.
   c. The term of office of any member of the Committee shall expire at each AGM and
      members shall be eligible to stand for re-election for a continuous period not exceeding five
      years.
d. The Committee may co-opt up to three additional voting members for a term to expire no later than the next following AGM.

e. The Committee shall elect from among its members a Chair, Secretary, Treasurer and any other officers as it sees fit. At least one member shall be a Committee member of Burwood Park Residents Limited.

f. The Committee shall meet at least four times per year and three members (including at least one officer) shall constitute a quorum.

g. The Committee may appoint groups to carry out specific roles or projects as it sees fit and these shall co-opt such persons as necessary to enable it to perform its function.

h. Decisions of the Committee shall be by consensus or by a simple majority of those present and voting.

i. Decisions on the content of the neighbourhood plan to be put to public consultation or to be submitted to independent examination shall be subject to agreement at a General Meeting.

j. The Committee shall record its proceedings which shall be publicly available.

6. General Meetings
a. The General Meeting of all members shall be the controlling body of the Forum.

b. An Annual General Meeting (AGM) shall be held on a day to be appointed by the Committee not later than three months after the end of the Forum’s financial year.

c. The business of the AGM shall include:
   i. a report from the Chair on the activities of the Forum since the previous AGM and its plans for the forthcoming year;
   ii. a report from the Treasurer as to the financial position of the Forum;
   iii. consideration of and, if thought fit, approval of the accounts of the Forum for the previous financial year together with the report of an independent examination of those accounts if the turnover of the Forum exceeds £20,000 in the year in question;
   v. any other business as required by the Constitution or as directed by the Committee;
   vi. consideration of any motion which has been submitted by at least ten members of the Forum in time for circulation with the notice of the AGM; and
   vii. election of the Committee for the forthcoming year.

d. Members shall give all members at least 21 days written notice of the time and place of the AGM. Such notice shall include details of the business to be transacted at the meeting.
e. Nominations for election to the Committee shall be invited in advance of the AGM and must be proposed and seconded by members with the consent of the candidate. Nominations shall be duly submitted to the Secretary of the Forum not less than two days prior to the date of the AGM.

f. Election of members of the Committee may be taken by a show of hands or if requested by a member by a ballot of those present at the AGM. If necessary, voting shall be ranking the candidates in order of preference and shall be counted by the Single Transferable Vote method. The meeting shall agree to the appointment of one or more scrutineers to act as returning officers and to advise the Chair on the results.

g. The AGM may, by a vote of not less than two-thirds of those present, agree to consider any urgent or important business which has arisen since dispatch of the notice of the meeting.

h. Other General Meetings of all members shall be called within 28 days of receipt by the Secretary of a request in writing signed by no less than fifteen members, stating the purpose for which the meeting is required, or by agreement of the Committee.

i. Twenty members (or one-fifth of the membership if less) shall constitute a quorum.

j. Voting at general meetings shall be by show of hands, except as provided in paragraph 6.f. for election of Committee members.

k. A member shall be entitled to appoint a proxy to vote on his or her behalf. Notice of appointment of a proxy must be received by the Secretary not less than 24 hours before the meeting.

l. A record of each General Meeting shall be produced and made publicly available.

m. Conflicts of interest must be declared. Members with a conflict of interest should withdraw from discussion and voting on the issue in question.

7. Finance
a. The Forum’s accounting period shall be annual ending on 31 December.

b. Accounting records shall be maintained for a period of six years or until the winding up of the Forum and such records shall be available for inspection by any member on giving not less than 10 days’ notice.

c. The Forum’s finances shall be managed by Burwood Park Residents Limited as a defined purpose fund and shall be controlled by a mandate requiring the signature of at least one officer of the Management Committee.

d. The Forum’s accounts shall be made publicly available within three months of the Forum’s financial year end.
e. The Forum may raise funds by donation, grants, or other means to be used in furtherance of the Forum’s purpose.

8. Constitution and Interpretation
   a. In the event of any question arising where the interpretation of this Constitution is in doubt or where it is silent, the Committee shall have the power to act according to its own interpretation and at its discretion.

   b. Other than as may be required by law, amendments to this Constitution may only be made by a majority representing two-thirds of the members present and voting at a quorate General Meeting.

   c. Any requirement in this Constitution for notices or reports to be distributed to members of the Forum shall be deemed to have been satisfied if such notice or reports have been sent by e-mail, by posting on the Forum’s website or by other electronic means. An individual member may request hard copies and in such a case the Committee reserves the right to make a charge to cover the extra cost incurred.

9. Term
   a. The duration of the Forum shall be for five years from the date of adoption of this Constitution unless it is previously wound up or extended by resolution of a General Meeting.

   b. In the event of dissolution of the Forum any remaining assets shall be distributed to Burwood Park Residents Limited and any other person or community organisations which may have funded the Forum. In the case of any ambiguity as to entitlement, the proportions will be decided by the Committee, which shall retain responsibility for completing such distribution for a period ending six months from the date of dissolution.

This constitution was adopted at an inaugural Meeting of the Forum held at ____________ on ________________

Signed: Chair
Appendix 6: E-mail Invitation

From: Managing Agent <managingagent@burwoodpark.co.uk>
Sent: 29 February 2016 10:22
To: 
Subject: Burwood Park - Neighbourhood Development Plan

Dear Member/Resident

As a follow up to the meeting held on 1st February we are now writing to all members/residents to see if there is any further interest in joining the Neighbourhood Plan Forum. Following the meeting 42 residents have now signed up to the Forum; we want to make this process as inclusive as possible and are therefore giving a further opportunity to become involved.

The intention is to create a Forum for those who wish to be involved in and consulted on the detailed progress of the plan. The residents as a whole will be kept informed through the updated website and the AGM and EGM meetings of Burwood Park Residents Ltd. The Forum will also have its own AGM and communications for everyone resident in the neighbourhood area. As well as providing regular information we anticipate up to 4 meetings a year over the anticipated 2 year life of the project. The involvement would mainly consist of keeping abreast of the project and being briefed on the issues, so as to give an informed opinion thereon.

Further information can be found at: http://mycommunity.org.uk/programme/neighbourhood-planning/ or if there are any issues you require clarity on, please do not hesitate to contact me.

If you would like to join the forum, please email me at: managingagent@burwoodpark.co.uk

It will be possible to join at any time during the lifetime of its work.

Kind Regards,
Greg Smyth
GCS Estate Management Limited.

On behalf of:

__________________________________________

BURWOOD PARK RESIDENTS LIMITED
Appendix 7: Forum Invitation Letter

BURWOOD PARK RESIDENTS LIMITED
Burwood Park, Walton-on-Thames, Surrey KT12
info@BurwoodPark.co.uk  www.BurwoodPark.co.uk

The Residents
118 Burwood Road
Walton on Thames
Surrey
KT12 4AS

Dear Property Owner

I act as managing agent for Burwood Park Residents Limited. My client is currently working on an application to Embridge Borough Council to establish a new neighbourhood area, the proposed boundary of which will include your property.

The idea is to take advantage of new powers available to local communities to take on development of planning policies through a neighbourhood plan; these powers were introduced in the Localism Act of 2011.

One of the requirements in producing a neighbourhood plan is to create a forum of residents from within the boundary of the proposed neighbourhood area; this forum will participate in creating the plan. If you feel you would like to participate, please email me at managingagent@burwoodpark.co.uk providing your contact details (the requirement is that you must be listed on the electoral roll for your address). If you would like further information, an introduction to neighbourhood planning can be found at http://mycommunity.org.uk/programme/neighbourhood-planning/

If there are any issues you require clarity on, please do not hesitate to contact me.

Yours faithfully

Greg Smyth
GCS Estate Management Limited
For Burwood Park Residents Limited

Registered in England No. 2576044
Registered Office: Springfield House, 23 Oslands Drive, Weybridge KT13 8LZ
Appendix 8: Proposed Geographical Spread
Appendix 9: Representation Form for the Proposed Burwood Park Neighbourhood Area and Forum Application.
Part B – Your comments

1. Do you think the proposed boundary is appropriate for designation as a
eighbourhood area?

Please tick

Yes [ ] No [ ]

If No, please explain.

(If you think the boundary should be altered, please suggest areas that should be
included or excluded and your reasons).

(Continue on a separate sheet / expand box if necessary)
2. Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community? The application includes a written constitution setting out the purposes of the group, membership and governance arrangements.

Please tick

Yes ☐ No ☐

If No, please provide your comments below.

(Continue on a separate sheet/expand box if necessary)
Part C: Consultation Database

If you would like to be informed about the progress of this application, please tick the box below

☐

By ticking this box, the Council will keep your details on a database which will be used to inform you about development plan proposals in the Borough. You are also agreeing that the Council can pass your contact details to the proposed Bunwood Park Forum if designated. Your details will then be used by the Forum to inform you of future consultations on the proposed plan. You may request to be removed from this database at any time.

For further information about the proposed Bunwood Park Forum and proposed area please contact:

- Nick Kirk - c/o managingagent@bunwoodpark.co.uk or c/o Managing Agent, GCS Estate Management Ltd, Springfield House, 23 Oaklands Drive, Weybridge, Surrey KT13 9LZ

For further information about the application process please contact:

- Planning Policy Team at the address below.

Please sign and date this form:

Signature: ______________ Date: ______________

Please send your comments to:
Planning Policy Team
Planning Services
Elbridge Borough Council
Civic Centre
High Street
Esher
KT10 9SD

01372 474474
planningpolicy@elbridge.gov.uk
www.elbridge.gov.uk/planning
Appendix 10: Map / list of properties consulted with individual letter.

Roads consulted with an individual letter.

<table>
<thead>
<tr>
<th>Within the Proposed Neighbourhood Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ince Road</td>
</tr>
<tr>
<td>The Quillot</td>
</tr>
<tr>
<td>Eriswell Crescent</td>
</tr>
<tr>
<td>Cranley Road</td>
</tr>
<tr>
<td>Farmleigh Grove</td>
</tr>
<tr>
<td>Pond Close</td>
</tr>
<tr>
<td>Neighbouring properties consulted outside but neighbouring the proposed neighbourhood area</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Burwood Road (south side only)</td>
</tr>
<tr>
<td>The Heronry</td>
</tr>
<tr>
<td>Kenwood Drive</td>
</tr>
<tr>
<td>Queens Road</td>
</tr>
<tr>
<td>Eastwick Road</td>
</tr>
<tr>
<td>Westcar Lane (west side only)</td>
</tr>
<tr>
<td>Turners Lane</td>
</tr>
</tbody>
</table>
Appendix 11: Copy of the letter

Civic Centre
High Street, Esher
Surrey KT10 9SD
Switchboard: 01372 474474
DX: 36302 Esher
Website: www.elmbridge.gov.uk

To the Owner / Occupier
Lynwood House
Eriswell Road
Hersham
Walton-On-Thames
KT12 5DL

contact: Zoe Belton
phone: 01372 474474
e-mail: planningpolicy@elmbridge.gov.uk
my ref: NP2016
Date: 14 March 2016

Dear Owner / Occupier,

This letter is to inform you that the Council has received an application to designate a
neighbourhood area and forum for the Burwood Park Private Estate. This is for the
purposes of preparing a neighbourhood development plan. This application is part of
a formal process which requires Elmbridge Borough Council to authorise both the
area the plan will cover and the community group leading the process.

If approved by the Council, the community group submitting the application (Burwood
Park Forum) will become the authorised body to prepare the plan for the proposed
neighbourhood area. Elmbridge Borough Council has a legal duty to provide support
and advice to designated Neighbourhood Forums preparing a plan.

What is a Neighbourhood Plan?

A Neighbourhood Plan is a new type of plan introduced by the Localism Act
2011. It enables communities to prepare a plan for their area. It is intended to give
communities more of a say in the development of their local area. Neighbourhood
plans are led by authorised community organisations (a Neighbourhood Forum). In
accordance with the Neighbourhood Planning Regulations (2012), community groups
intending to take up neighbourhood planning will first need to apply to the Council for
neighbourhood area and forum designation.

Viewing and making comments on the application

In accordance with the Neighbourhood Planning Regulations, the Council is inviting
comments on the proposed Neighbourhood area and forum for Burwood Park.

If you would like to comment on the application, the consultation runs from Monday
14 March to Monday 2 May 2016. You can view the applications and all supporting
documentation online at http://consult.elmbridge.gov.uk/consult/tnplan or
alternatively hard copies are available at:

- The Council Offices, Elmbridge Borough Council, Civic Centre, High Street,
  Esher, KT10 9SD between 8.45am and 5.00pm (Monday to Thursday) and
  8.45am and 4.45pm (Friday); and

Strategic Director and Deputy Chief Executive
Sarah Selvanathan

Chief Executive: Robert Moran

Strategic Director
Ray Lee
• Hersham Library—see the Surrey County Council website (www.surreycoc.gov.uk) or call 0300 200 1001 for opening times.

All comments must be received by **4pm on Monday 2 May 2016** and can be submitted either:

• through the Council’s consultation portal at [http://consult.elmbridge.gov.uk/consult.ti/nplan](http://consult.elmbridge.gov.uk/consult.ti/nplan)
• by email to planningpolicy@elmbridge.gov.uk
• by post to Planning Policy, Planning Services, Elmbridge Borough Council, Civic Centre, Esher, KT10 9SD

We encourage you to answer the short questionnaire, of only two questions, online using the consultation portal. You will need to register but can opt out of receiving any further information which will prevent you from being contacted in the future. Alternatively you can fill out the separate response form (available online or in hard copy) and either e-mail or post back to us using the addresses stated above.

**What happens next?**

At the end of the consultation, the Council will collate and analyse all the responses received and publish a consultation report. The Council’s Cabinet will then consider and decide whether to formally designate the Bunwood Park Neighbourhood Area and the Bunwood Park Forum.

If the Council decides to designate the neighbourhood area, formal notification will be given to the group and the process of preparing the plan will officially start. The decision will also be available on our website after the Cabinet meeting on 8 June 2016.

If the Forum is designated, no other organisation or body can be designated to prepare a Plan for any part of the area until the designation has expired (5 years from the date of designation) or the designation has been withdrawn.

If you have any further queries please contact our planning policy team using the Elmbridge Borough Council main switchboard 01372 474474.

Yours Sincerely,

Karen Fossett
Head of Planning Services
Appendix 12: List of those consulted from the Planning database

<table>
<thead>
<tr>
<th>Residents Group</th>
<th>Members Invited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hersham Conservation Committee</td>
<td>1 member</td>
</tr>
<tr>
<td>Hersham Residents Association</td>
<td>4 members</td>
</tr>
<tr>
<td>Hersham Village Society</td>
<td>6 members</td>
</tr>
</tbody>
</table>

Appendix 13: E-mail to Ward Councillors

```
Zoe Belton

From: Zoe Belton
Sent: 11 March 2016 12:55
To: Grp - Councillors All Wards
Subject: Proposed Neighbourhood Area / Forum Application - Burwood Park

Dear Councillors,

This e-mail is to inform you that the Council has received an application to designate a neighbourhood area and forum for the Burwood Park Private Estate, Hersham. This is for the purposes of preparing a neighbourhood development plan and is part of a formal process which requires Elmbridge Borough Council to authorise both the area the plan will cover and the community group leading the process.

If approved by the Council, the community group submitting the application (Burwood Park Forum) will become the authorised body to prepare the plan for the proposed neighbourhood area. Elmbridge Borough Council has a legal duty to provide support and advice to designated Neighbourhood Forums preparing a plan.

For more information about Neighbourhood Planning please see the following link:
http://www.planningportal.gov.uk/inyourarea/neighbourhood/

In accordance with the Neighbourhood Planning Regulations, the Council is inviting comments on the proposed Neighbourhood area and forum for Burwood Park.

The consultation runs from Monday 14 March to Monday 2 May 2016. You can view the applications and all supporting information online at http://consult.elmbridge.gov.uk/consult/tvplan

All comments must be received by 4pm on Monday 2 May 2016

At the end of the consultation, the Council will collate and analyse all the responses received and publish a consultation report. The Council's Cabinet will consider and decide whether to formally designate the Burwood Park Neighbourhood Area and the Burwood Park Forum.

If the Council decides to designate the neighbourhood area, formal notification will be given to the group and the process of preparing the plan will officially start.

If you have any queries regarding the consultation process, please do not hesitate to contact me.

Kind Regards
Zoe

Zoe Belton BA (Hons) MSc MRIP
Senior Planning Officer (Policy and Strategy)
Planning Services, Elmbridge Borough Council
Direct line: 01372 474830

Please note: I am out of the office on Wednesdays
```
Appendix 14: E-mail to Planning Services

Zoe Belton

From: Zoe Belton
Sent: 11 March 2016 10:03
To: Grp - Planning Services
Subject: Proposed Neighbourhood Area/ Forum Consultation

Dear All,

Please be aware that the Council has received an application to designate a neighbourhood area and forum for the Burwood Park Private Estate, Hersham. This is for the purposes of preparing a neighbourhood development plan. This application is part of a formal process which requires Elmbridge Borough Council to authorise both the area the plan will cover and the community group leading the process.

The submitted application and further information regarding this is available at: http://consult.elmbridge.gov.uk/consult.ti/nolan

In accordance with the Neighbourhood Planning Regulations, the Council is inviting comments on the proposed Neighbourhood area and forum for Burwood Park.

The consultation runs from Monday 14 March to Monday 2 May 2016.

If you receive any queries about the consultation, please contact Zoe Belton, Suzanne Parkes or Andrew Barber in Policy.

Kind Regards
Appendix 15- Schedule of Representations received following the proposed Neighbourhood Area and Forum Application for Burwood Park

<table>
<thead>
<tr>
<th>No</th>
<th>Respondent Name</th>
<th>Organisation / Resident Population</th>
<th>Yes/No</th>
<th>Respondents Comment</th>
<th>Council Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Do you think the proposed boundary is appropriate for designation as a neighbourhood area?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>A Collins</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Alison Green</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Angela Hibbert</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Chris Stuart</td>
<td>Resident/Burwood East</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Christopher Mitchell</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>David Trotman</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Dean Carr</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>John Kyle</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Julie MacDonald</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Jayesh Parmar</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Keith Mullins</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Kevyn Mann</td>
<td>Resident/ Burwood East</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Lucinda Sankey</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Marie-Louise Stubbs</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Michael Reed</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Nicholas Kirk</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17.</td>
<td>Pascale Pilcher</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.</td>
<td>Richard Shearer</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19.</td>
<td>Robert Welford</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.</td>
<td>Rodger Slape</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21.</td>
<td>Roger Seggins</td>
<td>Resident/ Burwood East</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22.</td>
<td>Sophie Parker</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23.</td>
<td>Ian Bell</td>
<td>Resident/ Burwood East</td>
<td>No</td>
<td>I think the area should extend to and include Westcar lane. This then is in sync with the Burhill Estates area.</td>
<td>Comment Noted. The proposed neighbourhood area has a consistent scale and style. It also forms part of a coherent estate for residents, which is in line with planning practice guidance. Burwood East has a slightly</td>
</tr>
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<td>Role</td>
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<td>24</td>
<td>John Lancashire</td>
<td>Resident/ Burwood East</td>
<td>No</td>
<td>The proposed membership is not representative of the local community because the boundary does not include the eastern part of Burwood East. Although these properties are accessed by public rather than private roads, they are still part of the park. They were developed at the same time and share common services. Any proposals or constraints within the Neighbourhood Plan will therefore have an impact on the residents of these areas. Objection Noted. The proposed neighbourhood area has a consistent scale and style. It also forms part of a coherent estate for residents, which is in line with planning practice guidance. Burwood East has a slightly higher density and is not gated or part of a coherent estate with a formal community based group. The boundary line follows the special low density area designation in the Elmbridge Local Plan which is featured on the policies map 2011 and as such is considered appropriate. Policies contained in the proposed NDP will only apply to those properties within the boundary line and therefore will not affect those properties in Burwood East.</td>
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<tr>
<td>25</td>
<td>Simon Kay</td>
<td>Resident</td>
<td>No</td>
<td>My concern is that in Burwood Park from previous experience some house types are not accepted for example on Onslow Road, parapet designs on roofs have been refused as not in keeping with the road, however on other roads in the park for example, The Quilliot, Broadwater Close these designs have been allowed. The possible issue we are going to have is that the new planning design guidelines will be pushed through for the entire area and will not take any guidance from previous planning history as it will be the same guidance throughout. If the majority of Onslow Road residents wish to have a designation neighbourhood area then can they not have their own boundary. (ALSO SIGNED PETITION- see Representation 28) The future content of the NDP cannot be considered as part of the designation applications. Issues relating to design will have to be discussed with the community as part of early engagement and evidence gathering when preparing a NDP.</td>
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<tr>
<td>26</td>
<td>Raj Patel</td>
<td>Resident</td>
<td>No</td>
<td>The area should be extended towards a much larger encompassed area including areas around the station, rather than an exclusive gated area Comment Noted. The proposed neighbourhood area has a consistent scale and style. It also forms part of a coherent estate for residents. These are two of the criteria</td>
<td></td>
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which could be considered when deciding the boundaries of a neighbourhood plan according to planning practice guidance. The proposed boundary line also follows the special low density area designation in the Elmbridge Local Plan which is featured on the policies map 2011. For these reasons, the proposed boundary line appears to be logical and appropriate.

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<tr>
<td>27</td>
<td>Keiller Monaghan</td>
<td>Resident</td>
<td>No</td>
<td>It is too wide. The proposed boundary should include only those properties which are actually inside the park. I am not in favour of such a neighbourhood plan nor a forum - for the record, I never received invitations to any of the meetings described on the documents attached to this web page - but if it is to exist it should only be open to residents of the park. (ALSO SIGNED PETITION- see Representation 28)</td>
</tr>
<tr>
<td>28</td>
<td>Simon Batten</td>
<td>Resident</td>
<td>No</td>
<td>The proposed boundary is NOT appropriate for designation as a neighbourhood area and Elmbridge Borough Council (EBC) must refuse this designation for the following reasons: 1. The neighbourhood area of Burwood Park has a number of different zones each with their own individual covenants, and in addition, the area is covered by EBC Design &amp; Character Planning Document. Together, these provide detailed, prescriptive policies and guidelines which have secured the delivery of distinctive, high quality residential developments in the area that respect the local character. A neighbourhood area designation for the proposed boundary is therefore not warranted, as it would unduly add an unnecessary layer of planning. 2. The intention of Neighbourhood Planning through the Localism Act 2011 was designed to decentralise power to local communities to allow them to better shape the social, economic and environmental well-being of their areas.</td>
</tr>
</tbody>
</table>
However, the proposed boundary is a private residential estate with planning already well governed by legal covenants and an EBC Design & Character Statement. Since the area also does not encapsulate any commercial properties, affordable housing, vacant land designated for development, or other contentious planning issues where the existing community is not already consulted, there is little benefit this act can offer in terms of managing the overall ‘social, economic and environmental aspects’ within this designated area, and therefore the proposed boundary is a wholly inappropriate designation as a neighbourhood area and use of the policy.

3. There is a great concern that the application of the Burwood Park Neighbourhood Plan is being driven by a small minority of residents who are strongly anti-development and intend to abuse the use of the Localism Act 2011 to restrict development. Some key members of this group have been very prominent in a spat of objections to recent planning applications. Further, notably and importantly, no explanation, discussions or engagement has been undertaken with residents as to how future residential planning will be potentially shaped by this Neighbourhood Plan, what powers it has and why it is needed at all when effective governance is already in place. Any introduction of restrictive development policies could potentially be very harmful to property values and commercial development viability within the area. Hence, until the forum can clearly demonstrate its intentions, the council must therefore reject this boundary designation, to avoid inciting divisive tensions towards community relations and worsen overall social cohesion.

4. The neighbourhood area should also be rejected on the grounds that the vast majority of residents in this proposed boundary simply do not have the appetite to participate in the process. This is demonstrated by the very low Guidance does not indicate that the designated area should include a number of uses. It can be solely residential. The scope and complexity of the plan will depend on various factors, including what is already covered in the core strategy, the nature of the area in question and the community’s preferred outcomes. A plan could be wide-ranging, or deal with one or two issues only. It could be detailed, or simply set general principles for development. The choice is down to the body producing the plan and this will clearly have significant implications in terms of time and cost.

Whilst there are concerns expressed that there are other agendas, there is no evidence to suggest that the express purpose of the forum is not the social economic or environmental well-being of the area. The fact that there may be different views as to how this well-being is achieved will be a key part of the development of any neighbourhood plan.

Neighbourhood planning cannot be used to block or resist development and it must be in conformity with the Local Plan.

The groups state that all residents of the park were invited to the three meetings and have sent out invitations to join the forum. This is considered to be sufficient.

The group does not have to submit what the plan will include or their intentions for the plan in the proposed neighbourhood area and forum applications.

There is no evidence that neighbourhood plans or additional planning policy would impact on house prices and CIL payments.

The group must work with the community when developing the plan. This includes identification of all
turnouts to the three open meetings. The BPRA AGM Minutes of 18th June 2015 even stated 'It was questioned how consultation would be achieved given that the majority of residents don't attend meetings'. Consequently, there are grave concerns about the representatives of the forum and its ability to respond to the diversity of community views.

issues and early engagement with the community. The group will need to publicise the plan and they must produce a consultation statement containing details of the people consulted, an explanation of how the community were consulted, and a summary of the main issues raised by the community and how these issues have been addressed.

The comments relating to residents not wanting a NDP for Burwood Park is noted, but there are more than 21 people interested in the production a neighbourhood plan for Burwood Park which is a right for communities.

Any plan prepared by the proposed forum has to be produced in consultation with the community and hence it is important that the group ensure differing views are taken account of. They will also have to produce a report that demonstrates how effective engagement has been carried out when producing the plan. Therefore, in order for the plan to be found sound at examination, the group must take into account differing viewpoints. A referendum also allows the community to decide whether they want the plan.

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<td>Jamie Coats</td>
<td>Resident</td>
<td>Same comments as representation 28 above</td>
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<td>Andy McDonnell</td>
<td>Resident</td>
<td>Same comments as representation 28 above</td>
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<td>Thomas Kersey</td>
<td>Person with interest</td>
<td>Same comments as representation 28 above</td>
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<td>Alan Wood</td>
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<td>33</td>
<td>Mr Jaswal</td>
<td>Resident</td>
<td>No</td>
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<tr>
<td></td>
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<td></td>
<td>Burwood Park is a PRIVATE ESTATE, with its own covenants. These take legal precedence over any future planning considerations and are enforceable through a court of law, so what is the need of a NDP in this context, and why add additional layers of unnecessary planning? Hence, it is my opinion that NDP is not appropriate for this boundary area. INCLUDED SAME COMMENTS AS REPRESENTATION 28 ABOVE.</td>
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<td>Min Liu</td>
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<td>36</td>
<td>Shivraj Bassi</td>
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<td>proAV Limited (Richard Brookes)</td>
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<td>Craig Varty</td>
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<td>59</td>
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<td>62</td>
<td>Hugo Speak</td>
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68 Darren Hooper Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
69 Michelle Hooper Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
70 Chris Aspinall Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
71 Biliana Whitehead Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
72 Bevan Whitehead Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
73 Astra Andrews Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
74 Ronald Jack Andrews Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
75 John Pursley Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
76 Sajel Patel Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
77 Mital Patel Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
78 Rohina Patel Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
79 Vanash Patel Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
80 Rochika Barathan Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE
81 Vijay Barathan Resident No SIGNED PETITION- AGREED WITH COMMENTS ABOVE

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<tr>
<td>2.</td>
<td>Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community? The application includes a written constitution setting out the purposes of the Forum, membership and governance arrangements.</td>
<td>A Collins</td>
<td>Resident</td>
<td>Yes</td>
<td></td>
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<tr>
<td>1</td>
<td>Alison Green</td>
<td>Resident</td>
<td>Yes</td>
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<td>Christopher</td>
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<td>David Trotman</td>
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<td>5</td>
<td>Dean Carr</td>
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<td>6</td>
<td>Ian Bell</td>
<td>Resident/Burwood East</td>
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<td>8</td>
<td>Julie MacDonald</td>
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<td>9</td>
<td>Jayesh Parmar</td>
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<td>10</td>
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<td>Resident</td>
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<td>11</td>
<td>Kevyn Mann</td>
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<td>12</td>
<td>Lucinda Sankey</td>
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<tr>
<td>13</td>
<td>Marie-Louise Stubbs</td>
<td>Resident</td>
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<tr>
<td>14</td>
<td>Michael Reed</td>
<td>Resident</td>
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<td>15</td>
<td>Nicholas Kirk</td>
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<td>16</td>
<td>Pascale Pilcher</td>
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<td>17</td>
<td>Richard Shearer</td>
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<td>18</td>
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<td>19</td>
<td>Rodger Slape</td>
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<td>20</td>
<td>Roger Seggins</td>
<td>Resident/Burwood East</td>
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<td>21</td>
<td>Sophie Parker</td>
<td>Resident</td>
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<td>22</td>
<td>John Lancashire</td>
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<td>23</td>
<td>Simon Kay</td>
<td>Resident</td>
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<tr>
<td>24</td>
<td>Angela Hibbert</td>
<td>Resident</td>
<td>No</td>
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</table>

For the same reasons as given above - the proposed boundary is not appropriate. (See Question 1 comment 24)

Noted- See response for Question 1.

I feel that the representatives on Onslow Road want to try and push their views on the entire park and surrounding areas. I appreciate that as there are no guidelines from the Park at this moment they are being sorted and until these are finalised this should all be put on hold.

Noted. All residents in the neighbourhood area will be able to participate in the forum and the preparation of the plan. It must also be noted that of those identified as part of the 21 residents required to form a Neighbourhood Forum come from across the area and not just one road. In addition any Neighbourhood Plan prepared by the Forum will need to be consulted on, examined by an independent person and face a local referendum prior to adoption.

Due to a high level of redevelopment of the original houses on Burwood Park; new builds being substantially larger and on smaller plots than the original design, despite the requisite of low density housing, there are already a substantial number of houses in excess of 6/8,000m so to not include any more is detrimental to area.

Comment Noted. The actual content of the plan cannot be considered at this designation stage. The content and any design issues will need to be discussed with the community when preparing the plan. The future plan cannot restrict development and must be in line with national and local policy.
| 25 | Chris Stuart | Resident/ Burwood East | As the Burwood Park Forum represents a private estate then how much public money will be spent by Elmbridge Borough Council on this neighbourhood plan and forum? I am concerned about the level of public funds spent on either one off or on-going activities related to the forum including: 1. Support 2. Advice 3. On-going administration 4. The application and consultation 5. On-going responses to the forum 6. Activities related to the plans produced by the forum. | The Government are supporting local authorities in the neighbourhood process and recently announced updated arrangements for funding. Local planning authorities can claim £5,000 for the first five neighbourhood areas designated. They can also claim £5,000 for the first five neighbourhood forums designated. In the event of the Cabinet agreeing to designate the Burwood Park Area and Forum, a claim for £10,000 will be made to the Government. A further payment of £20,000 will be made on successful completion of the neighbourhood planning examination. Therefore, the financial implications of the Burwood Park Neighbourhood Plan for the Council will be mitigated by the availability of Government grants. Burwood Park Residents Limited is managing the costs of producing a Neighbourhood Plan for the area. |
| 26 | Raj Patel | Resident | No | No comments | - |
| 27 | Keiller Monaghan | Resident | No | It is neither appropriate nor representative. The neighbourhood plan and forum is simply going to be a vehicle for a small clique of residents (who think they know best) to impose their narrow views on the park as a whole. The following clause from the website is spurious and meaningless, “The express purpose of the Forum is to promote or improve the social, economic and environmental well-being of the neighbourhood area.....It shall use best endeavours to reflect the diversity, character and inclusivity of the area. Its activities shall include neighbourhood planning”. Ultimately it will allow the clique who govern the forum to impose a narrow set of diktats to reflect only their views. For example, whether a planning application is ‘approved’ by the forum will simply be down to whether your ‘face fits’. Planning decisions should be left to EBC planning. The neighbourhood plan and forum has no merit as far as I can see, as described on the website’s accompanying documents. | Objection noted. Any plan prepared by the proposed forum has to be produced in consultation with the community and hence it is important that the group ensure differing views are taken account of. They will also have to produce a report that demonstrates how effective engagement has been carried out when producing the plan. Therefore, in order for the plan to be found sound at examination, the group must take into account differing viewpoints. A referendum also allows the community to decide whether they want the plan. |
| 28 | Simon Batten | Resident | No | The proposed boundary is NOT appropriate for designation as a neighbourhood area and Elmbridge Borough Council (EBC) must refuse this designation for the following reasons: 1. The neighbourhood area of Burwood Park has a | This is a copy of the objection for Question 1. This has a Council response at 28 for question 1. |
number of different zones each with their own individual covenants, and in addition, the area is covered by EBC Design & Character Planning Document. Together, these provide detailed, prescriptive policies and guidelines which have secured the delivery of distinctive, high quality residential developments in the area that respect the local character. A neighbourhood area designation for the proposed boundary is therefore not warranted, as it would unduly add an unnecessary layer of planning. 2. The intention of Neighbourhood Planning through the Localism Act 2011 was designed to decentralise power to local communities to allow them to better shape the social, economic and environmental well-being of their areas. However, the proposed boundary is a private residential estate with planning already well governed by legal covenants and an EBC Design & Character Statement. Since the area also does not encapsulate any commercial properties, affordable housing, vacant land designated for development, or other contentious planning issues where the existing community is not already consulted, there is little benefit this act can offer in terms of managing the overall 'social, economic and environmental aspects' within this designated area, and therefore the proposed boundary is a wholly inappropriate designation as a neighbourhood area and use of the policy. 3. There is a great concern that the application of the Burwood Park Neighbourhood Plan is being driven by a small minority of residents who are strongly anti-development and intend to abuse the use of the Localism Act 2011 to restrict development. Some key members of this group have been very prominent in a spat of objections to recent planning applications. Further, notably and importantly, no explanation, discussions or engagement has been undertaken with residents as to how future residential planning will be potentially shaped by this Neighbourhood Plan, what powers it has and why it is needed at
all when effective governance is already in place. Any introduction of restrictive development policies could potentially be very harmful to property values and commercial development viability within the area. Hence, until the forum can clearly demonstrate its intentions, the council must therefore reject this boundary designation, to avoid inciting divisive tensions towards community relations and worsen overall social cohesion. 4. The neighbourhood area should also be rejected on the grounds that the vast majority of residents in this proposed boundary simply do not have the appetite to participate in the process. This is demonstrated by the very low turnouts to the three open meetings. The BPRA AGM Minutes of 18th June 2015 even stated 'It was questioned how consultation would be achieved given that the majority of residents don't attend meetings'. Consequently, there are grave concerns about the representatives of the forum and its ability to respond to the diversity of community views.

29 Jamie Coats  Resident  No  The Burwood Park Forum (BPF) is **NOT** appropriate and nor representative of the local community, and EBC must therefore **refuse** this application for the following reasons:

1. **Forum is not a qualified body**

   The application should be rejected on the basis that the BPF is not a qualified body. The Town and Country Planning Act 1990 (amended by the Localism Act 2011) states that membership of any Neighbourhood Forum should be drawn from different places in the Neighbourhood Area and from different sections of the community. Outside of those members who live in the area, the Burwood Park Forum has not adequately demonstrated in its application how it has fulfilled its obligation of actively inviting:

   a. Individuals who work in the area, whether for business

   The applicants have contacted 90% of the community and invited them to the three meetings which discussed the proposed NDP and invited all including the properties on Burwood Road to join the Forum. This is a significant level of direct contact with the community. It must also be noted that there are no offices or work places within the park to invite people who work in the area.

   The submitted written constitution states that it will include individuals who have a material and on-going social, cultural, economic or financial interest in or involvement in the area.
carried out there or otherwise (Example: developers, builders, tradesmen, gardeners)
b. Individuals who have a material and on-going social, cultural economic or financial interest in or involvement in the area. (Example: local estate agents, Architects, Burhill Group Limited – owners of the Burwood Park covenants)

2. Inadequate Constitution

- The constitution states that BPF will 'use best endeavours to reflect the diversity, character and inclusivity of the area' and 'strive for the Committee to reflect the diversity of people eligible for membership'– it has failed to demonstrate this already in the make-up of the forum as in point 1 above.

- The Constitution purpose states a generic aim which is taken directly from The Act but fails to include overarching objectives as to what the forum is hoping to achieve through neighbourhood planning. In so doing it illustrates either a lack of understanding of what the key objective concerns are for the Neighbourhood Area as a whole or that it does not wish to disclose its own agenda at this point. In either case, it has demonstrated that without articulating the key issues of concern, it inherently fails to show whether its members represent a cross section of views regarding the issues and furthermore crucially, in the interest of

The constitution also states that the forum will operate without distinction or discrimination on the grounds of gender, disability, sexual orientation or race, or of political, religious or other beliefs.

The group have directly contacted 90% of the community and invited them to the three meetings which discussed the proposed NDP and invited all including the properties on Burwood Road to join the Forum.

The group must engage with the community when preparing the plan and gain as many differing viewpoints as possible. This early engagement is an important part of plan making will need to be explained in their consultation statement when submitting the plan.
fairness and impartiality, they are not in a position to claim to have proportional representation or at the very least one representative member from each section.

3. **Inadequate Process of Consultation Pre-Submission**

There has been very little effective engagement and consultation by the Burwood Park Forum (BPF) with key stakeholders and all other relevant sections of the community regarding the NDP. Examples are highlighted below:

- The BPF has not sufficiently raised awareness of the NDP. Consequently, questions have not been raised discussing the pros and cons of implementing a NDP, what powers it has and how these could be used both for and against the benefits of the residents.
- Furthermore, residents have not been made aware of the significant total estimated cost of implementation of a NDP which is to be funded in large by contributions residents have been making to the Burwood Park Residents Fund.
- The BPF has not provided residents and others adequate means to voice and discuss concerns or issues relating to the understanding of the NDP. The BPF is very much aware that the turnout to meetings has been extremely low, and historically majority of residents do not attend meetings. To resolve this the BPF could for example, have utilized the BPRL internet forum to open discussions and centralize store of all relevant documents for ease of access (such as copies of minutes, members, steering groups, dates of meetings and invitations, NDP planning materials).

The group have engaged with the community when setting up the prospective 'Burwood Park Forum'. They have contacted 90% of the community and invited them to the three meetings which discussed the proposed NDP and invited all including the properties on Burwood Road to join the Forum.

The cost of preparing a NDP will have to be addressed by the BPRL and paying residents

The group has utilized the BPRL meeting as a starting point to discuss the NDP. They believe these were the best way to get all members / residents talking about the idea. However, this objection has been noted and the written constitution has now been revised to ensure the two groups operate separately. This will allow those with a material interest and those living on Burwood Road to attend without concerns that they are not paying members of the BPRL. Additionally, this should also help residents to access Neighbourhood Planning only meetings without having to sit through a long agenda.

Whilst there is no requirement to use a website as part of any early engagement the Council recognises that this use of the BPRL website would have been helpful...
• The BPF has also failed to adequately advertise, invite and engage stakeholders to join and discuss NDP and the application, hence why it is not representative of the local community. The BPF could have had open workshops, exhibitions or stalls providing question and answer sessions and advertising who membership is open to. Consequently, majority of residents and others who would qualify for membership are uninformed and do not have a good understanding of what a NDP actually is.

• If we include those individuals living in approximately the 400 houses in Burwood Park, individuals who work in the area and individuals who have some form of material involvement, the NDP will impact potentially well over 1000 people in total. However, the turnout to the three open meetings in May 2015, Nov 2015 and Feb 2015 was just 57, 88 and 32 people respectively. This demonstrates how the BPW has categorically failed to engage and inform relevant stakeholders, and why it is not representative of the local community.

• The BPFs use of the BPRL meetings to discuss NDP, and not have separate meetings is highly questionable. BPRL meetings have historically been for Burwood Park Residents only, and only those who have been paid up members have been eligible to vote. This would therefore understandably confuse and alienate those affected by the NDP and that might want to attend to discuss the NDP only, especially those resident on Burwood Road who houses do not have access to Burwood Park and traditionally have not been considered as members of Burwood Park.

• The BPF did not provide any notification and in raising awareness. However, the use of direct mailing to 90% of homes is also considered to be effective.

The group believe that the have engaged with the community when setting up the prospective ‘Burwood Park Forum’. They have contacted 90% of the community and invited them to the three meetings which discussed the proposed NDP and invited all including the properties on Burwood Road to join the Forum.

The group has utilized the BPRL meeting as a starting point to discuss the NDP. They believe these were the best way to get all members / residents talking about the idea. However, the Council has asked that the written constitution is revised to ensure the two groups operate separately. This will allow those with a material interest and those living on Burwood Road to attend without concerns that they are not paying members of the BPRL. Additionally, this should also help residents to access Neighbourhood Planning only meetings without having to sit through a long agenda.
hence opportunity for individuals to stand for election in the steering committee. The steering committee was decided and formed in the February 2016 NDP meeting without broader elections and advertisement, hence not providing fair and equal opportunity to all members.

4. Protectionist and Anti-Development Agenda

Over the last few years, Burwood Park has witnessed the development of some very high quality and distinctive homes whilst still respecting the local character of the Park. This has made Burwood Park an enviable and highly desirable place to live, as it has improved the look and feel of the residential stock, especially by demolishing and replacing some very tired and architecturally poor homes. The impact of these developments has seen residents enjoy a windfall of substantial increases in prices, and the Council also receiving a windfall though substantial CIL payments. However, both developers and a number of residents have expressed great concern that the primary purpose of the NDP application is to promote policies that will severely limit and restrict developments within the Park, rather than promote development. Should restrictive anti-development policies be implemented, the values of properties in Burwood Park would plummet, and this would further curtail developments due to commercial viability and reduce CIL payments.

Unfortunately, the NDP is a perfect vehicle to empower the vocal minority of anti-development activists within the Park, especially as passing the referendum requires simply a majority vote of attendees. Research further backs this assumption - In 2014 a report by Turnley found that more than half of NP were being used

4 prospective members have volunteered to join the steering group. This will be decided when the Forum and Constitution is adopted at an inaugural meeting once the area and forum have been designated. The meeting that discussed this was open to all residents to attend.

The impact of the proposed NDP on house prices and CIL payments is not relevant to the consideration of the proposed Forum application.

Again a NDP cannot block or restrict development.

The future content of the NDP is not part of the designation applications.
primarily to resist development than to provide (Ref: Turley, Neighbourhood Plans – to protect and/or provide? 18 March 2014).

The minutes of the 8 March 2016 Steering Group could be viewed as further supporting a bias towards controlling developments. The minutes expressed members interest in specifying building heights and getting involved in other design issues. When concern was expressed that the NP may be unnecessary, costly and damaging to the future of the park, other members expressed a view that such concerns were premature and would turn out to be unfounded. The minutes did not provide further details on this discussion, but there appears to be a lack of balance in the Steering Group and unwillingness to engage into the merits of the NDP and how exactly it intends to ‘provide greater certainty and help retain the character of Burwood Park’.

The Council should also note and take into consideration that Nick Kirk, who is leading this NDP, has been a strong and vocal opponent to a number of recent planning applications, and has been successful in some of these applications being refused. His involvement and chair of this NDP application many consider is therefore biased heavily to the direction of anti-development, and views not shared by the majority of the Park.

**Summary**

The points outlined above demonstrate unequivocally that the BPF is not appropriate and is not representative of the local community and relevant stakeholders. It has failed to advertise and raise awareness sufficiently of the NDP, failed to engage the community, and failed to outline clearly its intentions by creating a constitution that is both vague, hollow and misleading. EBC is therefore strongly urged to
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<td>The group invited 90% of the community to the 3 open BPRL meetings, including one solely dedicated to the issue of Neighbourhood Planning. They have also sent invitations to all residents’ e-mails or postal addresses inviting them to join the Forum. They feel that they have given people the opportunity to discuss the NDP.</td>
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<td>The Council takes any claim of intimidation seriously. However, when discussing development issues there is likely to be strong views on both sides. The constitution allows for all relevant parties to engage. However, if the Council is made aware that the Forum is not performing in line with the constitution it has the power to remove this designation.</td>
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Appendix 16: Amended Written Constitution

Constitution of Burwood Park Forum

1. Name
The name of the organisation is the “Burwood Park Forum” (“the Forum”).

2. Purpose
The purpose of the Forum is to promote or improve the social, economic and environmental well-being of the Burwood Park neighbourhood area. It shall operate without distinction or discrimination on the grounds of gender, disability, sexual orientation or race, or of political, religious or other beliefs. It shall use best endeavours to reflect the diversity, character and inclusivity of the area. Its activities shall include neighbourhood planning.

3. Area
The Forum shall cover the area agreed when the Forum was recognised as a Qualifying Body for the purposes of neighbourhood planning and shown in Annex A.

4. Membership
a. Membership shall be open to:
   i. individuals who live in the area;
   ii. individuals who work in the area, whether for business carried on there or otherwise;
   iii. individuals who are elected members of Elmbridge Borough Council for any part of the Area, who shall be ex officio members;
   iv. individuals who have a material and ongoing social, cultural, economic or financial interest in or involvement in the area who support the purpose of the Forum and provide the Secretary with satisfactory evidence of eligibility.

b. The Management Committee may refuse to accept, or may revoke, membership of any individual or organisation which in its opinion fails to meet the criteria for membership or which acts in a way inimical to its purpose. Any person or organisation whose membership is revoked shall have the right to appeal to a General Meeting of the Forum.

5. Management Committee and Officers
a. The Forum shall be independent and governed by the Management Committee (“the Committee”). Its day-to-day business of the forum shall be administered by Burwood Park Residents Limited as a service, and conducted by the management Committee (“the Committee). Subject to decisions of any General Meeting, the Committee shall comprise between six to eight members elected by a General Meeting. The Forum shall strive for the Committee to reflect the diversity of people eligible for membership and to be drawn from across the neighbourhood area.

b. Councillors or others elected to public office for any part of the neighbourhood area shall not be eligible for election, but may be co-opted to the Committee under para 5.d.
c. The term of office of any member of the Committee shall expire at each AGM and members shall be eligible to stand for re-election for a continuous period not exceeding five years.

d. The Committee may co-opt up to three additional voting members for a term to expire no later than the next following AGM.

e. The Committee shall elect from among its members a Chair, Secretary, Treasurer and any other officers as it sees fit. At least one member shall be a Committee member of Burwood Park Residents Limited.

f. The Committee shall meet at least four times per year and three members (including at least one officer) shall constitute a quorum.

g. The Committee may appoint groups to carry out specific roles or projects as it sees fit and these shall co-opt such persons as necessary to enable it to perform its function.

h. Decisions of the Committee shall be by consensus or by a simple majority of those present and voting.

i. Decisions on the content of the neighbourhood plan to be put to public consultation or to be submitted to independent examination shall be subject to agreement at a General Meeting.

j. The Committee shall record its proceedings which shall be publicly available.

6. General Meetings

a. The General Meeting of all members shall be the controlling body of the Forum.

b. An Annual General Meeting (AGM) shall be held on a day to be appointed by the Committee not later than three months after the end of the Forum’s financial year.

c. The business of the AGM shall include:
   i. a report from the Chair on the activities of the Forum since the previous AGM and its plans for the forthcoming year;
   ii. a report from the Treasurer as to the financial position of the Forum;
   iii. consideration of and, if thought fit, approval of the accounts of the Forum for the previous financial year together with the report of an independent examination of those accounts if the turnover of the Forum exceeds £20,000 in the year in question;
   v. any other business as required by the Constitution or as directed by the Committee;
   vi. consideration of any motion which has been submitted by at least ten members of the Forum in time for circulation with the notice of the AGM; and
   vii. election of the Committee for the forthcoming year.

d. Members shall give all members at least 21 days written notice of the time and place of the AGM. Such notice shall include details of the business to be transacted at the meeting.
e. Nominations for election to the Committee shall be invited in advance of the AGM and must be proposed and seconded by members with the consent of the candidate. Nominations shall be duly submitted to the Secretary of the Forum not less than two days prior to the date of the AGM.

f. Election of members of the Committee may be taken by a show of hands or if requested by a member by a ballot of those present at the AGM. If necessary, voting shall be ranking the candidates in order of preference and shall be counted by the Single Transferable Vote method. The meeting shall agree to the appointment of one or more scrutineers to act as returning officers and to advise the Chair on the results.

g. The AGM may, by a vote of not less than two-thirds of those present, agree to consider any urgent or important business which has arisen since dispatch of the notice of the meeting.

h. Other General Meetings of all members shall be called within 28 days of receipt by the Secretary of a request in writing signed by no less than fifteen members, stating the purpose for which the meeting is required, or by agreement of the Committee.

i. Twenty members (or one-fifth of the membership if less) shall constitute a quorum.

j. Voting at general meetings shall be by show of hands, except as provided in paragraph 6.f. for election of Committee members.

k. A member shall be entitled to appoint a proxy to vote on his or her behalf. Notice of appointment of a proxy must be received by the Secretary not less than 24 hours before the meeting.

l. A record of each General Meeting shall be produced and made publicly available.

m. Conflicts of interest must be declared. Members with a conflict of interest should withdraw from discussion and voting on the issue in question.

7. Finance

a. The Forum’s accounting period shall be annual ending on 31 December.

b. Accounting records shall be maintained for a period of six years or until the winding up of the Forum and such records shall be available for inspection by any member on giving not less than 10 days’ notice.

c. The Forum’s finances shall be managed by Burwood Park Residents Limited as a defined purpose fund and shall be controlled by a mandate requiring the signature of at least one officer of the Management Committee.

d. The Forum’s accounts shall be made publicly available within three months of the Forum’s financial year end.

e. The Forum may raise funds by donation, grants, or other means to be used in furtherance of the Forum’s purpose.
8. Constitution and Interpretation
a. In the event of any question arising where the interpretation of this Constitution is in doubt or where it is silent, the Committee shall have the power to act according to its own interpretation and at its discretion.

b. Other than as may be required by law, amendments to this Constitution may only be made by a majority representing two-thirds of the members present and voting at a quorate General Meeting.

c. Any requirement in this Constitution for notices or reports to be distributed to members of the Forum shall be deemed to have been satisfied if such notice or reports have been sent by e-mail, by posting on the Forum’s website or by other electronic means. An individual member may request hard copies and in such a case the Committee reserves the right to make a charge to cover the extra cost incurred.

9. Term
a. The duration of the Forum shall be for five years from the date of adoption of this Constitution unless it is previously wound up or extended by resolution of a General Meeting.

b. In the event of dissolution of the Forum any remaining assets shall be distributed to Burwood Park Residents Limited and any other person or community organisations which may have funded the Forum. In the case of any ambiguity as to entitlement, the proportions will be decided by the Committee, which shall retain responsibility for completing such distribution for a period ending six months from the date of dissolution.

This constitution was adopted at an Inaugural Meeting of the Forum held at_____________ on _____________________

Signed: Chair