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**CORE SERVICES**

Service Director and Monitoring Officer:  
Martin McCarthy MBA FCMI

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**PRIVATE & CONFIDENTIAL**

Cllr. D. Simpson  
Via Email

My Ref: MMC/EK  
Your Ref: CS7373 Simpson  
Date: 12 October 2020  
Enquiries to: Martin McCarthy  
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Dear Councillor Simpson,

I refer to your complaint regarding the Hoyland West Masterplan Framework which raises concerns regarding the consultation process, how responses were counted and assessed as well as the ultimate decision to advocate the closure of Tankersley Lane to the east of the proposed link road.

In investigating this matter, I have reviewed the e-mail exchanges that you have had with both Lucie McCarthy and Joe Jenkinson as well as the Masterplan Framework itself, the cabinet reports seeking authority to undertake the consultation, the consultation material, the cabinet report recommendation adoption of the Masterplan Framework and the Statement of Community Involvement accompanying the adopted version of the Masterplan Framework.

Unlike planning applications and local plans, please note that there are no regulations or statutory instruments that prescribe how Masterplan Frameworks should be publicised. The Council does however have a Statement of Community Involvement (SCI), which was updated in April 2020 and I am content that the Masterplan Framework was publicised as per the updated SCI. However, I do note that officers have acknowledged some confusion as to how the three options for the Tankersley Lane junction with the new link road were referenced (options 1-3 on the consultation boards but A-C in the questionnaire). Where people were unclear about the options, I am advised that Lucie McCarthy was on hand to explain the discrepancy and there were also opportunities during the virtual drop in sessions for this to be clarified. In addition, you put forward an alternative option which is the crux of this complaint. Nonetheless, the confusion that arose was avoidable and is regrettable.

I appreciate that your fundamental concern is not how the masterplan was publicised but how responses were considered and how this may or may not have affected the decision. In this regard, it is recognised that the masterplan framework sought views on numerous different matters with a view to trying to understand what the preference was locally. However, it is important to note that whether it be representations relating to a draft Local Plan, a planning application or a Masterplan Framework it is not the number of

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representations that dictate what the decision should be, it is the issues raised, whether they are material planning considerations and if so, what weight the decision maker decides to attribute to them. This can often involve a delicate balancing exercise where there are conflicts between what different people/organisations are seeking and where representations conflict with specialist technical advice on a specific matter.

In terms of the how the Hoyland West representations were reported, I note that you have received responses explaining the discrepancy. Based on the e-mail exchange with Mr Jenkinson, I can see why you thought the responses to the Parish Council would be counted alongside the responses to the Council's questionnaire. However, it is apparent that the adding the responses to your consultation would have risked distorting the overall findings, particularly given the risk of double counting. Accordingly, it is difficult to establish any clear wrongdoing in this regard and in any case, for the reasons explained above, it is not the number of representations that dictate what the outcome should be.

The fundamental issue here is therefore whether your suggestion of an alternative junction arrangement was properly considered. Having reviewed the Cabinet report, I am content that your suggestion was considered in detail and this is evidenced in your e-mail exchanges with Mr Jenkinson. Having independently reviewed this matter, it is clear to me that the suggestion you put forward was very much focussed on what might work best for residents of Tankersley and Pilley. This is laudable and logical given the Parish Council's role. However, the Planning Service has the much more difficult task of devising a solution that would work best for all road users. The cabinet report explains why a T junction was deemed most appropriate given the ultimate purpose of the link road and I see that Mr Jenkinson has explained this further in his e-mails.

Within the Cabinet and particularly the Full Council meeting the matter was considered in detail. During a debate of this nature, which involves elected representatives rather than technical officers, it is always possible that councillors will use the wrong terminology or make comments that could be taken out of context. This indeed was the case with the Full Council debate where one member was referring to residents he had spoken to who live on the section of Tankersley Lane to the east of the link road (whereas you clearly consider he was talking about all residents on the whole of Tankersley Lane). During the debate, you will be aware that some members sought for the decision to be deferred in recognition of the issues you had raised. However, the Tankersley Lane issue was just one of a range of considerations and ultimately the Full Council vote was very decisive with over two thirds of councillors voting to support the officer recommendation.

All planning applications and strategies will result in some impact, particularly proposals of the scale envisaged at Hoyland West. These impacts may vary from the benign to the severe. In this instance, for the reasons explained in the documentation I have reviewed, the Council has chosen an alternative option to the one you put forward. I understand you do not agree with that conclusion, nevertheless the evidence before me suggests that this decision was arrived at following a meaningful debate at Full Council based on recommendations by professionally qualified and experienced officers.

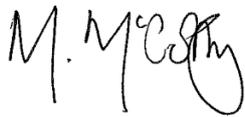
You will be aware that the Masterplan Framework is just one stage in a wider planning process. This includes the planning application currently under consideration, which I understand you have objected to and are intending to speak against when the application is considered at our Planning & Regulatory Board. I also understand that there is a separate

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statutory process related to stopping up of an adopted highway. Accordingly, whilst I understand your disappointment that the Masterplan Framework recommends closure of Tankersley Lane to the east of the proposed link road, there are further opportunities to have your say.

Having regard to the above, whilst I agree that the consultation material included an error in terms of how the three suggested options were referenced, I do not consider there has been any significant maladministration by the Council. Furthermore, even if there was maladministration in relation to how representations were counted, I am unable to identify any injustice given that the option you put forward was fully considered. I realise that this will not be the response you were perhaps hoping for but planning judgements of this nature are not straightforward and the Council has on occasions to balance options to any advocated by respondents, even where the number of respondents is substantial.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. McCarthy', with a stylized flourish at the end.

Martin McCarthy MBA FCMI  
Service Director and Monitoring Officer