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By email to:

[Neighbourhood plan program officer](#)

Torbay Council

for the attention of the Examiner, Ms Deborah McCann

Monday, 2 July 2018

Dear Ms McCann,

Re: Brixham Peninsular Neighbourhood Plan ('BPNP')

Further to the late representations by Churston Golf Club and the '*Waterside Residents Association*', the Forum working group wishes to provide further clarification as we consider we can assist.

Separately, having considered the further late representations from Mr Dixon and Mr Jeavons we do not believe they contain anything new or relevant to your consideration of the basic conditions. We stand by all our previously stated facts, all professional advice we received from our consultants, and all our judgements reached. Should you believe we can assist further, we trust you will request from us further clarification.

Churston Golf Club

1. The Neighbourhood Forum has gone to considerable lengths to consult the Golf Club. This consultation is described in Section 6 of our Consultation Statement and our answers to you, but as the issue is raised again, is clarified further below.
2. At plan 'preparation stage':
 - there were formal meetings between the Golf Club and the Neighbourhood Forum (and the Community Partnership). The first meeting was on 15

August 2011, some 6 months before the Forum was formally designated. The last meeting was on 14 December 2015;

- there were numerous formal letters between the Golf Club and the Neighbourhood Forum; and
- the outcomes were all reported to the full meeting of the Forum and were taken into account. For example only, the published minutes of the Forum meeting on 25 November 2015 say at item 4.10 '*Prior to considering this item the Forum Chairman Cllr Jackie Stockman read out in full a copy of a letter written to the Forum by Golf Club Chairman Tim Lake*'.¹

3. At plan 'Regulation 14 consultation stage', the Forum:

- formally wrote to the golf club. Specifically, the Clerk of Brixham Town Council e-mailed a letter to the Golf Club manager, Mr Simon Bawden, stating the proposal to designate the Golf Course as a LGS;
- maintained a full reference copy of the Neighbourhood Plan at the Golf Club throughout the 6 week consultation. Specifically, given the £125 cost in printing each full reference documents set, in addition to maintaining electronic copies on the internet, the Forum chose to direct people to specific locations where full reference copies were available. Our records show the golf club manager, Mr Simon Bawden, kindly maintained this full reference copy in his office specifically for the Golf Club and its members;
- held a consultation event at the Golf Club specifically for the Golf Club and its members. Specifically, the Forum held an event on Monday 27 February 2017 between 1:30 and 3:30 p.m., a time and date stated by club manager, Mr Simon Bawden, to be preferential for the golf club; and
- advertised the availability of the reference copy and the consultation event on the 500 flyers used to promote the consultation generally.²
- formally wrote to Torbay Council as freehold owners of the land with a reversionary interest at the end of Golf Club's 999 year leasehold. During the Regulation 14 consultation period Torbay Council raised no objection as the land was '*subject to long lease*'.³

4. The meeting on 15 June 2018 was not intended to supplement this consultation. As stated we informally '*discussed designation as a LGS*' with the recently elected

¹ <http://www.brixhamtowncouncil.gov.uk/data/uploads/633.pdf>

² Consultation Statement (second version), p31

³ Consultation Statement (second version), p158

Chairman and his team. That is all. We were genuinely trying to be helpful to you, as the Examiner, and identify any 'new' facts relevant to your question.

5. Specifically, the Tetlow King Regulation 16 representation to you on page 2 says '*Consideration is **now** being given to the redevelopment of the site.... These discussions and plans are ongoing and **progressing** (our emphasis added).*'
6. The Forum were first informed about this proposal 3 years ago in letter from the Golf Club dated 21 May 2015. Accordingly, it was considered helpful in our response to you, to update you progress. Without needing to reference to anything said at the meeting on 15 June 2018, the Forum highlights the following facts: no planning application has been made; no proposal has been formally considered by golf club members; and the Churston Golf Club board minutes as published on the internet do not record any clear progress.
7. This is in the context that on 2 November 2015, the Golf Club Chairman, Mr Tim Lake, wrote to Torbay Council stating '*the outlook for the club is looking increasingly bleak...I am forced to mention the possibility of Churston Golf Course Ltd going into liquidation*'.⁴
8. Although the Forum is informed good financial progress has been made since, for all the reasons set out in our answers previously, the Forum submits there is a need to protect the course as a LGS and such protection is consistent in full with national policy requirements in the NPPF and local policy requirements in the Local Plan.

Waterside Quarry

9. We confirm the Forum did not consult a '*Waterside Residents Association*'. To establish whether this was a defect with our consultation arrangements, the Forum checked the sign-in sheets to Forum meetings held in public to see if the Association name appears. It does not. The Forum has also asked the Torbay Community Development Trust, a registered charity which maintains links across the several hundred voluntary groups in Torbay, whether the Association name appears in their database. It does not. Further, no Forum working group member has previously heard of the Association, and this includes working group members from the Waterside area, nor have we been informed of its existence.

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www.torbay.gov.uk/DemocraticServices/documents/s26600/Covenant%20Protecting%20Churston%20Golf%20Club%20from%20Development%20Call-In%20App3.pdf

10. In terms of content, it is also advanced that the level of information provided by the Forum is '*extraordinary*'. For absolute clarification, we set out at paragraph 28 of our answers that the Forum heard representations made '*in an extremely strong manner*' and at paragraph 30 '*As a result of the concerns raised*' the Forum took '*very particular care*'. Regrettably, the nature of the representations were such that, on advice, this level of information was considered necessary. We also set out at paragraph 33 of our answers that '*disproportionate issues*' were raised by the LPA on this one site. Again on advice, notably from AECOM and Greena Ecology Consultancy, to address fully the issues raised additional information was provided.

11. During the neighbourhood plan process I, Cllr Jackie Stockman as Chairman of the Forum, received a number of telephone calls from residents from the Waterside area as I have from many residents on many issues from all across the Brixham Peninsula area. We have all tried very hard to ensure engagement and fairness. On all occasions, on all issues, as Chairman I had a standard response in that I specifically recommended to everybody who contacted me that they attend Forum meetings and become Forum members.

12. Again in terms of content, regards access, Torbay Council's SHLAA and our external expert advisers, notably AECOM and Prince's Trust, considered there was access. There has been no change in the locality since then which invalidates this. We feel entitled to rely on their advice, particularly as the majority of the site is not fettered by the issues now raised for the first time.

We would appreciate clarification of when the examination process is to end.

We hope this assists.

Yours sincerely

Cllr Jackie Stockman

Chairman,

Brixham Peninsula Neighbourhood Plan Forum