

Comments received from two email addresses on 31/07/15 following the publication of consultation responses for “Neighbourhood Planning – Further Report on Application for designation as a neighbourhood forum by Old Bermondsey Village Neighbourhood Forum.”

Paragraph no.	Representation
01	Mr Williams
02	As you are aware, on 15 June we held a mediation at Tooley St at which we agreed to meet all the demands of the Council that it had made as a condition of recognising OBVNF. This was after a series of mutating grounds for delay and refusal going back over three years and of course following a letter to you drafted by leading Counsel pointing out the limitations on a local authority's discretion in refusing to recognise an applicant for NF status.
03	The agreed timescale in the mediation for the Council to grant formal recognition was that it would be in place by early (at latest mid-) July. We are now some weeks beyond that deadline agreed specifically by the Council's representatives.
04	Various accounts for this delay have been forthcoming.
05	It has now been drawn to our attention that some objectors in the earlier consultation, who have been invited by the council to re-state their objections, have, not surprisingly, done so. You will be as aware as us that these objections largely comprise of complaints that are either misconceived or irrelevant to the decision to designate. However, for a further two reasons we do not consider they can support any contemplation by the Council of withdrawal from the agreement reached at the mediation:
06	1. The objector's original comments formed the basis of the demands made by the Council at the mediation. All of those demands have been met by OBVNF. There is no basis for the Council to give credence to criticisms of OBVNF that are either entirely unfounded or have been fully addressed by us, simply because they have been repeated.
07	2. The Council has received four reiterated objections. It is clear that in each case the individual objectors are acting unrepresentatively and from a stance of being entirely unwilling to attend OBVNF meetings or to participate in a neighbourhood plan themselves. Further, it is demonstrable that each has their own personal agenda motivating opposition to OBVNF - or, for that matter, any NF in the area. These objections are all tainted by one or more of the following personal biases:
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<p>09</p>	<p>(a) The objector bears a personal grudge against one or other OBVNF member.</p> <p>(b) The objector enjoys Council patronage and acts without the support of the constituency he purports to represent and wishes to preserve that position - which he considers threatened by any NF in his neighbourhood.</p>
<p>10</p>	<p>(c) Sour grapes arising from the collapse of a rival NF in which the objector invested considerable personal credibility and which collapsed precisely because of the obvious motivation of the handful of participants - which was in each case personal rather than community focused.</p>
<p>11</p>	<p>We trust the motivations of these objectors will be recognised for what they are and no attempt will be made by the Council to rely on them for any further delay in recognition of OBVNF. If you incline in the least to the contrary we are ready to explain in detail why you cannot lawfully be influenced (or profess to be influenced) by these particular individuals by means of a more specific and detailed account of the origin of their personal biases. This would of course need to be by way of a private face to face meeting - but we hope this will not be necessary.</p>
<p>12</p>	<p>We look forward to carrying forward a Neighbourhood plan and now invite you to confirm our recognition without further delay.</p>

Comments received during the 10 day consultation on the officer recommendation contained within “Neighbourhood Planning – Further Report on Application for designation as a neighbourhood forum by Old Bermondsey Village Neighbourhood Forum,” 18/06/15.

Rep No.	Paragraph number	Representation
01	01	Hello - thank you for the update. We are still massive supporters of OBVF becoming a neighbourhood forum.
	02	We look forward to the decision.
02	01	It is concerning in the extreme that the Council has entered into what seems to be a binding mediation agreement without consulting further. My original comments/objections aside - which still are valid, in my opinion - key swathes of the area object, notably [name redacted]. I would urge the council to act decisively in rejecting this designation. Russell Gray has current planning applications live for construction in Bermondsey Street. It is perverse in the extreme that he should be in a position of determining his own planning applications!
03.	01	I understand you're shortly to make the decision about the Old Bermondsey Neighbourhood Forum application and have seen the decision report and supporting documents on the website.
	02	It's clear that there insufficient evidence not to recognise the OBVNF, though I thought I should give you a little feedback and background information on the post-Mediation operation of the OBVNF group.
	03	Unfortunately, I wasn't able to make their 24 June post-mediation meeting (described in the BVAG email at http://us4.campaign-archive1.com/?u=c20553fc5e16f56cc8f1c6fd6&id=13bf0c87cd&e=72a7948124), but [name redacted] did attend.
	04	While I understand part of the mediation agreement required the group to 'elect a

		<p>new chair who will run open and welcoming meetings' (decision report, para 38), while the 24 June meeting did formally elect a new chair – 90 per cent of the meeting involved Russell Gray talking at the rest of the audience to tell them what they should know (which [name redacted] described as rather patronising).</p> <p>05 I know it is very hard to enforce the spirit of the mediation – or indeed the constitution – but would be interested to know what action the Council can take if the group does not comply with the mediation agreement or its own constitution. I suspect the legislation only allows for the test at designation and any further action would require members of the group to exercise the powers within its constitution.</p> <p>06 I should add that [name redacted] has been in touch with its constituent TRAs who have meeting rooms to ask them to help provide meeting space for this group, and I know that my TRA (Lawson Estate) has come back with some possible dates and times.</p> <p>07 I hope this is useful background information.</p> <p>08 If there's anything else that I or [name redacted] can do to support anything else you're working on, please do let me know – we'd be delighted to do what we can.</p>
04		<p>01 I am a member of OBVNF and hope to pursue our objectives of Clean Air and planting, greening and invigorating the council estates as I am a keen community gardener and air quality campaigner.</p> <p>02 I can not name another organised group in Borough and Bermondsey who have similar views.</p> <p>03 I firmly believe that all planning proposals have an effect on the environment and public health and OBVNF or a similar group of local people can argue the case better than a scattering of individuals.</p>

05	<p>01 Thank you for letting me know about the extended consultation period on whether or not OBVNF are to be given control of the Neighbourhood Plan in Area A.</p> <p>02 I live on Kipling Estate, facing Weston st, my home is right in the centre of Area A so you can understand my anxiety, to put it mildly, about OBVNF and particularly Russell Gray's ambitions in this community . I am only too familiar with his methods of operating in order to have his way while flattening anyone who stands up to him .</p> <p>03 It's clear that he planned a strategy for control right from the first meetings when we were, as the steering group, creating the Plan .</p> <p>04 What I am completely shocked about is the reversal of Southwark Council's decision to refuse Mr Gray's application .</p> <p>05 I can only surmise that all the people responsible for making decisions were intimidated by threats of litigation from Mr Gray and chose to back off from doing what was right .</p> <p>06 We trusted the Council to do what we pay them to do .</p> <p>07 Does the Council make decisions from a position of fear ?</p> <p>08 Is it that we all know Mr Gray to go right to the wire without regard for anyone else to push forward his own agendas at any cost and the Council is would rather betray most in the community to avoid arguments ?</p> <p>09 How is it possible for OBVNF to get designation when they have no detailed Plan ? Isn't it essential to show where the money will go before applying for large grants ?</p> <p>10 Democracy, openness , inclusivity, consultation : I can absolutely guarantee that these standards will be well and truly ground into the Thames mud within the year if the designation is granted to OBVNF .</p>
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06		<p>01 I wish to object to the designation of the Old Bermondsey Village Neighbourhood Forum as the Neighbourhood Forum for the designated Neighbourhood Area known as Area A.</p> <p>02 I live in a property in Chaucer ward, an area covered by this application, and have lived in the area for over 15 years.</p> <p>03 Pursuant to s.61F(7) of Neighbourhood Planning (General) Regulations 2012 (as amended), in determining whether to designate an organisation or body as a Neighbourhood Forum for a Neighbourhood Area, a local planning authority must have regard to the desirability of designating an organisation or body</p> <p>04 (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),</p> <p>05 (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area,</p> <p>and</p> <p>(iii) whose purpose reflects (in general terms) the character of that area.</p> <p>06 Section 61F of the Town and Country Planning Act 1990 Act provides that a local planning authority may designate an organisation or body as a Neighbourhood Forum if the conditions in subsection (5) to s.61F are satisfied.</p> <p>07 From the officer's report dated 18th June it is clear there are a number of issues with this application:</p> <p>08</p> <p>09 "18. At the meeting there was a discussion as to whether the group's meeting were generally held in an open, friendly and welcoming manner. Concerns were</p>
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		<p>raised at the meeting that this was not generally the case by the Council and by members of the group...</p>
	10	<p>36. The Council had some concerns about whether convincing information had been provided by OBVNF to satisfy 61F (7ii). Despite an invitation by the Council to do so, the group has not demonstrated whether its membership is drawn from different places in the neighbourhood area or from different sections of the community. Most of the group are from the Saint Thomas Street area rather than the wider Area A...</p>
	11	<p>37. The Council considered that the group's style of operation did not necessarily encourage the expression of different viewpoints or seek to find consensus and productive ways of working...</p>
	12	<p>39. The Council had some concerns as to whether OBVNF was genuinely established for the express purpose of promoting or improving the social, economic and environmental well being of an area that consists of or includes Area A. It also had concerns about the certain aspects of the group's style of operation and whether its membership was drawn from different places in Area A or from different sections of the community..."</p>
	13	<p>However, I still believe that OBVNF to fails to satisfy two key criteria:</p>
	14	<p>61F (7ii and iii):</p> <p>(ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area,</p>
	15	<p>and</p> <p>(iii) whose purpose reflects (in general terms) the character of that area.</p>

		<p>16 Of the 35 people named on the Old Bermondsey Village Neighbourhood Forum List of members, at least five appear not to be from the neighbourhood area concerned. Of the others, several appear to be relatives, employees or tenants (personal and business) of Mr Russell Gray. There appear to be only five people from the Leathermarket JMB or Tabard Gardens Estates (with these two estates contributing some 3000 properties from within the designated area), and it is also unclear if these people are representatives of either of these two estates. In addition, of the 30 members within the designated area, only one lives in a property south of Long Lane SE1, yet this area makes up the bulk of the designated area. As a Forum representing the interests of Mr Gray, and (possibly) the Saint Thomas Street area then OBVNF would seem to be representative: however, it is clearly not representative of the wider area, and that is without even looking closely at the diversity make-up of OBVNF. It may be that OBVNF may become representative in the future, but that possibility is not one of the criteria for approving this application.</p>
		<p>17 Mediation apparently took place between OBVNF and Southwark Council, but where was the mediation for those who objected to the OBVNF application when consultation took place in March/April 2015? I was one of those objectors, and I also attended the 11th February meeting at Tooley Street, where it was stated that when consultation took place in 2014 about the (then) Bermondsey Neighbourhood Forum, there had been no responses from Tabard Gardens Estate in support of a Neighbourhood Forum, and there had in fact been more than a dozen objections. It was also stated that no housing estate where there was no support would be included in a Neighbourhood Forum – Ark Globe Academy as well as St Saviour's & St Olave's schools had both been excluded from the designated area due to a similar lack of support for the idea.</p>
		<p>18 On Friday 19th June at 7.06pm I received an email from concerning a meeting scheduled by OBVNF for 24th June at 6.00pm (i.e. less than five days notice) at which a new chair for the organisation was to be elected. Such short notice</p>

	19	<p>(which may well not have been constitutional) was hardly to conducive to an attendance beyond the BVAG membership (and so it turned out) but is perhaps indicative of how unlikely it is that the OBVNF membership will come from an area much beyond St Thomas Street. I would certainly be reluctant to attend any more OBVNF meetings, and the officer's report touches on such concerns.</p> <p>In light of the above I repeat my objections as to the designation of this proposed Neighbourhood Forum, which does not currently meet the required criteria for designation.</p>

