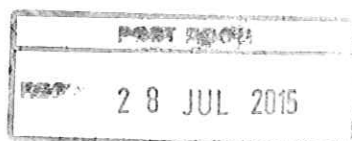




**V.V.S.M
Villagers Voices
Staffordshire Moorlands**



41, Sandon Road,
Cresswell,
Stoke-on-Trent.
Staffs.
ST11 9RB.

23 July 2015

Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

LOGGED

For the attention of Mr. Hurrell

Dear Mr. Hurrell

- **Comments regarding your recent email:**

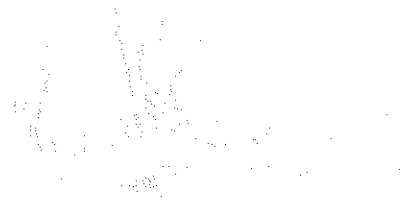
"I refer to your complaint to the council earlier today claiming that you have received no response to an earlier complaint. I am afraid I have no record of a complaint from you. I noticed you were copied into an email exchange in April 2015 between the council and Ms Leach, but I have nothing else from you".

You are correct that Mrs Leach did put in a formal complaint and she did this with the backing of VVSM. She has now stepped down from VVSM and I have been following up items regarding the Cresswell application that have not been resolved. This is one of them so VVSM are submitting their own formal complaint which we have just submitted to SMDC. I must remind you that Mrs Leach was not happy with the response that you sent to her in her previous complaint and I believe she asked for it to be taken to the next stage but this wasn't done. She said that she still has copies of the correspondence.

- **You also state in your email the following:**

"In any event this planning application was referred to the Planning Case Unit and the council's draft decision was not found to be unsound".

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Point 1

How could you say that the NPCU has deemed the application to be sound when they are not there to decide this?

Point 2

We are challenging it and this is why we are submitting letters of complaint to Sudan after the due process of the complaints procedure if we are not satisfied with the outcome we would like this to be taken to the ombudsman.

Point 3

Judicial review will be implemented after the S106 agreement has been discussed and decided by ALL who are entitled to take part and the decisions notice has been published by SMDC.

Point 4

You appear to have disregarded the concerns of Mrs Leach who is one of the electorate by refusing to take the complaint further as she requested.

Point 5

A Judicial Review will determine if come councillors on the planning committee have acted improperly and that legal processes have not been followed. This will be carried out in a fair and balanced manner.

Point 6

We assume that you are the monitoring officer concerned with this complaint, if so VVSM have grave concerns about the way that this matter is being handled.

Point 7

VVSM find that the unacceptable replies you have sent by email and the inaccurate statement about the NPCU need to be considered. We will be forwarding your comments to Mr. Heydecker-Dent as we feel that he should know that you are implicating him in comments that he has possibly not made?

Page 1

the fact that the Commission has not yet received any information from the Commission regarding the progress of the investigation.

Page 2

The Commission has not yet received any information from the Commission regarding the progress of the investigation.

Page 3

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Page 4

The Commission has not yet received any information from the Commission regarding the progress of the investigation.

Page 5

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Page 6

The Commission has not yet received any information from the Commission regarding the progress of the investigation.

Page 7

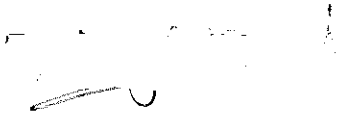
The Commission has not yet received any information from the Commission regarding the progress of the investigation.

- **Your email goes on to say:**

"The application has now been approved subject to conditions; the conditions will be the subject of a report to the Planning Applications Committee in due course".

VVSM have contacted SMDC and stated that they wished to have involvement in the S106 agreement and VVSM understand that Draycott Parish Council have also done this. We have not, as yet received a reply. VVSM suggest that you reply as soon as possible before decisions are made, otherwise we will be putting in yet another formal complaint regarding the community exclusion.

Yours sincerely
For and on behalf of
Villagers Voices Staffordshire Moorlands



Shelagh Wood (Mrs)

Encl: Copy of a letter received by Mr. L A Horleston from Mr. Simon Heydecker-Dent

When you are in a...

"We have been very busy with the new system, and we are not sure if we can make it work. We are not sure if we can make it work."

"We have been very busy with the new system, and we are not sure if we can make it work. We are not sure if we can make it work."

Thank you for your
time and effort.
Sincerely,
[Signature]

Best regards,
[Signature]

For more information, please contact [Name] at [Phone Number].

Mr LA Horleston 18
Sandon Road
Cresswell
Stoke-on-Trent
ST11 9RB

Please ask for:

Simon Heydecker-Dent

I am sorry that I cannot

etc.

By email

Tel:

Email:

Your ref:

Our ref:

Date:

0303 44 48162

simon.heydecker-dent@communities.gsi.gov.uk

SMD/2014/0576

NPCU/CONS/L3435/75231

10 July 2015

Dear Mr Horleston

Thank you for your email and attached letter of 3 July 2015 to Marcus Jones MP, regarding the Secretary of State's decision not to call in planning application SMD/2014/0576 for development at Blythe Business Park, Cresswell. I have been asked to reply on his behalf.

I should explain that responsibility for the decision to grant planning permission rests with Staffordshire Moorlands Borough Council. While I appreciate that this is not the preferred outcome for you, it was properly for the Council to decide.

Point 1. Local planning authorities are not accountable to the Secretary of State for decisions taken on planning applications. They are, however, accountable to the Courts on matters of law. A planning permission which is granted by a local planning authority is a valid planning permission **Point 2 until it is challenged and deemed to be otherwise by the courts.** **Point 3** Therefore, you may wish to consider seeking independent legal advice to assess what course of action is open to you.

The Government is concerned that all local authorities should administer the planning system with the utmost propriety. However, local authorities act independently of central government. Ministers, even the Prime Minister, have no remit to intervene in the day to day affairs of local authorities, except where specific provision has been made in an Act of Parliament. **Point 4 Local authorities are accountable for their actions to their electorate** and must act within their statutory powers. Therefore, I cannot comment on Staffordshire Moorlands Borough Council's handling of this matter. 2

Point 5 If you consider that Staffordshire Moorlands Borough Council have acted unlawfully or improperly regarding this application, I would suggest that you first contact the Council's Monitoring or Complaints Officer (if you have not done so already). **Point 6** Each local authority has a Monitoring Officer who is concerned with matters of legality and propriety. It is his or her duty to report to the full council any cases where he or she thinks that the council, one of its committees, sub-committees or officers is about to or has done something unlawful, improper, or which would constitute maladministration.

Point 7 The Local Government Ombudsman may also investigate such matters if this is within 6 months of the original complaint being lodged with the local authority but you should bear in mind, however, that councils often have more than one stage in their complaints procedure. You will usually need to complete all stages before the Local Government Ombudsman will look at your complaint. I attach a link to the website giving details of the Ombudsman's role and powers for your information. <http://www.lgo.org.uk/>.
Yours sincerely

Simon Heydecker-Dent

Simon Heydecker-

National Planning Casework Unit Department for Communities and Local Government 5 St Philips Place
Colmore Row Birmingham B3 2PW Tel: 0303 44 48050 npcu@communities.gsi.gov.uk