

The Enfield Conservative Group

Enfield Local Plan Examination

Hearing Statement Matter 1: Legal and Procedural Matters

Representations to which this statement relates:

01670-1-1; 01670-1-2; 01670-1-3; 01670-5-1

Q1.7: In overall terms, is the Plan in general conformity with the London Plan?

No, it is not. We have read the Council's Conformity Topic Paper (document E3.2)¹ and the schedule of policies at E3.3 but this sidesteps the issue of overall compliance.

The London Plan spatial strategy is clear that some limited Green Belt release can be envisaged. However, in overall terms the London Plan spatial strategy directs development to identified Opportunity Areas and brownfield regeneration sites and not to open countryside, which is specifically protected even where it is privately owned, as stated in the Glossary to the London Plan. This is a significant failing.

The Inspector has asked for modifications to rectify this. Substantial modifications are needed, including the deletion of policies PL10 Chase Park and PL11 Crews Hill (and associated site allocations), and the site allocations for countryside particularly East of M25 Junction 24, as well as the site allocation in open countryside at Hadley Wood.

The Mayor of London (Greater London Authority) and Transport for London's representations at both the Regulation 18 and Regulation 19 stages are clear that Chase Park and Crews Hill are not consistent with the London Plan. As far as we are aware, Enfield Council is unique in London in proposing housing site allocations in Green Belt countryside.

In London Plan terms, both the Chase Park and Crews Hill sites are isolated and the prospects for sustainable transport are poor. Any new developments at Green Belt locations on the northern edge of Enfield will almost certainly be car-dominated as residents will drive to achieve most of their needs, given proximity to the M25 junction 24. This is contrary to the London Plan target for 80% of trips to be made by non-car needs.

The proposals for tall buildings at Southgate, Cockfosters, Arnos Grove, Palmers Green and Ponders End and in Southbury Ward are not consistent with the London Plan. We note the *Character of Growth Study* but this is not accompanied by appraisal of the impacts on Conservation Areas and listed buildings, nor on the potential for overbearing impacts on local residents. The proposals do not reflect London Plan requirements for tall buildings to respect the scale and character and heritage of local areas. We understand that after the initial hearings in January there will be further opportunity to comment on tall buildings through further hearing statements at a later date.

Q1.16: As part of the integrated impact assessment (IIA), has the formulation of the Plan been based on a sound process of sustainability appraisal?

Because the Council has sought to justify a 'bold' approach, potentially to assist with release of Green Belt that it owns to address budget shortfalls, the compliance of the sustainability appraisal has not been critically appraised in the context of the London Plan's definition of

¹ https://www.enfield.gov.uk/__data/assets/pdf_file/0029/66179/E3.2-PQ5-Appendix-2-conformity-paper-Planning.pdf

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‘good growth’. It therefore sets a different benchmark from the way in which other London Boroughs are appraising their Local Plans.

Issue 1.3, Question 1.15: Is there any clear evidence that the public consultation carried out during the plan-making process failed to comply with the Council’s Statement of Community Involvement (SCI) or any other legal requirements?

Lack of engagement with Councillors.

The 2020 Version of the SCI is the version that was relevant during the Regulation 18 and 19 consultations. It is document SUB17 on the examination website². Section 1.14 (p6) of that document contains several ‘Consultation Principles’ which it appears that the Council has breached, including:

- **‘clear and non-technical information’**: the Council published dozens of technical studies at the same time at the start of the consultation in March 2024, with no explanation of how they were used to inform the content of the plan. Importantly, these were not explained or discussed with elected members at any public meeting.
- **‘meaningful’**: the summary leaflet that accompanied the consultation failed to mention the locations of Green Belt release or even include a map. It was only due to the efforts of various community groups that the public were made aware.
- **‘strategic and early engagement’**: the 2018 ‘issues and options’ stage contained almost no discussion of the need for Green Belt release or specific sites. It was therefore a complete surprise when the 2021 draft plan put forward substantial releases of the best-performing Green Belt.
- **‘openness’**: we have become aware of a number of Council-owned Green Belt sites in the Local Plan. This only became clear when the Council published the Reg 19 consultation responses by Knight Frank, their property agents. The Council’s financial interests in those sites were not explained, including to elected members. Had they been explained, then there should have been a proper debate and discussion at Full Council around the proper use of the Council’s assets.

The “Cross-Party Working Group”

The “Regulation 22 Consultation Statement” (document SUB12.1) contains a section on ‘governance’ which is wholly misleading – see paragraph 3.6 p9 onwards³. This suggests that a Cross Party Working Group has been meeting since 2022.

² https://www.enfield.gov.uk/__data/assets/pdf_file/0018/38025/Statement-of-Community-Involvement-Revised-2023-Final-Planning.pdf

³ https://www.enfield.gov.uk/__data/assets/pdf_file/0024/66183/SUB12.1-regulation-22-Planning.pdf

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Previous local plans have been developed by cross party working groups representing all political parties represented on the Council. The methodology adopted was to look at a map of the borough, examining each ward and identifying sites that could be developed and sites that could not, for example due to Green Belt or conservation issues.

There are two serving former Leaders of the Council (one Conservative and one Labour, each of whom each oversaw new Local Plans) who can attest to the success of these working groups in finding new sites on brownfield land, appropriate estate expansion where gentle densification can occur and other important involvements in creating a successful and community focused Local Plan.

The Labour Group developed the June 2021 Plan, published without any involvement from the Conservative Group and no obvious involvement from amenity groups or residents. Although there was an 'Issues and Options' consultation in 2018, this did not include explicit proposals for sites in open Green Belt countryside. When the Plan was published in 2021 there were nearly 7,000 responses from the public which were overwhelmingly against proposals in the Plan, especially to develop on the Green Belt countryside and build high rise blocks.

The Conservative Group had Priority Business on the agenda at the Full Council meeting on this Draft Plan on 12th October 2022. It was agreed that a cross party working group be set up to develop the plan. This practice would have been in line with other similar working groups arranged on a cross-party basis for previous Local Plans⁴. However, in retrospect it is clear that all the decisions had been taken in private before the publication of the draft Local Plan in summer 2021.

The new working group, when belatedly established, proved difficult to convene as it was clear the Labour Group had no interest in considering changes to their Draft Plan. They would only permit discussion and visits to sites they had already identified, mostly in the Green Belt. This therefore rendered participation by the Conservative Group redundant as it would no doubt have been used by the administration to imply there was cross party support for this Draft Plan. It is our understanding that the Council Leadership only established the working group in bad faith primarily due to legal advice that they were essentially forced to agree to it.

The Conservative Group therefore could not participate in a working group that was not prepared to consider fundamental changes to the Draft Plan or consider other non-Green Belt and brownfield sites that we had submitted for consideration.

Withheld 'evidence' documents

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<https://governance.enfield.gov.uk/documents/s94452/Opposition%20Priority%20Business%20October%2012th%20October.pdf>

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The initial meeting of the Full Council to discuss and vote on allowing the Draft Plan to proceed to Reg 19 consultation was due to be held on 6th March 2024. However, it was brought to the attention of the Conservative Group that there were a significant number of documents that had been deliberately withheld and were not included in the public documents to be considered. (It is our understanding that there was conflicting legal advice within the Planning Department as to whether the documents had to be released for public consultation.) The Conservative Group raised concerns and as a result the Council meeting of 6th March was cancelled and subsequently held on the 19th March 2024.

The documents in question were only released one week before the new 19th March meeting date. Included within these initially withheld documents were the justifications for the release of Greenbelt land.

When the withheld documents were finally released there were approximately 7,000 pages which were not made public until approximately one week before the new 19th March date for Full Council. It was, entirely inappropriate to expect the Conservative Group and the public to review and feedback on 7,000 pages of documents within a week, particularly given the importance of these documents to the justification of the Council's case.

Local Plan Sub-Committee

In the context of the above SCI principles, we would like to express our deep dissatisfaction with the timing of the disbandment of the Local Plan Cabinet Sub Committee⁵, which is shown in Table 3.1 of the Consultation Statement (document SUB12.1 p 10, see extract below, highlighted). This committee last met just before the process of Local Plan site selection got underway. The site selection process then took place in private with a small number of officers and the Council's senior leadership, without the oversight or input of the committee.

As far as we are aware from other local authorities, Local Plan Sub-Committees are the normal place for meaningful engagement with elected members. It would certainly have been the place to review the 'withheld' evidence documents and understand their relevance to site selection. Instead, it was intentionally disbanded and replaced with 'briefing' sessions on selected matters of process (the 'regular updates' referred to in the second sentence of paragraph 3.6 of the Consultation Statement) during the critical period prior to publication of the Draft Plan. These briefings were not an opportunity to discuss the site selection process or any specific sites, nor to discuss the evidence studies and the implications for site selection.

Table 3.1 also provides links to the two Full Council meetings as evidence of discussion and debate. These were not opportunities for discussion – they were just opportunities for members to say whether they agreed or disagreed with the decisions that had been taken behind closed doors. This was not meaningful engagement.

⁵ <https://governance.enfield.gov.uk/ieListMeetings.aspx?Committeeld=639>

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Stage	Member Input	Approving Body
Issues and Options Consultation 2015 (Regulation 18)	Requested to approve the Reg 18 Issues and Options Local Plan for statutory consultation.	Local Plan Cabinet Sub Committee (5 th November, 2015). Agenda ^[4]
The 'Enfield Conversation' 2018 (Regulation 18)	Requested to approve the Reg 18 Local Plan Growth Scenarios and Call for Sites for statutory consultation.	Local Plan Cabinet Sub Committee (24 th October, 2018). Agenda ^[5]
Enfield Local Plan – Main Issues and Preferred Approaches 2021 (Regulation 18)	Requested to approve the Reg 18 Draft Local Plan (with accompanying supporting documents) for statutory consultation.	Council (9 th June 2021). Agenda ^[6]
Pre-submission draft ELP 2024 (Regulation 19)	Opportunity for Members to consider a pre-publication draft of the Local Plan 12-weeks prior to the meeting of Council on 6 th March 2024. Decision to approve publication draft ELP for consultation and following this consultation, submit the ELP for examination.	Council (March 2024). Agenda ^[7]
Adoption of Local Plan document following receipt of Inspector's Report.	Decision to adopt Plan, following receipt of Inspector's Report and associated Main Modifications.	Cabinet and Council (TBC)

The lack of a proper deliberative committee working on the Local Plan during the critical period 2019-2021 (or indeed thereafter) is a particularly serious failing given the highly political nature of Enfield, in which the selection of site allocations, tall buildings, and the Green Belt, all became highly contentious party-political matters.

As explained further below, the deliberative forum of the Local Plan committee was replaced by political block voting at the two meetings of Full Council.

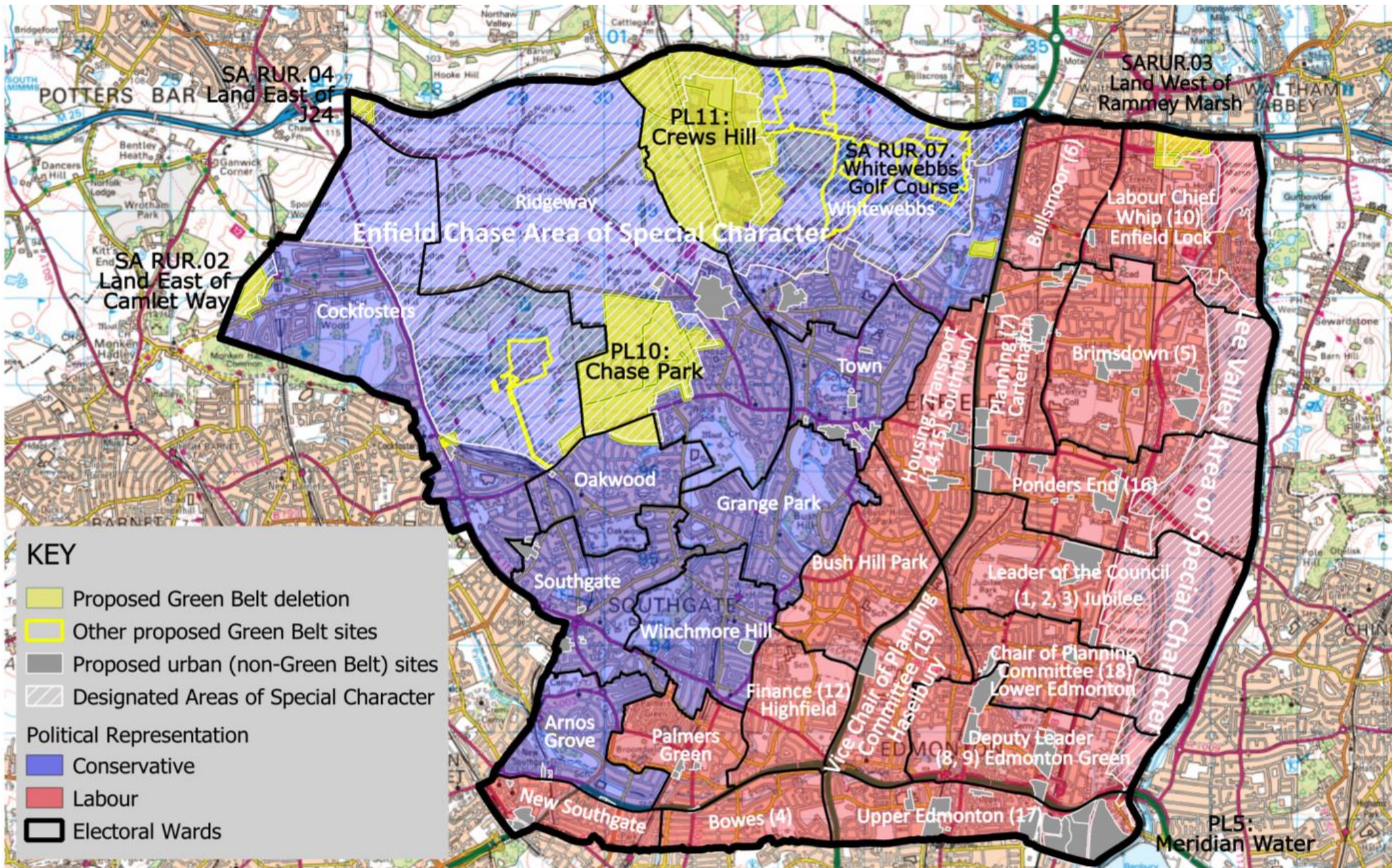
Table 1: Labour Group control of Enfield Local Plan (Regulation 19 vote, Council Meeting, 19th March 2024)

Map ref	Council Position (May 2024)	Ward	Councillor Name	Political Group	Local Plan Vote 19 March 2024
1	Leader of the Council	Jubilee	Nesil Caliskan	Labour	For
2	Environment, Culture and Public Services	Jubilee	Chinelo Anyanwu	Labour	For
3	Health and Social Care	Jubilee	Alev Cazimoglu	Labour	Absent
4	Community Cohesion and Enforcement	Bowes	Gina Needs	Labour	Absent
5	Associate Cabinet Member (Enfield North)	Brimsdown	Ahmet Hassan	Labour	For
6	Associate Cabinet Member (non-geographical)	Bullsmoor	Destiny Karakus	Labour	For
7	Planning and Regulatory Services	Carterhatch	Susan Erbil	Labour	For
8	Children's Services	Edmonton Green	Abdul Abdullahi	Labour	For
9	Deputy Leader of the Council	Edmonton Green	Ergin Erbil	Labour	For
10	Labour Party Chief Whip	Enfield Lock	Sabri Ozaydin	Labour	For
11	Associate Cabinet Member (Enfield South East)	Haselbury	George Savva	Labour	For
12	Finance and Procurement	Highfield	Tim Leaver	Labour	For
13	Associate Cabinet Member (Enfield West)	Palmers Green	Chris James	Labour	For
14	Housing	Southbury	Ayten Guzel	Labour	For
15	Transport and Waste	Southbury	Rick Jewell	Labour	For
Other significant non-Cabinet positions					
16	Mayor	Ponders End	Mohammad Islam	Labour	For
17	Deputy Mayor	Upper Edmonton	Margaret Greer	Labour	For
18	Chair of Planning Committee	Lower Edmonton	Sinan Boztas	Labour	For
19	Vice-Chair of Planning Committee	Haselbury	Mahym Bedekova	Labour	For

Table 2: Other Councillors without positions within the Council administration

Map ref	Council Position (May 2024)	Ward	Councillor Name	Political Group	Local Plan Vote 19 March 2024
	None	New Southgate	Josh Abey	Labour	For
	None	Ponders End	Nicki Adeleke	Labour	For
	None	Lower Edmonton	Elif Erbil	Labour	For
	None	Brimsdown	Hivran Dalkaya	Labour	For
	None	Haselbury	Mustafa Cetinkaya	Labour	For
	None	Bullsmoor	CLLr Kate Anolue	Labour	For
	None	Edmonton Green	Gunes Akbulut	Labour	For
	None	Southbury	Mahmut Aksanoglu	Labour	For

Map ref	Council Position (May 2024)	Ward	Councillor Name	Political Group	Local Plan Vote 19 March 2024
	None	Carterhatch	Nawshad Ali	Labour	For
	None	Enfield Lock	Eylem Yuruk	Labour	For
	None	Palmers Green	Doug Taylor	Labour	For
	None	Highfield	Nia Stevens	Labour	For
	None	Upper Edmonton	Doris Jjagge	Labour	For
	None	Carterhatch	Nawshad Ali	Labour	For
	None	New Southgate	Nelly Gyosheva	Labour	For
	None	Upper Edmonton	Thomas Fawns	Independent	For
	None	Grange Park	Chris Dey	Conservative	Against
	None	Whitewebbs	Hannah Dyson	Conservative	Against
	None	Bush Hill Park	Peter Fallart	Conservative	Against
	None	Whitewebbs	Reece Fox	Conservative	Against
	None (Leader of the Opposition)	Cockfosters	Alessandro Georgiou	Conservative	Against
	None	Bush Hill Park	Pat Gregory	Conservative	Against
	None	Arnos Grove	Adrian Grumi	Conservative	Against
	None	Bush Hill Park	James Hockney	Conservative	Against
	None	Southgate	Stephanos Ioannou	Conservative	Against
	None	Ridgeway	Joanne Laban	Conservative	Against
	None	Southgate	Elisa Morreale	Conservative	Against
	None	Oakwood	Tom O'Halloran	Conservative	Against
	None	Arnos Grove	Paul Pratt	Conservative	Against
	None	Town	Michael Rye	Conservative	Against
	None	Oakwood	Julian Sampson	Conservative	Against
	None	Cockfosters	Ruby Sampson	Conservative	Against
	None	Whitewebbs	David Skelton	Conservative	Against
	None	Ridgeway	Edward Smith	Conservative	Against
	None	Town	Jim Steven	Conservative	Against
	None	Town	Emma Supple	Conservative	Against
	None	Ridgeway	Andrew Thorp	Conservative	Against



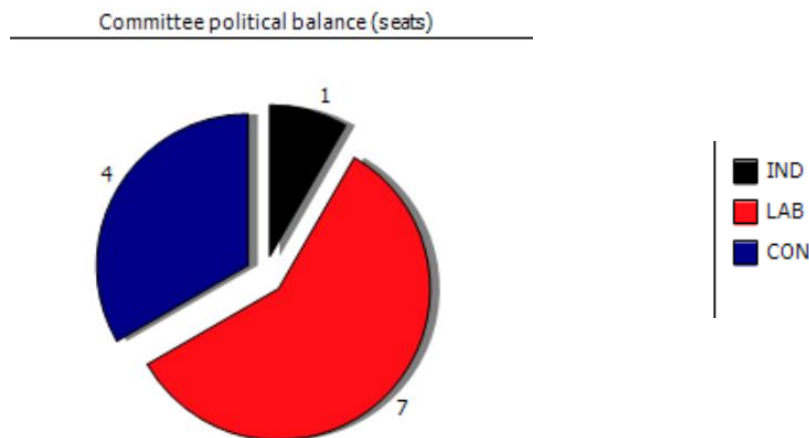
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Politicisation of the process

There has consistently been block voting on rigid party-political lines at both Reg 18 and Reg 19 as shown in **Table 1** above, which is drawn from the Minutes of the meetings 9 June 2021 and 19 March 2024. This was not a proper process of engagement but an inevitable outcome of the failure to put in place any kind of proper deliberative cross-party forum. Whilst a pre-publication draft was made available from December to February 2024, this was only after all the content had been decided behind closed doors.

As shown by the map above, Enfield is politically divided between east and west. Given that several highly contentious Green Belt developments were proposed, the Council's leadership should have ensured that Councillors were closely involved from the outset to ensure compliance with the SCI. On the contrary, Councillors were excluded from the process.

Given the recent history of the Local Plan and the politicisation of the process, there is a very real danger that future planning applications for development proposals may be voted through by the Planning Committee on party-political lines (the composition of which is shown below), without the benefit of a proper understanding of the relevant planning policies and without the Planning Committee acting in a quasi-judicial manner.



This underscores the importance of having a Local Plan that is clear, concise and fully understood by all Members, as required by Paragraph 15 of the NPPF. This is not the situation in which we find ourselves. The Local Plan is a bloated document and decision makers cannot possibly understand the plan "read as a whole". This opens the decision-making process to recommendations skewed in favour of applications that help to address shortfalls in Council budgets, even when this would not be in the best interests of sustainable development.

Word Count: 2,148 (including Inspector's questions)