

**MINUTES OF THE TETTENHALL COMMUNITY FORUM**  
**Parish Rooms, Tettenhall**  
**19<sup>th</sup> February 2026**  
**at 6.30 pm**

**APOLOGIES**

There were apologies from Steve Robinson and Steve Jackson. The Wightwick councillors were unable to attend. It was reported that they had commitments to attend another meeting.

There were 11 residents in attendance including 1 new attendee.

**MATTERS ARISING**

The Chair pointed out that, having seen no significant progress on our Neighbourhood Plan application since its submission on 24<sup>th</sup> November 2024, 3 significant events had occurred in quick succession starting with 5<sup>th</sup> February meeting with David Pattison, COO at Wolverhampton City Council. Secondly Neal Kelshaw (NK) had attended an exploratory meeting with Ian Culley, Lead Planning Manager Wolverhampton City Council and thirdly 2 days before this meeting the Steering Group had considered all the new information available. The Chairman requested that the meeting discussed the outcome of these 3 separate events in chronological order to give each aspect of the new information available proper consideration rather than trying to discuss everything that had happened all at once.

**REGISTRATION**

- Report from 5<sup>th</sup> February meeting with David Pattison (WCC)  
Regular attendees of the Forum have received a minute of this meeting dated 9<sup>th</sup> February in order for them to prepare for discussing the situation at this meeting, a copy of which is attached to these minutes. The Chair had also invited NK to add any further information and comments.

Comments from around the room were invited and a discussion took place which was quite animated.

Whilst there was pleasure and relief that the second application had been removed and was no longer blocking progress there was surprise and anger at the length and time this had taken (15 months) and it was difficult to understand what changes had suddenly resulted in the council withdrawing their application. Having been led to believe that our application was legal and appropriate members were angry that significant changes were now being proposed and required, both in relation to legislative areas to be considered and the extent of the Trust's involvement with the statutory group which would update the plan, rather than the Trust's application being simply approved now that the council were free to do so.

At the end of the discussion the Chairman summarised his own position reflecting on the fact that, since the Trust's earlier days there had been a steady drip of negative views of the Trust from various quarters and that now that the council were seeking wholesale changes to our application, many of which would restrict the Trust's role in updating the Neighbourhood Plan to that of a bystander, it was easy to conclude that the council was not prepared to allow the Trust a role in this work which is important to local residents. NK agreed that this was true but

thought that it may or may not be relevant after his meeting with Ian Culley (IC) and felt that the options and changes we were now exposed to could be workable. He outlined the benefits of the possibility of a statutory body recognised by the council to consult and discuss on the update of the Neighbourhood Plan as opposed to standing by our current position and ending up with minimal influence. RH notes that this influence was described by DP in the meeting as the Trust being able to continue raising issues and the council will continue considering them.

○ Further information regarding NK meeting with IC on Friday 13<sup>th</sup> February (NK reporting)

NK updated the attendees on this meeting. Some new information had become available. Whereas there had apparently been agreement between the ward councillors and IC that the 21 names from the other application would now be made available to us to consolidate a larger group of residents interested in taking part. It is our understanding that this list has not yet been released on the basis that the councillors think IC is releasing it and IC thinks that the councillors are releasing it. However, one useful piece of information which NK had managed to glean was the name of the legal signatory on the council's application.

RH noted that Forum attendees will remember the assurances they had received from many previous meetings that it was unclear who had converted the list of names supplied by councillors to IC into an application and that it was believed that that particular person may have moved on. However it now transpires that it was Stephen Stanley who signed the application as the official representative. Stephen Stanley is the Political Assistant to the Conservative group of councillors on Wolverhampton City Council. In this capacity he is employed by Wolverhampton City Council to perform research and administrative function in support of the group. It is understood that he is still acting in this capacity and has been doing so for 2 years. Further research reveals that he may not be a resident of either ward. Given this, and the fact that an application is supposed to be resident led, not politically led, it is hard to see how that application was ever considered legal.

NK started his explanation of the IC meeting by reminding the Forum that having challenged the Rock Junction TTRO there was an appetite amongst residents to have the original TDCC back and we consulted on future direction and solutions regarding trying to re-register the TDCC. DP was against using "council" and at this stage had revealed his resistance to the use of the word "council" making it clear that any Parish Council type application would be resisted. Accordingly the Trust was set up and the concept of the Forum, which has been approved, to consult on planning matters. An issue appears to be that a "Forum" is there to be consulted under various regulations on Neighbourhood Planning. There were clearly issues with councillors in relation to this, possibly resulting in the second application, but now that this second application has been withdrawn we can choose to take on board councillors' opinion or go our own way. We have already demonstrated our intention to collaborate with councillors but DP is adamant that we should not have a council-like Forum, irrespective of names chosen, which could morph into a Parish Council. He is therefore minded for us to use a Forum, but not our current Forum, because he will be granting to the new Forum statutory powers to consult on the Neighbourhood Plan.

NK sought to explain the ramifications and consequences of the various acts and procedures and that the risk of predetermination stopped us getting mandatory

approval under the 2017 Act (a copy of which is attached to these minutes). The Local Planning Authority has to approve the body undertaking the Neighbourhood Plan and there are more revisions to come.

There are 2 or 3 ways forward and the Steering Group has identified consequences for these since the Trust still requires to do things other than the Neighbourhood Plan, including funding other important community projects. The council will not now allow us to use the CiC, in spite of indicating originally that it was an acceptable way forward, requiring “clear blue water” between the Trust and the CiC, which the Trust needs, and the statutory vehicle that will update the Neighbourhood Plan.

DP has agreed to fund the printing of leaflets but not their distribution. The council will hold all the funds for the update of the Plan in the council bank account but the CiC would be allowed to contribute funds, ergo via the council.

Faced with the choice of compromising the Trust’s organisations and articles to accommodate the council’s very unclear requirements could be preferable to seeking an alternative registration which would take more time and NK appeared to be relatively comfortable with that option although clearly any route forward could be vastly constrained both in timescales and what is achievable if the council chooses to obstruct any proposal because of its innate reservations regarding the Trust.

NK reported there was still a perception that we were agitators based on our residents’ resistance to the Rock Junction TTRO.

NK explained that one of our difficulties is that there is no mechanism for forcing a determination on the council in relation to our application ie they can approve it or not approve it but there are no consequences for the council or redress for the applicants if they choose to delay the decision ad infinitum.

- Update on Steering Group’s Proposed Way Forward

Whilst appreciating NK’s attempt to identify potential ways forward the Steering Group’s opinion was that the lack of clarity provided by the council and the uncertainty of how they might act and how they might interpret the various legislative hurdles that we were facing, irrespective of which way forward was chosen, was causing massive confusion and uncertainty among the members.

RH attempted to summarise the discussions which had taken place at the Steering Group on 15<sup>th</sup> February, acknowledged that it was a challenging discussion with different views coalescing into 2 main alternative routes forward.

One of those was to participate but not lead if the process and regulations are too onerous. We would encourage our members as individual residents to work with whatever vehicle could be put in place by the actions of council officers, councillors and other residents.

The other option was to follow the, as yet, very unclear guidance provided by the council as to how we could either amend our existing application or produce a alternative application, both on the understanding and belief that we would eventually be able to understand and achieve the council’s requirements placed on us.

In order to bring further clarification to the Trust's decision, which would have to be approved by members based on a recommendation by the Steering Group, it was agreed that NK would seek further clarification from IC, in writing, of exactly what additional work, processes, body formation and documentation is required for the Neighbourhood Plan. Ideally we should also seek visibility on timelines.

### **STEERING GROUP UPDATE OTHER THAN REGISTRATION**

NK confirmed that an application had been submitted to the Arts Council regarding the Aethelflaed arts trail and that the pilot for the opera and the proposal for further works in the next 18 months had been included. NK went on to explain the very many people with whom he and Rebecca Cresswell (RC) were now engaged in pursuit of delivering the pilot immersive experience at Tettenhall College on Saturday 21<sup>st</sup> February. These included a pianist, soloists and the composer Andre Fratto, including an approach to Wolverhampton Symphony Orchestra. It appears significant sponsorship may be available and there are some legal and contractual matters to resolve.

NK has engaged with Wolverhampton Council for Action (WVCA) who have assisted in our application and will be helping us with our social value statements. James Beattie Trust has been approached regarding funding as have English Heritage, now known as Historic England.

NK went on to explain that as there had not yet been an AGM for the CiC, hence no opportunity for elections, and there was a need for at least 4 directors on the CiC, pro tem John Green and Nicky Whalley would be co-opted as directors. Anyone who is a member of the Trust is entitled to stand as a director. NK advised that membership of the Trust had now reached 140.

NK also explained that he has suspended advertising for membership when the dual application was revealed and he would expect that it could now increase further following reintroducing advertising on social media. He also reported that accounts had been submitted and approved for the year ending 31<sup>st</sup> May 2024 and that he was preparing a budget for next year considering printing, web costs, advertising, communications, donations and the possibility for introducing a subscription for membership eg £5 per person. He indicated that our way forward will need funding.

RH reported that he had been actioned by the Steering Group to recommend a process for identifying, selecting and appointing CiC directors. Proposal to be considered at the next Steering Group. This will identify the process any member who wishes to become a director of the CiC should follow.

### **PETITION**

RH, commenting on the council's discussion in Full Council to consider a motion by the Conservative group for the threshold for a petition to be heard in Full Council to be reduced. It was an interesting debate and fully recorded and it is recommended that members view the recorded footage of the discussion.

This is particularly relevant bearing in mind that we are still pressing the council for a response to our petition dated April 2024 regarding potential improvements to the Rock Junction. RH will summarise below the most interesting contributions.

Bob Maddox pointed out that per head of population the threshold for a petition to be considered in Full Council was 12 times more onerous than for a petition to be considered in the national parliament based on national population. The controlling group were reluctant to allow a vote on the matter and wanted it to be considered by various

committees in the council. Sohail Khan challenged the council who had received details of the motion well in advance of the meeting and that all senior members of the council present should just vote on the matter which, if accepted, would reduce a clear democratic deficit. The decision was deferred to the next Full Council meeting. We should watch this debate with interest.

It was agreed that RH would seek further information from John Charles, Head of Highways, following his email to RH last October that the council would soon be considering our petition. In the light of the continued appraisal of the Rock Junction situation.

### **PLANNING**

The licence for the Chill Wine Bar has been revoked but would remain valid during an appeal period. RH has written to Charlotte Rose, Environmental Health, to establish the current position and the email is attached to these minutes.

### **FRIENDS OF ST MICHAEL AND ALL ANGELS**

The next working party had been delayed by bad weather to 20<sup>th</sup> February, the day after this meeting. Post meeting RH has received a text from Steve Robinson reminding us that the next working party will be on 27<sup>th</sup> March and he has encouraged all of us to take a walk through the churchyard to see the snowdrops, which look amazing, and noting that the crocuses and daffodils planted are coming through. RH has also received a couple of wonderful photographs from Nicola Rudge showing how beautiful and orderly the churchyard is now becoming. These are attached to the minutes.

### **SMESTOW VALLEY NATURE RESERVE**

The concerted efforts of resident groups and the Smestow Valley action groups, including representations from Wightwick councillors to John Roseblade (JR), Director Resident Services Wolverhampton City Council, have failed to divert the council from its decision to spend nearly £200,000 spreading motor cycle inhibitor gates around the Smestow Valley Nature Reserve. They are excessive in number and inappropriately placed. It remains to be seen whether it is possible to make any impact at all on the council's intentions and actions. RH notes that he is still receiving emails from representatives from the Bonfire Night meeting and it may well be that residents will continue to progress their objections to this decision.

A reminder that the Wightwick councillors have reported that they received apologies from officers in the JR meeting for lack of consultation whereas you will see from the recorded meeting of Full Council that the cabinet member reported that he had received circa 500 replies to the consultation and that the program was supported by West Midlands Police.

### **ANY OTHER BUSINESS**

Colin Whittingham's comments at previous meetings had been useful in identifying the funds available to the council from various sources to fix the pothole problem. It is acknowledged that the council appears to have significant funds but their application has not been particularly effective yet due to the difficulty of making repairs in bad weather.

Fran Jackson raised the issue of Annual General Meetings. RH responded that the last AGM of the Trust was in January 2025 so the next one should be imminent. The CiC has yet to have a General Meeting.

FJ also noted that our local MP, Warrinder Juss, had identified that local knowledge has to be a priority on West Midlands Today. RH mentioned that he had written 3 times to the MP but was yet to receive a response.

New attendee, Naomi Hobbs, reported her concern regarding a blocked drain at the bottom of Old Hill which was causing problems and asked for help in resolving this. RH will raise this with the Wightwick councillors.

CW noted that JCB had offered to at least one local council (not WCC) a free specialist potholing device which offer had been rejected by that council. He wondered whether there was an opportunity for WCC.

There being no other business the meeting closed at 2055 hours.

### **MEETING SCHEDULE**

Our next scheduled meeting is on **12<sup>th</sup> March 2026** at 1830 in the Parish Rooms.

---

## Registration

---

Robin Hacking <robinmhacking@gmail.com>

9 February 2026 at 00:23

---

To all Tettenhall Community Forum attendees

The long awaited meeting with David Pattison Ian Culley and the six ward councillors for Wightwick and Regis finally took place last Thursday at 1300. Matt was unable to attend but Neal and I attended to represent The Trust and the TCF

Neal and I were waiting at 1250 for the meeting to start and speculating that it would be interesting to see how they all came into the meeting. At 1307 all 8 of them tramped into the meeting, 6 councillors, David Pattison and Ian Culley. They had obviously had a pre-meeting.

After the pleasantries David Pattison announced that the councillors were to withdraw their application and future discussions could therefore proceed based on our application. This is clearly a major step forward removing, as it does, the current block to progress which has delayed us for 15 months since our application was submitted.

DP went on to explain that they would now enter into discussions with Neal regarding our application being put forward to council for approval and that we might need to do a bit of "tidying up" before the final version is presented.

DP went on to explain that there wouldn't be time to finalise these consultations before the 22nd March which is when the council will enter purdah in relation to the forthcoming local elections on 7th May so no further decisions from WCC until then.

So having removed one obstacle we now have significant work to do with DP and IC to finalise our application and it is clear from the the Wightwick councillors that they want to be very involved in this, whereas for the duration of the meeting the Regis councillors remained taciturn and inscrutable throughout.

It is clear to me that there will now be a significant change of emphasis. The Regis councillors are out of the loop but the Wightwick councillors are seeking significant influence and constraints on who is in the group producing the update to the plan and how they are selected.

As the meeting unfolded DP and IC made some very strong and clear positioning statements. The most important of these was that DP wants "clear blue water" between the new group which will be formed and the Trust. This is to reinforce his requirement that the Trust and the TCF are NOT representative, they are simply resident groups who can raise matters with the council and which the council will give due consideration to (in spite of the fact that we have not had that consideration up to now). This is because he is adamant that the Trust should not be seen as a representative body and burgeoning Parish Council whereas the new group, which will have some statutory influence through its status as an approved Neighbourhood Planning organisation, would be officially recognised by the council for what it is intended to do.

There were some questions asked about funding, none available now following the latest Local Govt Settlement which excluded funding for neighbourhood planning, but DP agreed to print leaflets to go to every household in the district if we could deliver them. He also confirmed, with positive reaction from the Wightwick councillors, that this was a minor update and procedures were available which would not necessarily require an acceptance vote with the public.

Wendy Thompson was enthusiastic about setting up this new organisation. She expressed concern that the current TCF was Tettenhall Village centric and it was important to have proper representation from the people of Wightwick in this new group. Neal pointed out that more than 50% of our members are in Wightwick but she didn't seem to understand or accept this.

The longer the discussion went on the clearer it became to me that we were effectively talking about a new application from the group of people who were going to do the plan. At this point I asked DP to explain how registration, which would have been granted to the Trust's application, could underpin a new group with "clear blue water" between it and the Trust and would be the organisation to update the plan, even though it wasn't the organisation that was granted registration. Wasn't he actually saying there would have to be a new application from this group which hadn't yet been formed. His reply was that it might have to be something like that.

It was broadly agreed that the 2 groups of 21 names should be combined, I pointed out that it was important that the entire population of residents should be contacted to give everybody an opportunity to join in this new group rather than it just be a carve up between 2 twelve month old lists of names. Whilst arguing for the widest possible involvement of residents WT also said that it would probably come down to a group of 12 people who would do the work. She clearly sees a strong role for the Wightwick councillors to influence the selection of the new group

DP said that the new group should be called something like the Tettenhall Plan Community Forum and it would therefore be best if the TCF changed its name. In view of DP's proclivity for choosing acceptable names I asked him what would be considered a suitable new name for the TCF. When he didn't respond I suggested we could rename the TCF "The Tettenhall Public Square" but Neal restrained me on this saying we would need to consult with people for a suitable name. Whereas I am not precious about the name Tettenhall Community Forum and am happy for it to be called something else equally appropriate I wonder how you, the regular attendees, who have been supporting this campaign for a Neighbourhood Plan for 2 years, will feel about conceding their name to a new organisation which is setting out to do exactly what they have been trying to do for the last 2 years, which is why I am seeking your views. I think Neal is quite content about our ability to change all our names and structures and seems happy to go along with the creation of this new body which he believes we will populate anyway, but I am not so sure. The good news is we have finally removed the current block to progress and between now and 8th May, as advised by IC, we can attempt to modify our application to describe this rather complicated arrangement where this new body will do the plan but with clear blue water between it and the Trust. I note that IC and DP were quite happy for the Trust to donate funds from the CiC to facilitate this new group to deliver the update to the plan but seem reluctant to allow the Trust any other involvement.

IC's assessment was that, whereas a new plan would cost £5,000 to construct and £10,000 to promote and determine a vote, a simple update to the plan should be achievable with a budget of £5,000 with no requirement for a public vote.

So having persuaded the councillors to withdraw their competing application we should not underestimate the minefield in front of us.

No doubt Neal will add any comments regarding anything I have missed at our next meeting but I am supplying this brief so that you can all think carefully about it and be prepared to give your views. I think it is important for us to have a strong attendance at the next meeting which will be in the usual place on 19th February.  
Kind regards Robin

# Get in on the Act

Neighbourhood Planning  
Act 2017

# Get in on the Act

## Neighbourhood Planning Act 2017

### Background

The Neighbourhood Planning Bill was introduced in the House of Commons on 7 September 2016. The legislation completed its parliamentary stages on 26 April 2017, and received Royal Assent, becoming law, on 27 April 2017.

The Neighbourhood Planning Act 2017 (the Act) is intended to strengthen neighbourhood planning by ensuring that planning decision-makers take account of well-advanced neighbourhood development plans and by giving these plans full legal effect at an earlier stage. It introduces a process for modifying neighbourhood development orders and plans that the Government intends to be more proportionate. Measures in the Act require all local authorities in England to identify the strategic priorities for development in their areas in an up-to-date plan.

The legislation makes changes to how pre-commencement conditions can be used and gives the Secretary of State power to make regulations prescribing their use in certain circumstances. Local authorities will be required to record specified prior approvals for permitted development rights on the planning register. The Act also makes further changes to the law on compulsory purchase, following reforms introduced by the Housing and Planning Act 2016.

The Act is made up of three parts as follows:

1. Planning
2. Compulsory purchase
3. Final provisions.

This publication aims to provide readers with an introduction to the Act and summarises the main issues on which the LGA campaigned.

## The role of the LGA and local government in influencing the legislation

We worked with LGA Vice-Presidents, ministers, parliamentarians, and civil servants as the Bill made its way through Parliament to provide background information on the proposals, support and table amendments to the legislation, and influence government policy. LGA representatives gave evidence to both the Bill Committee and parliamentary committees on housing and planning.

As the legislation made its way through Parliament:

- Councillor Tony Newman, member of the LGA Environment, Economy, Housing and Transport (EEHT) Board, gave evidence to the Public Bill Committee on the Neighbourhood Planning Bill as part of its scrutiny of the legislation
- we responded to government consultations on improving the use of planning conditions and the Housing White Paper
- LGA Chairman Lord Porter gave evidence on the LGA's priorities for housing and planning to the Public Accounts Committee to assist in its inquiry into housing
- we published our Housing Commission report 'Building our homes, communities and future', which was commended by the Secretary of State.<sup>1</sup>

Our campaigning on behalf of local government was developed with the support from and input of councils from across the country. It led to a number of positive changes, including:

- An amendment supported by the LGA gave new powers to local authorities for the development of new towns and villages.
- In response to amendments we supported on the impact office-to-residential conversion is having in some local areas, ministers stated that the Government will allow Article 4 directions to remove this permitted development right over a larger area than at present.<sup>2</sup> This will apply in areas where the local planning authority is delivering 100 per cent or more of its housing requirement.
- Ministers gave assurances that local planning authorities will be able to charge planning application fees when permitted development rights had been removed.
- The LGA worked with parliamentarians to table amendments which would allow councils to set planning fees locally to enable full cost recovery. The Housing White Paper, which was published during the course of the Bill, included a commitment to increase planning fees by 20 per cent.

1 LGA Housing Commission report 'Building our homes, communities and future' [www.local.gov.uk/lga-housing-commission-final-report](http://www.local.gov.uk/lga-housing-commission-final-report)

2 An Article 4 direction is made by the local planning authority. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the authority's area.

# The key provisions and their implications for local government

## Part 1: Planning

### Neighbourhood planning

**Section 1** amends the Town and Country Planning Act 1990 to require a local planning authority to have regard to a post-examination neighbourhood development plan when dealing with an application for planning permission, so far as that plan is material to the application.

**Section 2** requires a local planning authority to notify the parish council of relevant planning applications if there is a neighbourhood development plan in place. The parish council may notify the local planning authority in writing that they do not wish to be notified of any such application.

**Section 3** amends the Planning and Compulsory Purchase Act 2004 to provide for a neighbourhood development plan for an area to become part of that area after it is approved in an applicable referendum.

**Section 4** amends the Town and Country Planning Act 1990 to enable a local planning authority to modify a neighbourhood development order or plan, with the consent of the qualifying body for the neighbourhood area, if they consider that the modification does not materially affect any planning permission granted by the order or policies in the plan.

A new process is introduced for modifications that would have a material effect but are not so significant or substantial that they would change the nature of the plan. A qualifying body must submit the proposed modifications to the local planning authority. The procedure then largely replicates the existing process for making a development order, but examiners

are expected to hold hearings only in exceptional circumstances and no referendum takes place. A local authority will be required to make the modified neighbourhood plan if it is recommended by the examiner.

**Section 5** amend the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 to facilitate the modification of a neighbourhood area and provide for what happens to a neighbourhood development order or plan that has already been made for that area.

**Section 6** amends the Planning and Compulsory Purchase Act 2004, which requires a local planning authority to prepare a statement of community involvement. An authority is now also required to set out their policy for discharging the duty to give advice or assistance to qualifying bodies to facilitate proposals or neighbourhood development plan.

**Section 7** allows for regulations to impose duties on an examiner to provide the qualifying body, local planning authority or other specified people with prescribed information and to hold meetings with them. The regulations must also require a draft report with recommendations to be published.

On behalf of councils we argued that the provisions should not lead to an unintended consequence of undermining the ability of a local planning authority to meet the wider strategic objectives set out in an emerging or adopted local plan. We will continue to call on the Government to undertake a full review of the financial support provided to councils for its statutory duties in relation to neighbourhood planning.

## **Local development documents**

**Section 8** amends the Planning and Compulsory Purchase Act 2004 to require local planning authorities to identify the strategic priorities for development in the area and set out policies to address those priorities. Areas are exempt from this requirement if their priorities are addressed in a spatial development strategy that covers their area, for example in Greater London or a combined authority.

**Section 9** amends the Planning and Compulsory Purchase Act 2004 enabling the Secretary of State to direct two or more local planning authorities to prepare a joint development plan. The ministerial direction can specify the area and matters to be covered by the joint document and the timeline for its preparation.

**Section 10** enables the Secretary of State to invite a county council to prepare a plan for a local planning authority in their area. When the Bill was debated in Parliament, we pushed for assurances that this provision would only be used in exceptional circumstances. In response the Government made clear that this power is only to be used in extremis.

**Section 11** amends the Planning and Compulsory Purchase Act 2004 to enable the Secretary of State to publish data standards setting the technical specifications for local development schemes and documents produced by local planning authorities. As the Bill was debated we called for draft regulations to be published to allow for effective scrutiny of the provisions. We will continue to call on the Government to ensure that new requirements do not add new burdens to the local plan-making process, or frustrate the ability of local planning authorities to shape and approve developments so that they improve places and local economies.

**Section 12** amends the Planning and Compulsory Purchase Act 2004, enabling the Secretary of State to publish regulations prescribing the intervals at which local development documents must be reviewed by local planning authorities. On behalf of councils we argued that the national

planning practice guidance already sets out expectations for revisions and updates to local development plans, and that any additional reviews required by the Government must be fully funded.

**Section 13** amends the Planning and Compulsory Purchase Act 2004 to require local planning authorities to set out in their statements of community involvement their policies for involving interested parties in the preliminary stages of plan-making. Throughout the passage of the Bill we argued that councils are best placed to set out how and when they will engage the community and key stakeholders and involve them in the planning process.

We raised concerns about the proposals that would give the Secretary of State new powers over local plans and instead called for a sector-led approach that seeks to understand what the blockages are and resolve them.

## **Planning conditions**

**Section 14** provides that a local authority cannot grant planning permission subject to any pre-commencement conditions without first obtaining the applicant's written agreement to the terms of that condition. We opposed this measure and called for local authorities to be able to continue to make any necessary pre-commencement conditions on developers. This section also enables the Secretary of State to make regulations as to what kind of conditions can be imposed on a grant of planning permission, in line with the policy on conditions in the National Planning Policy Framework (NPPF). The Government is required to undertake a consultation before any such regulations can be made.

We have argued that the NPPF, and the associated national planning practice guidance, already sets out expectations on use of planning conditions and that the provisions in the Bill could have a number of unintended consequences. This includes the potential for an increased number of planning applications refusals; statutory timescales for processing planning applications being missed; and the ability of local planning authorities to include conditions to address local area or site-specific issues being restricted.

## **Permitted development rights relating to drinking establishments**

**Section 15** requires the Secretary of State to make a development order removing permitted development rights in relation to drinking establishments (Class A4). It comes into force on 23 May 2017.<sup>3</sup>

## **Development of new towns by local authorities**

**Section 16** amends the New Towns Act 1981 to allow the Secretary of State to appoint one or more local authority to oversee the development of a proposed new town in their area. Regulations may be published that set out how the local authority is to oversee the development.

We supported the introduction of this section, arguing that it would provide local accountability for the delivery of sustainable new communities through development corporations.

## **Register of planning applications**

**Section 17** extends the scope of the planning register, allowing the Secretary of State to require local planning authorities to include information about specified prior approval applications or notifications for permitted development rights on the planning register. During the passage of the Bill the LGA argued that having access to open data on permitted development would enable increased scrutiny of the impact of national permitted development rights and scale of the uptake, and that any new burdens on councils should be fully funded.

We also highlighted a number of unintended consequences of national permitted development rights, including allowing offices to be converted to residential units without the need for planning permission. In response, ministers stated that the Government will allow Article 4 directions to remove this permitted development right over a larger area than at present, in areas where the local planning authority is delivering 100 per cent or more of

its housing requirement. Ministers also gave assurance that local planning authorities will be able to charge planning applications fees when permitted development rights have been removed.

## **Part 2: Compulsory purchase**

**Section 18** gives all those with a power to acquire land, including local authorities, by agreement or compulsorily the power to take temporary possession of land.

**Section 19** provides that compulsory temporary possession must be authorised in the same way as the associated compulsory acquisition of land and sets out the information which must be included in the authorising instrument.

**Section 20** requires acquiring authorities to give at least three months' notice to those with an interest in the land and occupiers before taking temporary possession and requires the notice to specify the period for which the acquiring authority is to take temporary possession of the land.

**Section 21** provides that an owner of the temporary possession land may serve a counter-notice on the acquiring authority within 28 days of the notice of their intended entry limiting the period for which the acquiring authority may take temporary possession to either 12 months for a dwelling or six years in any other case. In response, the acquiring authority may accept the notice and limit the period of temporary possession, withdraw the notice of intended entry, or purchase the owner's interest in the land. It must give notice of its decision within 28 days of the counter-notice.

**Section 22** applies enforcement provisions to temporary possession of land, meaning that, where a person refuses to give up possession, an acquiring authority can issue their warrant to a sheriff or enforcement officer to gain possession.

<sup>3</sup> Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2017 <http://www.legislation.gov.uk/ukSI/2017/619/contents/made>

**Section 23** provides that those with an interest in the land, or a right to occupy the land, are entitled to compensation for any loss or injury sustained as a result of the temporary possession. It must take into account the value of a leasehold interest in the land for the period of temporary possession.

**Section 24** provides for the advance payment of any compensation if requested in writing by the claimant.

**Section 25** requires the acquiring authority to pay interest on any outstanding amount of an advance payment of compensation still due after the date on which it should have been paid.

**Section 26** provides that temporary possession land is included in the list of categories of land which are blighted land.

**Section 27** allows the acquiring authority to use the land as if it had acquired all interests in it and provides the power to remove or erect buildings and remove vegetation. This power is subject to limitation of the use to the purposes for which the land was acquired.

**Section 28** ensures that a person is not treated as being in breach of any term of a tenancy if they cannot reasonably comply as a result of temporary possession.

**Section 29** enables the Secretary of State to make regulations in relation to the power to take temporary possession.

## Other provisions relating to compulsory purchase

**Section 32** clarifies the principles and assumptions for the 'no-scheme world' used to assess compensation for land taken by compulsory purchase. It takes into account the existing case law and judicial comment.

**Section 33** repeals Part 4 of the Land Compensation Act 1961 so that a claimant is no longer entitled to claim additional compensation where, within ten years of the completion of the compulsory purchase by the acquiring authority, a planning decision is made granting consent for additional development on the land.

**Section 34** introduces a six-week statutory time limit for issue of confirmation notices served by the acquiring authority to every owner, tenant and occupier, notices affixed on or near the land in question, and in one or more local newspaper. A longer time period may be agreed in writing between the acquiring authority and the confirming authority.

**Section 35** brings the assessment of compensation for disturbance for minor and unprotected tenancies into line with that for licenses and secure tenancies by providing that regard should be had to the likelihood of the tenancy to be continued or renewed, the period for which it might reasonably have been expected to continue, and under what terms and conditions.

**Section 36** applies where the Greater London Authority and Transport for London agree that the purposes for which they may acquire land compulsorily would be advanced by one or both of them acquiring land for a joint project. It enables either body to acquire all the land required for a combined transport and regeneration or housing scheme on behalf of the other.

**Section 37** amends the provision for overriding easements in the Housing and Planning Act 2016 to ensure they work as intended for the GLA and TfL.

**Sections 38 to 41** make technical amendments to the provisions on advanced payments of compensation.

Throughout the passage of the Bill, we argued for further reforms to make the process for compulsory purchase clearer and faster. This included: local authorities being able to acquire land at closer to existing use value, to capture more uplift in land value for infrastructure and community benefits; stronger compulsory purchase type powers where planning permissions have expired and development has not commenced; a default position that all decisions on confirmation of a compulsory purchase order are delegated to the acquiring authority; and a more fundamental consolidation and streamlining of the legislative provisions for compulsory purchase.

## Thank you

As the legislation went through Parliament we worked closely with our Vice-Presidents, as well as other MPs and peers, briefing them ahead of debates and suggesting amendments. On behalf of local government, we are grateful to all those parliamentarians who supported us and championed our concerns and arguments.

## Useful links

For the full text of the Act, please refer to: [www.legislation.gov.uk/ukpga/2017/20/contents/enacted](http://www.legislation.gov.uk/ukpga/2017/20/contents/enacted)

For the LGA's briefings on the Bill, please go to: [www.local.gov.uk/parliament/briefings-and-responses](http://www.local.gov.uk/parliament/briefings-and-responses)

For more information about the LGA's work on housing and planning, please go to: [www.local.gov.uk/topics/housing-and-planning](http://www.local.gov.uk/topics/housing-and-planning)

For the LGA Housing Commission final report, please go to: [www.local.gov.uk/lga-housing-commission-final-report](http://www.local.gov.uk/lga-housing-commission-final-report)



### **Local Government Association**

Local Government House  
Smith Square  
London SW1P 3HZ

Telephone 020 7664 3000  
Fax 020 7664 3030  
Email [info@local.gov.uk](mailto:info@local.gov.uk)  
[www.local.gov.uk](http://www.local.gov.uk)

© Local Government Association, May 2017

For a copy in Braille, larger print or audio, please contact us on 020 7664 3000. We consider requests on an individual basis.

---

**Chill wine bar**

1 message

**Robin Hacking** <robinmhacking@gmail.com>

19 February 2026 at 09:39

To: Charlotte Rose &lt;Charlotte.Rose@wolverhampton.gov.uk&gt;

Charlotte can you tell me whether Mo has exercised his right of appeal? We have a TCF meeting tonight and I know people will be asking.

Do you know how long he has to make his appeal after the initial decision and if he has/does appeal do you have any assessment of how long it might take before the appeal is held.

We are still hopeful we will see you at one of our meetings when circumstances allow.

Kind regards

Robin Hacking.

Chair Tettenhall Community Trust

Sent from my iPad



Tettenhall Community Forum is a working group formed under the  
Tettenhall District Community Trust (Steering Group).  
The Forum is registered with WCC Local Planning under  
Neighbourhood Plan, Locality Act and SCI statutes.

cid:A3606900-8651-407F-9967-8824DD37BC27.png  
16K

