



**NEW MERTON LOCAL PLAN – Public Examination
MATTER 1 – legal compliance and procedural requirements**

**Submission from Mitcham Cricket Green Community & Heritage
May 2022**

1. Mitcham Cricket Green Community & Heritage takes an active interest in the future of the Cricket Green Conservation Area and its environs. We are the civic society for this part of Merton and part of the wider civic movement through membership of the national charity Civic Voice. We have been closely involved in the development of the Merton Local Plan and its evidence base and we made detailed representations in September 2021, January 2021, January 2019 and January 2018 on Merton Council's call for sites at Stage 1 of the Local Plan review; the draft Plan for consultation at Stage 2 and Stage 2a; and the submitted Plan at Stage 3.

2. This submission confirms our wish to participate in the Examination's hearing session on Matter 1.

3. Our representations address many of the Questions raised for discussion. Our views on the most relevant issues are as follows:

Sustainability Appraisal

4. The Plan's preparation was not legally compliant due to a failure to make the Sustainability Appraisal publicly available at the start of the Stage 2a consultation process as a result of leaving it password protected. We raised the issue with Merton Council which extended the consultation period accordingly. We have no evidence of the Sustainability Appraisal being developed in an iterative manner. For example we have had no response to our representations (paragraph 80) on the need for more comprehensive requirements for monitoring than proposed in the Sustainability Appraisal Appendix A.

Consultation

5. The Plan has not been "*shaped by early, proportionate and effective engagement*" and our representations have highlighted numerous shortcomings, including:

- A lack of opportunity to engage directly with those preparing the Plan (online opportunities were still available during Covid for collective and individual meetings)
- Obtuse presentation of the consultation documents (including the failure to provide a downloadable version of the complete plan; poor internal structure and lack of contents; illegible diagrams; incorrect maps; and different sections of the Plan being issued for consultation at different times)

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- Lack of availability of much of the Plan's evidence base during the consultation process and a lack of consultation on a majority of it
- The limited nature of the changes made to the Plan during the consultation process, even on basic errors of fact and grammatical and syntax errors, despite extensive public feedback
- A failure to provide any summary of how responses have been addressed until Stage 3 of the process
- A failure to provide the Sustainability Appraisal at the beginning of the Stage 2a consultation process

6. The failure of Merton Council to make changes to the Plan and to repeat basic errors in subsequent drafts fundamentally undermines public trust in the process. We know a number of organisations opted out of further engagement in the consultation process due to a lack of responsiveness to their representations and the poor quality and opaqueness of both the Plan and the process. As a result they are unable to be represented at the Examination.

7. The remedy for these shortcomings is hard to find as they go to the heart of the process through which the Plan is prepared. We believe their causes are cultural as well as procedural and they are not helped by a significant lack of staff resources in Merton Council. Public trust and support for the Plan is dependent on effective engagement and this could only be achieved by rewinding the process and undertaking a fundamental review of the approach to consultation and engagement. We requested this in our representations on the 2a consultation draft without response.

8. We recognise the Local Plan as a critical document for the future development and conservation of the area and the downsides of a revised Plan not being adopted soon. Given the major reforms of the planning system now underway and the likely need for an early review of the Local Plan we would welcome a strong and well publicised acknowledgement of the benefits of improved community engagement and a commitment to a much more robust and inclusive approach in the future.