

INDEPENDENT EXAMINATION OF THE MAGHULL NEIGHBOURHOOD PLAN

EXAMINER: Patrick Whitehead DipTP (Nott) MRTPI

This response is to the points raised by the Examiner in his letter of 17th August 2018. It has been prepared by **Sefton Council** in liaison with **Maghull Town Council** and is dated 28th August 2018.

- 1. Can Sefton Council confirm (with documentation as necessary) that Melling Parish Council was consulted upon and is in agreement with the 'land-swap' referred to in para 1.3 of the Plan and para 2.2 of the Basic Conditions Statement?**

Response: Confirmation that Melling Parish Council were consulted and agreed to the land swap is contained within a report to Cabinet dated 5th February 2015 (see parts 3 and 4) which is available on Sefton [Council's website](#).

- 2. Did Sefton Council have any comments at the Regulation 16 stage? If so, could these be provided?**

Response: Sefton Council did not make any formal comments at the Regulation 16 stage. Detailed comments had been provided during the plan preparation process and at the Regulation 14 stage. Maghull Town Council has been receptive to many suggested amendments and has updated the emerging plan accordingly, with two notable exceptions set out below.

Sefton Council made Maghull Town Council aware that policy MAG 1: List of Infrastructure Projects went beyond reasonable planning requirements and was unlikely to be considered acceptable as the list of infrastructure projects were community aspirations rather than requirements necessary to make any of the allocated sites acceptable in planning terms. However, the Town Council was unwilling to remove or amend this policy and wished the Examiner to decide.

Similarly Sefton Council expressed concern that MAG 2: Regeneration of Maghull District Centre would be difficult to implement by the Town Council when it was the Local Planning Authority who determined planning applications. Again, the Town Council was unwilling to remove or amend this policy and wished the Examiner to decide whether this policy could remain in the Plan. Sefton Council therefore considered there was little merit in commenting further on these two policies at the Regulation 16 stage.

Sefton Council considered that as none of the remaining policies were contrary to the strategic policies of the Local Plan, there was no need to comment further. Both Sefton and Maghull acknowledge there are a few minor issues relating to wording and clarity remaining in the plan that the Examiner may wish to address.

- 3. Please provide a statement to demonstrate that the Plan is compatible with the Human Rights Convention.**

Response:
European Convention on Human Rights
The Maghull Neighbourhood Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. Considerable emphasis has been placed throughout the consultation process to

ensure that no sections of the community have been isolated or excluded and to avoid any unintentional negative impacts on particular groups. This is documented in the Maghull Neighbourhood Plan Consultation Statement.'

Maghull Town Council has confirmed they are happy for this paragraph to be included in the plan at a place to be determined.

4. Has there been a specific consultation with Highways England regarding the intention to define the A59 as a Green Corridor subject to the provisions of policies MAG5 and MAG6?

Response: The A59 is part of the Local Highways Network and as such the responsibility of the Local Highways Authority. Highways England was therefore not specifically consulted about this, although they did receive a general Regulation 16 consultation notification.