

Transcript of speakers at Overview and Scrutiny Committee 23 July 2018

S Kornycky

Good evening. The HDC Scrutiny Guide states, and I quote, all those who provide an issue are sent a reply as to when the issues will be reviewed or a reason why the issue was not included in the Programme. But the published 2018/19 work programme has not incorporated nor even logged the requested review of the severe failings of the democratic process in the north of Horsham development as proposed at the 26th March meeting. Yet I'm clearly aware that the submitter has not had any such response. My understanding from attending the meetings, speaking and listening to the audio recordings, when the microphones were actually switched on, was that this item was provisionally carried forward subject to official guidance to ensure that it did not fall into Scrutiny excluded matters. A copy of the Statutory Instrument covering such excluded matters was submitted to the O&S Chairman. It seemed to confirm the exclusion would not apply to this work item despite there being a planning matter involved. When I originally spoke in support of this item I noted 'in a modern democracy openness and transparency are critical to winning the hearts and minds of the electorate'. Unfortunately it appears that the ethos behind the wrongful and arguably deliberate withholding of the viability information still persists. What other conclusion must I draw from the apparent attempt to lose this work suggestion? I do hope that you will reinstate it for proper consideration. Thank you.

P Kornycky

Good evening everyone. Like the previous speaker, I note that my work programme suggestion seems to have vanished. Initially I was encouraged by the open and honest scrutiny debates over both the ICO ruling and my separate but related work item. Events since then have been somewhat disappointing. There has been no official communication to me as to the status of my proposal. A review of minutes and audio recordings of meetings compounded my bewilderment. There's not even a mention of the promised official ruling on scrutiny excluded matters. I've heard it said again tonight that the proposed new NPPF with its emphasis on open viability information will remove the problem but that completely misses the point. The issue is that, as confirmed by the ICO, there was fundamental misapplication of EIR regulations at the most senior of levels in HDC. How could the Planning Director and Head of Legal knowingly get these regulations so wrong? These repeated breaches potentially compromised the democratic process with reference to north of Horsham. A Judicial Review could have ensued. The new NPPF may well have different disclosure rules for viability information but what's to stop these being systematically misapplied too? Additionally and very, very importantly note that these same breached EIR regulations apply universally not just to viability information and so HDC almost certainly is continuing to wrongfully deny the public their rightful access to data on other matters. Your Scrutiny Guide says you contribute to democracy by stimulating public engagement. Please demonstrate this by carefully considering my work request. Thank you Chairman.