



Background

Since formal recognition by Calderdale Council in 2017, the Clifton Neighbourhood Forum has participated in the examination process. The Forum commissioned independent transport, infrastructure, planning, air quality and legal expertise to review Calderdale's local plan, respond to the local plan consultations and provide evidence to help the Forum develop a sustainable and deliverable neighbourhood plan for Clifton.

Evidence from the Forum's experts, and frequently the council's own evidence, clearly highlighted continuing issues with the council's proposals that were not addressed before or during the examination process. Local plans must be based on up-to-date and sound evidence to ensure that the decisions made are the best for communities now and in the future.

Calderdale's plan adopted by a narrow majority

After delayed and protracted hearings over an extended period, resulting in substantial new evidence being generated by the council after the plan had been submitted for examination, Calderdale Council voted (by a narrow majority) on 22 March to adopt their local plan.

Based on the failure to address fundamental issues, the Forum's professional advisors remained concerned that the plan was undeliverable, unsustainable and would result in needless and unjustified destruction of the green belt – also implementing a sustainable and deliverable neighbourhood plan for Clifton Village impossible.

The Forum, like other long-standing local plan participants, had two options, either accept or challenge the decision within six weeks of adoption.

Vote to launch a legal challenge

Following the overwhelming vote on Thursday, 20 April by eligible members of the Clifton Neighbourhood Forum, the Forum Executive moved quickly to engage solicitors and open a CrowdJustice page to fund a legal challenge to Calderdale's decision to adopt their local plan.

The £5,000 reserve target was exceeded on day two, vindicating the Forum's decision.

*It takes courage to challenge the choices made by those in power,
and it is thanks to the generosity of people across the borough and
the earlier work completed by the Forum that this action is possible.*

Current position

The legal papers were filed at the High Court on Friday, 28 April and served on Calderdale Council and the Secretary of State for Levelling Up, Housing and Communities on 2 May. The claim seeks an order quashing the decision to adopt the Calderdale Local Plan. It provides several detailed grounds for the claim, including errors of fact within the Inspector's Report on which the decision to adopt was based.

Both parties have 21 days from serving to respond to the claim to indicate whether they are conceding (i.e. agree that the decision to adopt the local plan should be quashed) or whether they intend to defend the claim. If they intend to defend, they will need to include their main arguments in their response.

If at least one party is defending the claim, then the matter will go before a Judge (on the papers only) to decide whether to grant permission for the claim to proceed to a full hearing.

By 17.09 today (Sunday 14 May) the Forum had raised the minimum amount (£15,000) to fund this claim, the stretched target of £20,000 is achievable within the next nine days. Further fundraising will be required to finance any subsequent full Court hearing.

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About the Forum

The Clifton Neighbourhood Forum was granted approval by Calderdale Council on 1 August 2018 to create a neighbourhood plan for Clifton Village. The Forum contributed and participated in all the relevant local plan examinations. All volunteers and with no council funding or grants, the forum continues to rely on donations and fundraising to finance their work.

Further information: info@cliftonforum.org.uk