

**Strictly Private and Confidential**

For the attention of Ms L Tremble  
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Your ref:

13 February 2019

When telephoning please ask for: Patrick Robinson

Dear Sirs

**Penrith Masterplan**

The Council's Executive passed the following resolution on 5th February 2019:

- Action on the Penrith Strategic Masterplan, with the exception of the on-going analysis, be suspended until after the forthcoming elections in May 2019;
- the new Council administration should consider the outcomes from the analysis work and any other representations and alternative suggestions submitted and determine the most appropriate course of action; and
- the Executive should give consideration to the matter of public consultation on the Penrith Strategic Masterplan (in its current or amended form) after the elections in May 2019.

We understand at the same time that an announcement has been made by the Council that the draft Eden District Council Development Plan will be subject to public consultation from 6 February to 19 March 2019.

A consistent message has emerged from our legal criticisms of the Masterplan, that while it remains subject to the flaws in its preparation and consultation to date it cannot be used to inform the emerging local plan. Past statements by the Council have referred to this as the Masterplan's purpose.

The effect of the resolution above is even more firmly to reinforce the message that there can be no reliance within the local plan consultation on the contents of the Masterplan. That includes retrospective reference to it after the local elections. The Council, however constituted at that point, cannot treat comment on the local plan as comment on the Masterplan and resume progress upon the latter from where it left off.

If the Council seeks to tie the Masterplan and Local Plan together in this way it risks transferring the flaws in process and content of the former to the latter, that would also transfer the current Masterplan legal challenge risk to the Local Plan.

In light of the above resolution, we expect that the Council will wish to defer our outstanding requests for information from the Council until after the May Council election. Our clients are prepared to accede to this with a view to saving the Council money and in the hope that a newly constituted Council will wish to scrap the Masterplan. If this is indeed the position of the new Council then our clients will be prepared to drop their requirement for information to be provided once that new position is formally resolved by the new Council.

Our clients and Keep Penrith and Eden Special will continue to monitor this position.

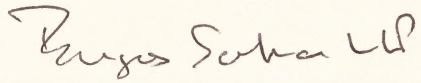
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Yours faithfully

  
BURGES SALMON LLP