

**MINUTES OF THE EXTRAORDINARY MEETING OF GREAT BARTON PARISH COUNCIL ON  
TUESDAY 8<sup>th</sup> AUGUST 2017 COMMENCING AT 7.15 PM**

<b>Item.</b>	<p><b>Members Present : Councillor Philip Reeve chaired the meeting together with Councillors Peter Fisk, Maggie Dunn, Nicky Crouch, Matthew Parker and Diana Boys.</b></p> <p>7 members of the public were present including the Chairmen of Fornham St Martin and Fornham All Saints Parish Council's and Adrian Graves, the resident of Gt Barton and waste industry representative.</p>
<b>1.0</b>	<p><b><u>Chairman's welcome, reminder about the filming of meetings and to receive apologies for absence</u></b></p> <p>Councillor Philip Reeve welcomed everyone to the meeting. Apologies were accepted from Councillors Eddie Gibson and Kate Trevitt.</p>
<b>2.0</b>	<p><b><u>(i) To receive members Declarations of Interest – Members are reminded of their responsibility to declare any pecuniary or non-pecuniary interests which they have in any item of business on the agenda no later than when that item is reached &amp;, when appropriate, to leave the meeting prior to discussion and voting on the item. (ii) Council to consider any new written requests for dispensation and/or requests which have been received prior to the meeting</u></b></p> <p>There were no Declarations of Interest or requests for compensation.</p>
<b>3.0</b>	<p><b><u>Council to debate and conclude seeking professional legal services on the submission of further information to the Secretary of State to provide the best possible case of the West Suffolk Operational Hub planning application being called in for assessment.</u></b></p>
<b>3.1</b>	<p>Councillor Nicky Crouch had asked the advice of a solicitor, with regard to legal advice and the Parish Council's request to the Secretary of State to 'call in' the application, to ensure a full and proper consideration of the issues, concerns and the application generally.</p>
<b>3.2</b>	<p>Councillor Philip Reeve confirmed the 3 aspects for the Councillors to consider :</p> <p>(1) For the solicitor to prepare a submission letter/report to show in particular that the scheme has wider than 'district wide' impacts and to ensure the Parish stand the best chance of having the application 'called in'. The Cost for this is a capped fee of £850 plus VAT.</p>
<b>3.3</b>	<p>(2) For the solicitor to carry out a detailed review of the application papers, committee report, screening documents, the consultation responses to date and advise on the grounds of challenge. Advice can then be fully given on the strategy and the need and content of further representations. The budget for this is £2,250 - £2,750 plus VAT.</p>
<b>3.4</b>	<p>Items raised following an initial review include: Does the National Planning Policy Framework (NPPF)14 presumption automatically apply? The question is whether a policy is 'silent' if it does not consider a particular issue or contain policies for a specific type of development. The Developer Council has adapted the latter interpretation which could inadvertently allow a range of unusual developments that would never be specifically mentioned in a development plan to benefit from the NPPF14 presumption. Other policies will be checked to confirm they have been properly assessed and considered in the balance.</p> <p>The reliance on mitigation measures to justify the conclusions as to why there are no likely significant impacts.</p> <p>Is there a need for the council to consider alternative sites again, following a reference to an alternative site in the request to the Secretary of State, dependant on the policy requirements and level of details as to the deliverability/suitability of the alternative site?</p>
<b>3.5</b>	<p>(3) Further representations prior to planning committee:</p> <p>The solicitor would have input into any further representations and previous advice as to the grounds of challenge can be used. On the basis that these are prepared by the Parish or the consultant team for the solicitor to review, the fee for this is capped at £750 plus VAT.</p>
<b>3.6</b>	<p>The Council were advised to consider that further ad-hoc advice and support may be required, which could be agreed as the application progresses. In the event that the application is 'called-in' or if a judicial review is progressed, total fees could be between £15-30,000, with the involvement</p>

of a junior barrister.

**3.7**

Councillor Philip Reeve opened up the meeting to invite any comments from the floor.

The following points were raised:

1. Councillor Nicky Crouch explained the ramifications for how all developments are treated in the future, if this application goes ahead and the wider implications for planning decisions across the Country.
2. The Secretary of State will only 'call-in' the application if St Edmundsbury Borough Council are 'Minded to Approve' the application. If they refuse the application it will not be 'called-in'.
3. There was a discussion on future funding and whether 'Crowd Funding' would be appropriate.
4. The letter to the Secretary of State from the 3 Chairman has been acknowledged, however it may not be strong enough to get the application 'called-in'.
5. The Chairmen of Fornham St Martin and Fornham All Saints Parish Councils confirmed that, at their respective Council meetings in September, they would ask for a contribution towards the costs involved and confirm what support they could give.
6. The Chairman of Fornham St Martin indicated that they were willing to pay 50% of the first cost of £850.

**3.8**

Councillor Philip Reeve proposed that Gt Barton Parish Council seek professional legal services on the submission of further information to the Secretary of State to provide the best possible case of the West Suffolk Operational Hub planning application being called in for assessment. (1) For the solicitor to prepare a submission letter/report to show that the scheme has wider than district wide impacts and to ensure the Parish stand the best chance of having the application 'called in' at a capped cost of £850 plus VAT (2) The solicitor to carry out a detailed review of the application papers, committee report, screening documents and the consultation responses to date and advise on the grounds of challenge. The budget for this is £2,250 - £2,750 plus VAT. (3) The solicitor would have input into any further representations and previous advice as to the grounds of challenge can be used. On the basis that these are prepared by the Parish or the consultant team for the solicitor to review, the fee for this is capped at £750 plus VAT. The total amount of £4,350 + VAT was agreed to be paid from the general reserve. Councillor Philip Reeve asked the Council to be mindful that there may be future expenditure. This was seconded by Councillor Maggie Dunn. Councillor Matthew Parker then added a counter proposal that the Council agree to the £850 first payment on the condition that the Councils of Fornham St Martin and Fornham All Saints agree to share the costs and pay 1/3<sup>rd</sup> each. There was no seconder for this proposal so Councillor Philip Reeve reiterated the original proposal. This was agreed with 5 votes in favour and 1 against.

**3.9**

The solicitor had quoted significantly lower fees, by 25/50%, to reflect his wish to work with the Parish Council and also on the basis that there are a number of other consultants that may prepare or feed detailed comments into draft documents.

**3.10**

All 3 items were agreed at this meeting due to the tight timescale with St Edmundsbury Borough Council's Development Control Committee meeting again in September.

There being no further business the meeting finished at 8.45pm.

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CHAIRMAN Signed as confirmation that they are a true record.

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