

**MINUTES OF THE EXTRAORDINARY SPROUGHTON PARISH COUNCIL MEETING HELD AT THE BARLEY ROOM,
TITHE BARN, LOWER STREET, SPROUGHTON ON 25TH FEBRUARY 2016, AT 7PM**

Councillors present:

Cllr S.Curl (Chairman), Cllr K.Barwick, Cllr P.Powell, Cllr I.Selby

Mrs S. Frankis, Clerk & Responsible Financial Officer

240 APOLOGIES FOR ABSENCE TO BE RECEIVED
Cllr H.Davies, due to personal commitments.

241 TO ACCEPT MEMBERS DECLARATIONS OF INTEREST
Cllr S.Curl, Cllr K.Barwick, Cllr P.Powell and Cllr I.Selby advised they had been granted a dispensation which allowed them to participate, or participate further, in any discussion relating to the anticipated mixed development by Taylor Wimpey at Chantry Vale (the land bordered by A1071, A1214 and A14), and to participate in any vote, or further vote, taken on that business by that body.

242 PLANNING APPLICATION B/15/00993; TO CONSIDER LEGAL ACTION OPTIONS, AND RELATED MATTERS
Cllr S.Curl advised a public meeting had been held at the Tithe Barn, Sproughton on 24th February 2016; there were 70 attendees. The meeting had been advised of the issues surrounding the two Babergh District Council (BDC) Planning Committee meetings, held on 25th November 2015 and 10th February 2016, and the possibility of associated legal issues; the meeting had been advised that possible costs of pursuing legal action could be in the region of £50k+. Towards the end of the public meeting a 'straw poll' had been taken in order for the Parish Council to gauge parishioners views regarding the Parish Council pursuing a Judicial Review against BDC. There had been a unanimous show of support for the Parish Council to pursue legal action against BDC, no one opposed the option and there had been no abstentions.

Cllr S.Curl proposed the Parish Council instruct Prettys Solicitors to start Judicial Review proceedings against Babergh District Council's decision to re-run the Planning Committee meeting of 25 November 2015, a re-run meeting which was then held on 10 February 2016. It is understood the Babergh District Council Monitoring Officer gave this instruction to the Council to do so. The Parish Council will wish to establish the piece of legislation by which the Monitoring Officer applied in order to re-run the meeting, thereby determining the legality of the meeting held on 10 February 2016. The Council unanimously resolved to instruct Prettys Solicitors to start Judicial Review proceedings against Babergh District Council.

The Council understood the cost of pursuing the legal action could be in the region of £50k + BDC costs, should the review find in favour of BDC.

Action: The Clerk is to instruct Prettys Solicitors to start Judicial Review proceedings against Babergh District Council.

Cllr P.Powell considered the Parish Council should seek clarification from the BDC Monitoring Officer that she is aware of (i) the issue of a mobile telephone text message having been received and read during the BDC Planning Committee meeting of 10th February 2016, and (ii) the Chairman's conflict of interests.

Action: The Parish Council will seek advice from Prettys Solicitors.

Cllr S.Curl advised he is drafting a list of issues of concern that parishioners may wish to raise with BDC, as requested at the Public Meeting held on 24th February 2016. It is intended the list will be published on the Parish Council website.

Action: The Clerk is to notify the Fringe Parishes, the District Cllrs, the County Cllr and the press that the Parish Council has instructed Prettys Solicitors to pursue a Judicial Review against Babergh District Council.

Action: The Council agreed to ask the Fringe Parishes if they would make a financial contribution towards the legal costs likely to be incurred by pursuing a Judicial Review against Babergh District Council.

Cllr S.Curl asked the Parish Council RFO if there would be sufficient Parish Council funds to cover the legal costs of pursuing a Judicial Review against Babergh District Council. The RFO confirmed the Parish Council held sufficient reserves to cover the costs. The Council asked the Clerk to minute that they had made the decision to pursue a Judicial Review against Babergh District Council knowing that a worse case scenario could mean legal costs of £50k+.

The Chairman called an Extraordinary meeting of the Parish Council to be held on 2nd March 2016, 9am at the Barley Room, Tithe Barn, Sproughton.

The meeting closed at 7.32pm

Chairman : _____

Date: _____