

HUNGERFORD TOWN COUNCIL

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MINUTES of the **Extra-ordinary Full Council Meeting** held on Wednesday 14th June 2017 at 7.00pm in the Corn Exchange Complex, Hungerford.

Present: Cllrs Knight, Hudson, Brookman, Winser, Finlay, Simpson and Chicken.
Also: Brian Williams and Davina Frances

1. **Apologies:** Cllrs Crane, Benneyworth, Farrell, Wood and Colloff
2. **Declaration of Interests:** None
3. **Signing of Tennis Court Lease Renewal** – The break clause has been amended as requested. Cllr Simpson proposed the lease renewal is signed, seconded by Cllr Brookman, all in favour. The Mayor and Clerk signed the document.
4. **Proposal to agree H&S training expense** – The last H&S training was carried out in 2013. A quotation for a full days training has been received from our current H&S Consultants Ellis Whittam. Cllr Chicken entered. This would be a group event for employees and contractors and cover topics requested such as lifting, legionella's testing, lone working etc. Cllr Winser proposed proceeding with the H&S training session at a cost of £755 plus VAT, seconded by Cllr Brookman, one abstention, rest in favour.
5. **Salisbury Road Site 16/03061/OUTMAJ and DPD: Legal Challenge Update and potential Judicial Review'** Consideration and proposal of further actions following the decision of the West Berkshire Council WAP meeting to agree the outline planning.

Cllr Hudson has been speaking to Environmental Law Foundation (ELF) as recommended by AONB. The information would be sent to Landmark Chambers who are recommended by both Cllr Small and Rob Megson. It is a complex issue and we are unsure of the extent of the impact of the DPD being approved would have if we were to challenge the planning application. Any major work in the AONB needs to meet para 116 and the work has not been done by WBC. He suggested we instruct Landmark to carry out a legal opinion and this could then be received by Friday and we would need to decide whether we wish to proceed at a Full Council meeting on Monday.

Cllr Hudson advised it could cost potentially £20K-£30K if we lose as we have to pay £5k of £10K of WBC's costs. We should only proceed if we have a very good case. Does housing need for the area justify building on the AONB? If we do proceed Cllr Hudson is confident we would receive funding from other sources.

Cllr Finlay asked if the opinion is middle of the road, do we ask the public to come forward and pay for it? The 20th is the deadline but we are unsure of time **Action:** CHECK. We also will need to do all the work to prepare the case. The process is drafting grounds, then a judge will consider whether it is worth pursuing. If we win we should get back nearly all of this money. Cllr Finlay suggested we go out to the public now and ask for a financial commitment/ a pledge.

The member of public (Davina Frances) attended the WBC meeting and argued that Cllr Crane was unable to provide 40% affordable housing in the HTC preferred option but WBC were. Cllr Hudson advised WBC has yet to sign the s106 agreement and they haven't guaranteed 40%. The wording is up to 40%. Cllr Simpson advised the station site could be flipped with another site to become residential and could provide affordable housing.

Cllr Brookman is waiting for a response from the District Councillors on what the parking provisions for the town are once the temporary car park in the station closes. **Action:** Cllr Knight will follow this up with the DCs.

An extra Full Council meeting on Monday will look at the legal opinion. Crowd funding is an option to raise money. ELF can help with environmental crowd funding.

The costs to agree at this stage are:	Contributions so far:
£2500 for a legal opinion	£1000 from the community
£250 for a voluntary contribution to ELF	£500 from CPRE
£3000 for drafting the grounds	
Total £5750	

Cllr Hudson proposed proceeding with legal opinion, with regard to WBC's DPD, from Landmark Chambers at a cost of up to £2750, understanding that £1500 is available from other sources, seconded by Cllr Finlay, all in favour.

Cllr Hudson proposed if a positive legal opinion is received, HTC agrees to proceed with submission of the Judicial Review that challenges the WBC DPD. Costs will be shared across the community and a further £3000 should be allowed for to enable the process to meet the submission deadline of 20th June, seconded by Cllr Finlay, all in favour.

The Clerk advised there is a budget for LDF of £2000 and a contingency budget of £7500 which is for the whole of the council for the year.

It was noted that HTC are doing this for the general population of Hungerford and it is to be a transparent process. The press were encouraged to report. The main problem with building in the AONB is the precedence set and this is of national significance.

Action: Shane Finlay is to send out a brief on Crowd Funding and manage this.

Action: Clerk to circulate legal opinion once received.

Cllr Hudson was thanked for his work.

Meeting closed 7.45pm