

MINUTES OF THE MEETING OF GORING ON THAMES PARISH COUNCIL
Old Jubilee Fire Station, Goring 11:00am Saturday 2 April 2016
Extraordinary Council Meeting

Members Present:

Chairman	Kevin Bulmer
Vice-Chairman	John Wills
Members	Catherine Hall
	David Brooker
	Mary Bulmer
	Matthew Brown
	Brandon Hancox
	Emrhys Barrell

Officers Present:

Clerk	Colin Ratcliff
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Approx. 45 members of the public and press

Introduction

The Chairman apologised for the limited space and that the meeting had to be called at such short notice, explaining that the timescale for judicial review of planning matters was recently reduced from 3 months to 6 weeks and that, if any action were to be taken, it needed to be started in the next few days. He also referred to wider issues of South Oxfordshire District Council (SODC) not applying planning regulations correctly.

The press stated an intention to record the meeting. There were no objections.

16/59 To receive apologies for absence

Apologies for absence were received from:
Cllr's. Reavill and Urbick (Cllr. Urbick was listening but not contributing via a web-link)

16/60 To receive any declarations of interest

None

16/61 Public Forum

Questions and comments from the public are summarised:

Suggestion to study a National Trust Report 2015 regarding Area of Outstanding Natural Beauty (AONB) planning decisions. The NT employed a firm to review and found two thirds of decisions were flawed. Mainly on major or minor designations.
The Chairman stated the Parish Council (GPC) had received similar advice.

Comments made included that some SODC planners were consultants and not employees. That SODC planning committee had not given due weight to the areas of concern. A question was raised as to whether SODC have an 'anti' approach to GPC. The chair was not aware of any and examples were given of the good relationship GPC has with SODC planning officers. The chairman stated he did not believe all officers have sufficient training on AONB issues.

There had not been one question at the planning committee meeting about AONB, just on the amount of electricity that might be generated. The Chairman stated the officers should have raised it but didn't. There were also concerns the conditions re noise should have been considered before approval and not to be reviewed afterwards.

SODC usually take great notice of their officer's report and can allow too much weight to be given to the potential cost involved should there be an appeal against refusal.

Signed:

K. Bulmer

Dated: 11 April 2016

Question was raised whether the applicants need to show financial ability for the project. The Chairman stated not for planning matters.

16/62 To consider the Parish Council's response to South Oxfordshire District Council's approval of a planning application regarding Goring Weir (P15/S2946/FUL) and to consider making a legal claim.

The Chairman gave details summarised from initial legal advice received, regarding a number of potential grounds for Judicial Review and the steps required to be taken should a decision be made to proceed. Initially instructing solicitors to send a Pre Action letter providing the basis for a legal argument, SODC can then decide to accept the claim and agree to a consent order with which the Courts would quash the decision and it could then be reconsidered, or to not agree, at which time GPC would have to consider a full Judicial Review application.

Cllr. Brooker said SODC had not followed the National Planning Policy Framework (NPPF) overlooking some sections. The Chairman stated there could be an argument about major / minor designation.

Potential costs were discussed with the initial stage of dealing with a Pre Action letter costing in the region of £2,500.

Further questions were asked about time limits. The Pre Action letter would need to be sent early next week to meet the 6 week deadline if required.

Cllr. Barrell asked whether the applicants could sue GPC for delaying the process. It was pointed out the 6 week period is part of the process and GPC have a right to apply for Judicial Review should it decide to do so.

Cllr. Brooker summarised the objections GPC had made at the SODC Planning Committee Meeting.

Cllr. Hall stated GPC had picked up flaws before it went to the committee which had been pointed out to SODC but ignored.

A member of the public stated GPC was within their rights to pursue legal action if SODC didn't follow the correct procedures. Another commented that GPC did support the scheme some years ago for a feasibility study.

The Chairman summarised that the question was not one of whether the scheme was wanted or not but whether it has been considered within the correct legislation with weight being given to the areas that should have been.

Resolved: That GPC instruct solicitors to send a Pre Action letter.

Resolved: That a GPC Committee made up of all Councillors be set up to consider taking further action.

The limited timing issues were further discussed. A question was raised from the public as to whether GPC could afford the action. The Chairman replied there were sufficient funds but that it would have to be taken from other parts of the budget. Another asked if the public could donate funds for this purpose and the answer was given that they could.

Cllr. Hancox asked that anyone feeling strongly about the issue should also write and petition SODC.

A comment from the public regarding an SODC Councillor saying at the Planning Meeting that Goring should not be 'set in aspic' was further evidence of the lack of weight given to the AONB.

Cllr. Wills asked the Council to thank Cllr. Urbick for the hard work he had put in on this matter.

The Chairman declared the meeting closed at 1141 hrs.