

Longstanton Parish Council



Minutes of the Extra Ordinary Meeting of the Council, held at Longstanton Village Hall on Tuesday 3 May 2022 at 7.30pm.

Present: Cllr Burns (Chairman), Cllr Wycherley, Cllr McPhater, Cllr Street, and Cllr T Brash-Hall

In attendance: 9 members of the public and B Stoehr (Locum Clerk)

Apologies for Absence

Apologies were received from Cllr A Brash-Hall (Out of Parish), Cllr Ferreira (Unavailable), Cllr Chapman (Unavailable), Cllr delaMare-Lyon (Out of Parish) and Cllr Baker (Out of Parish).

Councillors' Declarations of Interest

Declarations of interest from Councillors on items on the agenda: None

Requests to speak: None.

To receive requests for dispensations: None.

Grant of dispensations: None.

Public Session

Daniel Fulton of Fews Lane Consortium explained, on behalf of the residents present, the current situation with the legal challenge to SCDC. Although he had thought the funding to proceed had been secured the solicitors had requested an upfront amount, which has to be received by the solicitor on the 4th May, which had not been anticipated so requested £7,500 from the Parish Council to proceed. Without the funding being secured the legal challenge could not proceed. The legal challenge is being made by Fews Lane Consortium and FoE and has substantial backing by Longstanton residents. At a public meeting, where Cllrs delaMare-Lyon, T Brash Hall, Street & Wycherley attended as observers only, on the previous Friday approx. 30 people (excluding councillors) attended a discussion on this subject where all attendees via a show of hands supported the legal challenge. This was a substantial turnout especially given this was at the start of long bank holiday weekend and it should be noted there were further expressions to the Parish council by people who could not attend in person.

Councillors asked questions about the process, funding options, risks and possible outcomes. No guarantees could be given regarding the result or recovery of legal expenses although it was explained that the Parish Council would not be liable for further solicitor costs or third party costs if the claim is unsuccessful as they are not co-signatory to the action or contracted to the solicitors.

Residents spoke of their experiences and some of the costs the community had already incurred due to the collapse of water levels related to the Phase 1 works and their concern that Phase 3a being upstream of this with reported water level drop of approx. 2 metres would further worsen the situation. Phase 3b was concerned less likely to have an impact and hence the legal challenge is for Phase 3a.

Mr Fulton stated that they could probably get together 2/3rds of the costs if the Council contributed the other 1/3rd. It was stated that Longstanton Parish Council, represented the most impacted community, taking action would act as an example to the other Councils and Groups. Mr Fulton stated that it had not been his intention to ask the Parish Council for funding and would not request further funds from the Council for the legal fees going forward.

There is a possibility of taking action without a barrister, which would reduce costs, but this was not desirable.

The members of the public left the room voluntarily at 8.40pm during the Council debate.

21-22/155

Consideration of material presented to Longstanton Parish Council by bodies seeking Parish Council support to take legal action against SCDC decisions on Northstowe Phase 3A and 3B.

The Parish Council considered the request and the implications, including how to address the issues surrounding their legal and financial due diligence and how it could be funded as it was unbudgeted expenditure. The Clerk reported possible funding sources in the budget and that the Council had the General Power of Competence. To address the issues surrounding legal and financial due diligence it was

RESOLVED to contribute £2,500 directly to the solicitor's client account and contact the solicitor which had provided the receiving bank account details to make them aware of the LPC payment source and query their confidence levels concerning the proposed Judicial review to help LPC understand the risks. The Parish Council acknowledge the Northstowe Phase 3A and 3B dewatering issues are of importance to the community, the Council is unable to contribute the full amount from public funds as, due to the late timing of the request, the Council had been unable to carry out its usual due diligence or seek independent legal advice. No further funding requests will be considered by the Council relating to this legal action.

The members of the public returned to the meeting at 9.23pm and the decision was reported.

There was no other business and the meeting closed at 9.31pm.

SignedChairmandate.
