

HASSOCKS PARISH COUNCIL

You are summoned to an extraordinary meeting of the **Parish Council** on 19th December 2016 **at 7.30 pm** in the Council Chamber, Parish Centre, Adastra Park, Hassocks.

Colin Hunt
Locum Parish Clerk

AGENDA

1. APOLOGIES

- 1.1 To Accept Apologies for Absence.

2. DECLARATIONS OF INTEREST

- 2.1 Disclosure by Councillors of personal interests in matters on the agenda, and whether the Councillor regards their interest as prejudicial under the terms of the Code of Conduct.

3. PUBLIC PARTICIPATION

*Up to fifteen minutes will be available to allow for the public to make representations, answer questions or give evidence **in respect of any item of business included in the agenda**, in accordance with Standing Orders.*

4. REPORTS

4.1 JUDICIAL REVIEW – FRIARS OAK FIELDS PLANNING APPROVAL

Council is requested to authorise a budget of £5k to be cover the preparation of a brief, prior to seeking a legal opinion on whether a judicial review would be advisable.

It is not known at this stage whether a judicial review will be required but due to the short timescales for applying for a Judicial Review preparatory work is required to be undertaken in advance.

5. URGENT MATTERS

Urgent Matters at the discretion of the Chairman for noting and/or inclusion on a future agenda

EXCLUSION OF PUBLIC AND PRESS

In the event of any confidential business that may be transacted, members of the public or press will be requested to withdraw from the meeting.

FILMING, RECORDING OF COUNCIL MEETINGS AND USE OF SOCIAL MEDIA

During this meeting members of the public may film or record the Committee and officers from the public area only providing it does not disrupt the meeting. The Confidential section of the meeting may not be filmed or recorded. If a member of the public objects to being recorded, the person(s) filming must stop doing so until that member of the public has finished speaking. The use of social media is permitted but members of the public are requested to switch their mobile devices to silent for the duration of the meeting

Please Note

All members of the public are welcome to attend meetings of the Parish Council and its Committees.

Item 3 – a period of 15 minutes will be set aside for the public statements and questions relating to the published non-confidential business of the Meeting.

It may be necessary to consider particular items in confidential session and where this arises, these items will be considered at the end of the agenda

BACKGROUND PAPERS

Appendix 1

Paragraph 1 extract from Minute 16/505 - Public Participation – Council meeting of the 8th November 2016.

“One resident, Mark Alder, discussed the recent Mid Sussex District Council Planning Officers recommendation with regard to the planning application submitted for Friars Oak. The recommendation had been for the Committee to approve the plans which was contrary to advice from the Parish Council and through the emerging Hassocks Neighbourhood Plan contrary to the will of the community. The Neighbourhood Plan was not mentioned and if the Neighbourhood Plan is allowed to fail it could mean development on all of the sites considered in the Neighbourhood Plan process. The resident presented a petition with 600 signatures collection of which was still ongoing. The petition would be submitted to the Parish Council in due course. The petition was to establish a request for the Parish Council to allocate funding towards a judicial review with regard to the disregard the Planning Officers had for the Neighbourhood Plan”.

Appendix 2

Minute 8 from the NPWG meeting of 24 November to discuss seeking legal advice on the request for Judicial Review on planning approvals not in the Neighbourhood Plan.

“IW pointed out that the Parish Council had received a 600 signature petition for a Judicial review of the process leading up to the Friar’s Oak planning application being permitted by MSDC, albeit that this decision was frozen pending the Secretary of State considering the Call in of the planning application.

NO felt that the outcome of the Ham Field Appeal and Friars Oak decision would need to be known before going ahead with a Judicial Review

DM confirmed that once a decision had been made on the Friar's Oak site there would be a six week period in which to seek a Judicial Review. If the Secretary of State called in the planning application then the hearing would be some way down the line. If not then since it was possible that the S106 agreement was already being worked on to allow the decision to be issued quickly on the full planning application then there might be little time to prepare a brief to see if a Judicial Review had any chance of success.

DM was asked whether he would have the time to prepare such a brief.

DM advised that a brief would take approximately a month allocation of time over which he would spend approximately one week in preparing it and cost approximately £3000. He would be able to do this. The Working Group would need to consider the questions that needed to be put forward to the Barrister/QC in the brief to enable a decision to be made as to whether there was a case for a Judicial Review. DM would look at these questions and prepare the back ground notes to facilitate an answer from the Barrister/QC.

BH suggested that in view of the timescale described by DM and the fact that, if the Secretary of State decided not to call in the application, MSDC could issue the planning permission almost immediately, it would be sensible to commence preparing a brief as soon as possible.

IW thought that the Parish Council needed to be ready with a brief and JF supported this.

SH reminded the Group that the decision lay with the Parish Council.

FG queried whether the petitioning group could be ask the help out with the brief.

DM cautioned against involving a third party as in his experience the interests of the parties may not align.

IW felt that members of the public who had expertise in certain areas may be helpful to DM. FG confirmed that David Withycombe a member of the Working Group was happy to support the Neighbourhood Plan with further work and may be useful to DM. Minutes of the meeting of the HNPWG 24th November 2016”