

**MINUTES of the MEETING of BOXFORD PARISH COUNCIL** held on Monday 4th January 2021 at 7.30 p.m. by Zoom Video Meeting.

**PRESENT:** J Fincham-Jacques (Chairman), M Wooderson, P Edwards, T Munson, D Warren, C Britton, D Hattrell (Clerk), B Hurren (District Cllr) and 3 members of the public.

**APOLOGIES:** A Sargeant (Vice Chairman) had previously sent his apologies for not attending video conference meetings for medical reasons and this has been accepted. J Finch (County Councillor) had sent his apologies.

**DECLARATION OF INTEREST BY COUNCILLORS:** Nothing was declared.

**MINUTES OF 7TH DECEMBER 2020:** Accepted as correct.

**PUBLIC FORUM:** Nothing was raised.

**PLANNING AND FINANCE:** M Wooderson shared his views, however, needed to leave the meeting due to a personal commitment before the resolution was passed, so he was unable to take part in the voting. The meeting was closed for intervals to allow the members of the public to use their experience and expertise to help address questions. Members were concerned that the Planning Committee (at the Planning Authority - Babergh District Council) had been misdirected on key planning considerations, including lack of awareness that community benefits (a community building) were not in reality being offered to justify a departure from local policy, that a highway proposal to create a footpath linking to the village centre did not conform to national guidance, and that providing such a footpath in Ellis Street would narrow the road causing a conflict between pedestrians and vehicles. The Parish Council had arranged a specialist assessment of the Highways proposals and had shared the report with the Planning Authority ahead of the Decision Notice being issued. The Decision Notice and 106 Agreement failed to address the key considerations relied upon by the Planning Committee in reaching their Decision. Concerns were relating to the delivery of the Community Building, Highways and Footpath provision and a lack of a condition relating to superfast broadband. The next stage in challenging the Planning Committee Decision would involve a pre-action letter to the Planning Authority to give them a further opportunity to agree to quash the Planning Decision. This follows written challenges from the Parish Council to the Planning Authority sharing information and seeking action ahead of the Decision Notice being issued. If the Planning Authority fail to take appropriate action following the pre action protocol letter, the case would go before a judge where a decision is made whether the case could proceed to Judicial Review. Members had noted the considerable costs involved and the advice from Solicitors and Counsel on the prospects of making a successful challenge. It was noted that it would be necessary for any adverse costs to be capped at £10,000. Following detailed discussion on all aspects, P Edwards proposed that this Council should seek a Judicial Review challenging the granting of Planning Permission to Catesby Homes with an Aarhus Convention/ Judicial Review Cost capping protection in terms of adverse costs. This was seconded by D Warren and unanimously carried by the 5 members present at that stage of the meeting.

The meeting closed at **8.15 p.m.**