



**WALBERTON PARISH COUNCIL  
INCLUDING FONTWELL AND BINSTED**

Parish Council Office, The Pavilion, The Street,  
Walberton, Arundel, West Sussex, BN18 0PJ

Tel: 01243 554528

email:clerk@walbertonpc.org.uk

[www.arun.gov.uk/walberton](http://www.arun.gov.uk/walberton)

**DRAFT – NOT YET CONFIRMED**

**MINUTES OF THE EXTRAORDINARY MEETING OF THE WALBERTON PARISH COUNCIL HELD  
IN THE PAVILION AT 6.30pm ON TUESDAY 13 MARCH 2018.**

- 116/18 Record of attendance and apologies**  
In attendance: Cllrs Mrs Clark (Chair), Mrs Lewis, Rogers, Camerer Cuss, Strickland and Mrs English.  
A. Pepler – Clerk.  
Apologies: Apologies were received from Cllrs Mitchell and Moores.  
Five members of the public were present.
- 117/18 Declaration of interest in items on the agenda**  
None.
- 118/18 To review the planning applications of WA/23/17/OUT and WA/44/17/OUT**  
Mr Peter Youatt, vice chairman of the NPSG, had previously circulated a report covering items 3 to 5.  
The Secretary of State had made the decision not to call in the planning applications, which had been approved by Arun District Council. The Neighbourhood Plan Steering Group had met on 1 March 2018 and started the process of seeking advice on whether to mount a legal challenge. Mr Peter Youatt said that he had been informed it would take between 6 and 24 months before any Judicial Review.
- 119/18 To receive the Neighbourhood Plan Steering Group report and recommendations for action**  
The minutes of the Neighbourhood Plan Steering Group Committee meeting of 1 March 2018 together with two additional documents (previously circulated), were noted. It was recommended that advice should be sought from Dr Ashley Bowes as to whether there are any grounds on which these decisions can be challenged by way of Judicial Review.  
Cllr Strickland proposed a motion that Cllr Mrs Clark be the central point of contact on behalf of WPC in matters pertaining to these applications. The motion was seconded by Cllr Mrs Lewis and was passed unanimously.  
Resolved: The council authorises the Chairman Suzanne Clark to act as the single contact for the purpose of instructing Dr Ashley Bowes of Counsel and David Foster of Barlow Robbins Solicitors LLP in all matters relating to the proposed Judicial reviews

of WA/23/17/OUT and/or WA/44/17/OUT.

**120/18**

**To review counsel's advice and resolve to agree process**

Note was taken of Counsel's advice (previously circulated). Potential grounds for challenge.

Barnfield House (WA/23/17/OUT) – Green versus Brownfield and ADC policy GEN3 Tuppens Field (WA/44/17/OUT) - No Environmental Impact Assessment had been carried out, Avisford Park house – heritage asset.

Cllr Camerer Cuss proposed a motion that WPC agrees to the process of challenging the decisions by way of possible Judicial Reviews. The motion was seconded by Cllr Strickland and was passed unanimously.

Resolved: To challenge the decisions.

Resolved: The council delegates to its committee the Neighbourhood Plan Steering Group the consideration of the advice to be given on receipt of replies from ADC to the pre-action protocol letters to be sent and the decision as to whether to instruct the lawyers that proceedings are to be issued and, if they are, to issue such instructions.

**121/18**

**To resolve to appoint Barlow Robbins LLP as acting solicitors**

Cllr Mrs Clark reported that Barlow Robbins LLP specialists in High Court Planning legislation disputes and were recommended by Dr Ashley Bowes. Their fees would be £1000 for a conference call and follow-up. It will cost between £1000-£3000 for claim forms and serving proceedings. The total will be between £3000 - £6000. Possible reduction if Barlow Robbins are not involved in conference call. There are tight deadlines for the court claim forms to be submitted of 4 and 5 April. All documents from WPC will be signed by herself and the Clerk, with a substitute of another committee chair if either are unavailable. Cllr Mrs Clark proposed a motion to appoint Barlow Robbins LLP as acting solicitors and, if passed, she would make a payment to them of £2000+ VAT by debit card. The motion was seconded by Cllr Mrs Lewis and passed unanimously.

Resolved: Barlow Robbins LLP appointed as acting solicitors.

**122/18**

**To approve payment of Dr Ashley Bowes, Cornerstone Barristers, fee notes**

Dr Ashley Bowes had presented two fee notes for £1600+VAT each (total £3840) for his professional services, which had been authorised by the Neighbourhood Plan Steering Group under their terms of reference. This had been paid on 8 March 2018.

Approved: Payment of Dr Bowes's fee notes totalling £3840 approved.

Signed.....

Chair

Date.....