

Broadhembury Parish Council

Addendum to Minutes of Meeting held on 19th July 2016 , summarising discussion between Mr Chipperfield (representing BVM) and Chairman BPC. [this addendum consists of four pages of which this is page 1]

Item 4¹ Public Discussion

The Chairman opened this section of the public discussion saying that it would be recorded in more detail than normal because the references were complex ,and that he was willing to have a public dialogue on the issues raised in emails to the PC from BVM dated 1st June and 7th June 2016 and replies from the PC. These emails raised important questions about the acquisition of land for additional car parking adjacent to the Memorial Hall ,the Neighbourhood plan and proper record of discussions. He invited Mr Chipperfield to speak.

Mr Chipperfield thanked the Chairman for the opportunity to speak and said that he was concerned about the apparent change of a policy only two weeks after it had been announced at the May PC ²meeting. The policy had set out why the offer from Mr. Andersen to gift money for the acquisition of land could not be pursued as a conflict of interest might be perceived should Mr. Andersen seek Planning approval for his own development. Mr Chipperfield went on to say that he had understood and accepted this position and was therefore surprised to learn that the policy no longer applied when the PC announced on 1st June ³that it was accepting a gift of land from the Gundry family who clearly had there own development plans. He also asked about how this issue was dealt with in the Neighbourhood plan, when the next draft of the NP would be made public and why this apparent change of policy had not been properly recorded.

Acquisition of land for car parking adjacent to Memorial Hall

The Chairman replied that he welcomed the opportunity to cover the responses already sent by email and would take this opportunity to add new information.

Mr. Andersen had generously offered at a public meeting in December 2015⁴ to 'underwrite' an offer from the PC to acquire land owned by the Gundry family. At a later meeting ⁵Mr. Andersen acknowledged that he too would like to develop housing and that furthermore he had been retained in support of a potential housing application by another landowner. The PC was not aware if these proposals were for a commercial development or an exclusive development of a small number of 'affordable' houses because the intention had not been discussed in detail nor had it been the purpose of the meeting to do so.

¹ Refer to main minutes 19th July BPC meeting

² Refer to minutes at www.broadhemburyparishcouncil.org.uk

³ email to subscribers. Join at www.broadhemburyparishcouncil.org.uk

⁴ 11th December 2015. See minutes.

⁵ 25th January 2016

The Chairman said that following the meeting with Mr Andersen (attended by two Parish Councillors and the Clerk) the PC was of the view that this was complex and potentially compromising. There was no suggestion that the offer was in any way improper and it had been genuinely and generously made, but given public concerns about transparency the PC decided to proceed differently. In fact in his email to Mr Andersen the Chairman had acknowledged that the offer had prompted the PC to think differently about possible solutions.

Accordingly they had thanked Mr. Andersen for his generous offer and decided to get the land in question independently valued for which they had secured a grant. The valuation then formed the basis of a direct offer to the owners to purchase the land from existing PC funds. This was the situation as reported at the last PC meeting on 17th May⁶

Following the offer to purchase the owners generously offered to gift the land to the PC on 22nd May ⁷and legal conveyance on that basis has commenced. Covenants (as reported elsewhere) will exclude housing, overnight parking and specify exclusive use for Hall/ church –related issues. The car park could not be used as overflow parking by residents and for other uses it would be at the sole discretion of the PC. Use of the land as a car park would require Planning permission.

Mr Chipperfield responded that he could see little difference between accepting money from person A to purchase land from person or persons B, compared to the acceptance of land as a gift from person or persons B. He argued that both were potentially compromising if both persons A and B intended to submit Planning applications and was amazed that the original policy had not been recorded. Furthermore since the land in question was now owned by family members (persons B) rather than Trustees he could see little if any differences between the two situations. Both situations in his view were equally compromising.

In response the Chairman acknowledged that the distinction was a fine one. The advice he had taken emphasized the differences between person A introducing new information not in the public domain during an informal closed discussion and person or persons B whose intentions had always been clear and publically stated on a number of occasions. In addition it had been made clear to person B (and as it happened contemporaneously to person A) that the PC (as a result of the commitment to abide by the outcome of the village survey) could not support any housing development in the village and that this would not feature in the draft Neighbourhood plan. At the point at which the PC offered to purchase the land ⁸there was no reasonable expectation that it would be gifted. In fact as late as 27th April this seemed unlikely .⁹ Furthermore,the Chairman continued that he

⁶ see BPC minutes 17May at www.broadhemburyparishcouncil.org.uk

⁷ letter to BPC from Mr D Allen. Letter to be published at later date

⁸ letter from Chairman BPC to Mr D Allen. Letter to be published at later date

⁹ email to Mr D Allen from Chairman BPC (cc'd to Select Cttee). Letter to be published at later date.

had previously reminded BVM that the PC did not 'agree' Planning applications, so it seemed to him that the concerns of BVM were exaggerated.

He concluded by acknowledging that the PC and the BVM group differed on this issue and were unlikely to agree, but he reassured the Parish that the sole intention was to acquire land as cheaply as possible for the benefit of the community and he was at a loss to see how else the BVM group thought the PC should proceed, or should have proceeded differently to achieve this aim which he understood BVM also shared.

The Neighbourhood plan

A number of questions had been raised about the Neighbourhood planning process (17th May 2016 email) and the Chairman said he would answer these too.

The intention was to hold a further public meeting on Sept 29th. Before then the revised draft would be made available, a summary would be delivered to every home, email subscribers would receive a copy and it would be available on the PC web site. He went on that whilst the data collected to underpin the NP supported affordable housing it was now clear that the only available site under EDDC Local Plan requirements was not acceptable to the village. Accordingly no site was endorsed in the NP, and the PC would not support any development in the village. However if EDDC policy (concerning proximity to services) changed¹⁰ then it was possible that the PC might support housing development in other villages/hamlets in the parish.

Record of Discussions

Mr Chipperfield said that proper record of policy decisions and changes was not taking place and that decisions regarding land acquisition were happening in secret.

The Chairman replied that circumstances had changed and the PC had responded accordingly. National obsession with politicians who change policy were hardly appropriate for a small part-time PC, but he was of the view in any case that the PC's policy had not changed. The matters had all been discussed both at full PC and in more detail by the 'select' committee set up to pursue the land deal. This had been done to avoid conflicts of interest.¹¹ The creation of the 'select committee' had been agreed in public at the full PC so he rejected any inference if any was intended that the 'secrecy' was inappropriate. The formal letters between the PC and the landowner would be placed in the public domain on conclusion of the business.

¹⁰ See <http://eastdevon.gov.uk/planning/planning-policy/villages-plan/villages-plan-2016-consultation>

¹¹ see BPC minutes 15th March 2016 at www.broadhemburyparishcouncil.org.uk

Mr Chipperfield responded that, accepting the PC believed it had good reasons for changing the policy he could still not understand the failure to minute the original statement in the May 17TH Minutes.

The Chairman replied that it was his omission. He had realised after the May meeting that by default Mr Andersen had not been advised and as a courtesy he had emailed Mr Andersen to advise and thank him before public record.¹² He had then omitted to include a sentence in the minutes. He did not intend to amend the May minutes now because the issue had been fully discussed in this debate and would be minuted in more detail than usual.

In conclusion the Chairman said that although he had sometimes questioned the tone of communications from the BVM, who in his view saw conspiracy when none existed, he nevertheless acknowledged and welcomed questioning of PC action and fully supported public accountability and transparency.

Mr Chipperfield thanked the PC for the time taken to cover the issues raised.

¹² 26th May email from Chairman BPC to Mr Andersen