

# **BRAUNSTON PARISH COUNCIL**

## **Minutes of the Parish Council meeting held on Tuesday the 18th of June 2024 at Braunston village hall**

**Carole Brown clerk to the Parish Council**

The meeting opened at 2000hrs.

Welcome: Chris Bichard welcomed the approx. 100 residents to the village hall

Apologies: None

Present: Carole Brown (Clerk), Chris Bichard (Chairman), Jane Ellis, Jim Atack, Emlyn Smith, Peter Allen, Richard Beadman, John Harry

Declaration of Interest: None

Subject: Planning Consent - **2022/1286/MAO Land at Brooke Road**

Chris Bichard gave a brief history of the applications to develop the site, previous refusals, and the Parish Council's consistent objection to its development. He described the current development proposal which was to be subject of the discussion. Since the application had been made in November 2022 the RCC had failed to give a determination and the applicant was able to take it straight to appeal with an inspector from the Secretary of State. Braunston Parish Council objected to the application and again at the appeal. Notwithstanding those and many other objections the Inspector approved the development in May 2024. The Parish Council, after taking legal advice, informed the Secretary of State of three legal grounds on which it wished to challenge the decision; the SoS did not accept these points leaving the PC's only option as challenge in the High Court.

The purpose of the meeting was to gauge village opinion and for the PC to decide whether to pursue the case in the High Court.

Jane Ellis explained that a challenge could only be brought if legal errors had been made by the Inspector in his determination. The PC had been advised by our barrister that there were three such errors at law, and that our chances of success were above 65%. Jane went into some detail regarding the process that had been undertaken through the

planning application and appeal stages, detailing the areas that had not been addressed correctly along the way.

Chris Bichard then advised that, because of the nature of the case and the litigants the costs of failure would be capped. The worst case costs of going forward were estimated at £25,000 by our barrister. Detail of the grounds for challenge had been posted on the PC website, together with a full history and a defence received from the applicant's solicitor on the morning of the meeting; our barrister's rebuff to this letter was also filed on the website. For completeness, copies of all these documents were available in the room, and were brought to the meeting's attention by Jim Attack. It was pointed out that winning the case would likely lead to the appointment of a new inspector to run a new appeal, but that this time around the correct process and evidence would be used. In the event of losing the case the Inspector's decision would stand and none of our funds would be returned.

Following a discussion and Q's and A's the attendees were asked whether they would support the PC's going forward with a High Court challenge and would further be prepared to meet the costs by subscription or crowdfunding. Unanimous support was given by a show of hands. The members of the PC affirmed their decision to go ahead, also with a unanimous show of hands of the full council.

The meeting then moved to recording individual subscriptions which attendees were willing to pledge in support of the High Court Case. By the end of the session some £20k had been pledged; further requests would be sent out by Jim Attack after the meeting to those who could not attend. A dedicated Parish Council bank account would be established forthwith by Carole Brown to process the pledges and costs.

The meeting closed at 2200hrs.

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