

Minutes of the extraordinary meeting of Cherry Burton Parish Council held on Tuesday 28<sup>th</sup> August 2018 in the Sports Pavilion.

Present:- Parish Councillors Arandle, Baker, Dickinson, Jeffrey Peirson, and Wardale.

Clerk - J.Wardale

08/18/X4

Apologies for absence

Cllrs Brown and Stanley

08/18/X5

Declarations of Interest

None

08/18/X6

Privacy discussion

It was agreed that a general progress update could be made in Public on the status of the County Court Claim involving the Parish Council but that details and possible options open to the Parish Council would be discussed in private and details only released after a Court decision had been made.

08/18/X7

Progress update on County Court Claim

Cllr Peirson updated the meeting on the progress of the meeting with the resident at No. 2 The Meadows to discuss the boundary.

He felt that the boundary is not well defined and the problem with the original agreement was that it stated that it was the hedge.

Cllr Baker expressed concern about the current costs and that further legal challenges would increase this.

Cllr Peirson stated that the agreement made at the meeting would be that the PC would remove the boxes, declare that the boundary was the hedge and any claim of damages would be dropped.

Cllr Arandle discussed publicising around the village to let the residents have an opinion.

Agreement in principle has been made that the PC would remove the boxes and negotiate over costs.

It was proposed that the case be fought

**Resolved** – there was a unanimous vote against this.

It was proposed that if legal cover is available that the case be fought.

**Resolved** – this was agreed and Cllr Peirson agreed to contact Zurich Insurance to see if any cover can be claimed.

The original settlement agreement had stated that neither parties would sue, but it was proposed that a good will payment be made towards costs of up to £5000. The electricity boxes would be disconnected and then removed by agreement. The settlement agreement will be changed by mutual agreement.

If this offer is rejected this would have to go to a public consultation to discuss the way forward.

**Resolved** – this was agreed 5 votes to 1.

The meeting ended at 9.10pm

