

Minutes of an extraordinary meeting of Cherry Burton Parish Council held on Thursday 17th October 2018 in the Sports Pavilion at 7.30pm.

Present:- Parish Councillors Peirson (in the Chair), Arandle, Baker, Dickinson, Jeffrey, Stanley, and Wardale.

Clerk – J. Wardale

1 members of the public.

10/18/X12 Apologies for absence
None

10/18/X13 Declaration of Interest
None.

10/18/X14 Motion of Confidentiality
It was resolved again 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 and minutes would only be released after a Court decision had been made.

10/18/X15 Progress update
The Directions Hearing is tomorrow, 18th October 2018 and Cllrs Peirson and Jeffrey would be attending, represented by Mr Parker from ERYC. There was a discussion about the legal fees that would be incurred if agreement was not reached and the Parish Council lost the case.

Following the last extraordinary meeting, it had been agreed that an offer should be made to remove the boxes, not to dispute the ownership of the land and offer £5,000 and it was agreed that the deadline for this would be Friday 19th October 2018.

Cllr Peirson expressed concern about the representatives at the last solicitors meeting having the authority to discuss the boundary and removal of the boxes and felt that this offer should be changed if there was no agreement reached.

There were three suggestions for further proposals if the offer above was not accepted by the 19th October 2018.

Suggestion 1 - Cllr Wardale suggested defining the boundary and, from that, decide the position of the boxes, with the possibility of removing one of them, and agree to pay a proportion of the costs up to £10,000.

Suggestion 2 - Cllr Peirson suggested agreeing a boundary, leave the boxes and make an offer towards costs between £7,000 and £10,000.

Suggestion 3 – to keep the offer of costs at £5,000.

It was agreed to vote on Suggestion 2.

Resolutions

Part 1 - that a boundary be agreed was unanimously resolved.

Part 2 - that the boxes be left in situ - this was resolved 5 votes to 2.
Cllrs Wardale and Baker voted against the proposal as they felt there could be an alternative supply organised for the lights therefore the supply boxes were not an issue.

Part 3 - an offer be negotiated towards costs up to a maximum of £10,000 which should be agreed on the day – this was resolved 5 votes to 2.
Cllrs Arandle and Dickinson voted against this and did not want to increase the original offer of £5000.

Any agreement would include removal of the fence that has been put next to the disputed area.

10/18/X16 Christmas Lights Switch On Ceremony this year
There was a discussion about the event this year.
Resolved – to plan to go ahead and apply for the road closure as usual.
Cllr Peirson agreed to get advice from the Court tomorrow.

10/18/X17 Gates at York Road tip site.
There was a discussion about the importance of getting a new gate installed quickly to prevent any fly tipping. Cllr Baker had obtained a quote of £750 for the supply and installation.
Resolved – to go ahead with the installation.

The meeting ended at 9pm