

# **Whitley Parish Council**

## **Extraordinary Meeting**

1. The meeting was opened at 7.00 pm by the Chairman Cllr Humphrey.

### **2. Open Public Forum(OPF) 9<sup>th</sup> June 2021**

2.1. There were no members of the public present.

2.2. The Chair closed the public forum.

### **Minutes of the Whitley Parish Council Virtual Online Extraordinary Meeting held on 9<sup>th</sup> June 2021 - 03/22**

3. **Present:** Cllr Walton, Cllr Cole, Cllr Blackburn (via telephone) Cllr Woodhead and Clerk to the Council J Hunter.

#### **4. Apologies for absence:**

4.1. Apologies for absence were received from Cllr Humphrey and Cllr White.

#### **5. Disclosures of interest:**

5.1. It was noted that Cllr T Woodhead, Cllr S Cole and Cllr D Broadbent are members of the Gale Common Action Group. A community group campaigning against the Gale Common Ash Extraction planning application.

5.2. There were no other interests registered.

#### **6. Opening matters for information and action as required:**

6.1. **Gale Common Extraction Proposal:** Cllr Woodhead summarised the details of a meeting of the Gale Common Campaign Group held on 8<sup>th</sup> June 2021 attended by Cllr Ian Philips of Cridling Stubbs Parish Council, Cllr Humphrey and Cllr Woodhead of Whitley Parish Council and Cllrs from Womersley Parish Council. The meeting was addressed by the QC who has been appointed to act on behalf of the campaign group in connection with the matter. The advice from the QC was that notwithstanding initial responses to the preliminary documents lodged with North Yorkshire County Council as defendants in the matter and to EP UK Limited as the interested party the case and remains strong and he recommended that we progress to the next stage.

In a further meeting after the consultation with the QC all Councillors in the campaign group expressed their commitment and resolve to continue the legal action presenting the papers to a Judge for an oral opinion of the viability of the arguments and the chances of success in the High Court and settlement of the limit of costs. The additional sums involved would be of the magnitude of £2,000. It is possible that NYCC's reaction to such a move may be to reconsider the planning decision especially given the magnitude of legal costs they would incur if the case were progressed to full Judicial Review.

Expedition of the case will be better managed if Whitley Parish Council took the lead role as plaintiff in the matter. Financial contributions to the legal costs incurred would be given to Whitley Parish by the other parties in the campaign group under separate agreements.

The imminent deadline is the submission of documents to the Court which must be served before 4.00 pm Thursday 10<sup>th</sup> June 2021.

It was resolved that Whitley Parish Council progress to the next stage with the submission of documents to the Court as lead plaintiff and the seeking of oral opinion for a Judge in respect of the viability of the case prior to progression to full Judicial Review.

It is anticipated that this stage would take some 6 to 8 weeks. In the meantime, an action campaign needs to be mounted to attract funds to cover the significant costs of the full Judicial Review. Potential contributors may be derived from several sources with a wider network of Parish Councils being targeted than those directly affected by the planning approval. Councils who have legitimate concerns about the manner and approach adopted by North Yorkshire Planning Department in assessment and conduct of the many applications they approve may be motivated to contribute to secure some victory in holding NYCC to account and setting new precedents in their decision processes. There has been a great deal of frustration and resentment directed at NYCC from communities in connection with the management of the A19 and its prolonged closure. These frustrations may encourage individuals and groups to make some donations.

Crowd funding options will be explored with maximum publicity achieved from local TV news and press including Look North and the Evening Post. It is important to create as broad a promotional campaign as possible that is achieved in the short space of time to engender interest and enthusiasm. Events could be organised such as a Dragon Boat Race that would engage the local communities throughout the Whitley Ward.

**7. Closure of meeting: 7:34 pm**