



Shenley Parish Council

MINUTES OF EXTRAORDINARY MEETING OF THE PARISH COUNCIL HELD ON THURSDAY, 10 DECEMBER 2020, AT 8PM REMOTELY, VIA ZOOM

PRESENT: Councillors Justine Ash, Rosemary Gilligan, Annie Keen, Gavin O'Sullivan and Anthony Spencer.

In attendance:

- Amanda Leboff, Clerk to the Council
- 14 members of the public were present at its most

As the Chairman was absent from the meeting and there is no vice-chair, following a proposer and a seconder it was **AGREED**: - that Councillor Gilligan should Chair the meeting. Councillor Gilligan took the chair for the meeting.

68/20.21. APOLOGIES FOR ABSENCE.

Apologies for absence were submitted from Councillors Natalie Susman and William Susman and County Councillor Morris Bright

69/20.21. DECLARATIONS OF INTERESTS OF ITEMS ON THE AGENDA

Councillor Spencer declared a personal interest as a Borough Councillor.

70/20.21 PUBLIC ISSUES

The extraordinary meeting was called to discuss and decide on the possibility of seeking Legal counsel's opinion as to the merits of seeking a judicial review around Hertsmere Borough Council's decision regarding planning application 20/1450/FUL - Land at Pinks Cottage, Rectory Lane, Shenley, Hertfordshire, WD7 9AW.

The chair gave the meeting background to the situation and introduced the potential costs of seeking counsel's advice. It was noted that as the Shenley Neighbourhood Plan had not yet gone to referendum due to COVID-19, if any amendments were needed to be made to it, now was the appropriate time.

As this was an emotive topic for the Shenley Community, all members of the public who wished to speak were given the opportunity to do so.

The questions and statements made related not only to the planning application itself but also the Shenley Neighbourhood Plan and its legal weight.

Representatives of both the Neighbourhood Plan Steering Committee and the planning application in question made representation to the meeting.



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71/20.21 TO DISCUSS THE POSSIBILITY OF SEEKING LEGAL COUNSEL'S OPINION AS TO THE MERITS OF SEEKING A JUDICIAL REVIEW AROUND HERTSMERE BOROUGH COUNCIL'S DECISION REGARDING PLANNING APPLICATION 20/1450/FUL - LAND AT PINKS COTTAGE, RECTORY LANE, SHENLEY, HERTFORDSHIRE, WD7 9AW. "DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF REPLACEMENT 2 STOREY, DETACHED, 5-BEDROOM DWELLING TO INCLUDE LANDSCAPING, ACCESS AND IN-STALLATION OF REAR OUTDOOR SWIMMING POOL, TENNIS COURT, DOUBLE GARAGE, LOG STORE AND STORAGE SHED."

The Councillors discussed further the possibility of seeking Legal counsel's opinion. It was asked if the Neighbourhood Plan advisor would put into writing the strength of her belief that the decision made by Hertsmere Borough Council was not in line with the Neighbourhood Plan. It was suggested that there are differing interpretations of the Neighbourhood Plan and as such this is what requires further clarity.

72/20.21 TO APPROVE THE INITIAL COST OF OBTAINING COUNSEL'S OPINION AND TO NOTE POSSIBLE FURTHER ACTION SUBJECT TO COUNSEL'S ADVICE.

The Councillors were asked to vote to spend up to £10,000 initially seeking counsel's opinion as to the merits of seeking a judicial review around Hertsmere Borough Council's decision regarding planning application 20/1450/FUL, and if the Shenley Neighbourhood Plan needs amending due to its findings.

The Councillors voted, 3 in favour and 2 abstentions. As such it was **AGREED** to seek counsel's advice

73/20.21 The meeting ended at 9.50p.m.

Chairman