



Stour Valley Action Group

www.stourvalleyactiongroup.org.uk

Newsletter



23rd May 2013

Dear Supporter,

Please see below the minutes of our meeting last night.

1 Introduction.

A meeting was held in Little Horkesley Village Hall on May 22nd for SVAG Members and other supporters to review the status of the Bunting Appeal against the decision of Colchester Borough Council to reject Planning Application No 120965 for Horkesley Park. The meeting was attended by about 100 people. Apologies from various members of the Committee were noted.

2 Status of inquiry:

Will Pavry reviewed the status of the Appeal:

The Appeal had been recorded on April 4th 2013. The Grounds of the Appeal are on the SVAG web site

CBC has put out a letter to all who wrote previously inviting comments to PINS (the Planning Inspectorate) by June 6th. The address for this contact is on the web site and many people have written with further comments. Those who have not written were encouraged to do so before the closing date.

The Appellant and the Council have to present their Statement of Case by about June 20th. They will have to declare their expert witnesses at this stage.

The PIM (Pre Inquiry Meeting) will be held on June 27th in Colchester. This is an open meeting and SVAG will attend.

Proofs of evidence from expert witnesses will have to be submitted by the beginning of September.

The Inquiry will start at the beginning of October in Colchester at a venue to be advised. It is a Public Inquiry and as such anyone is entitled to attend and contribute. 12 days have been allowed. The Inspector will report his decision in confidence to the Secretary of State.

It is a Recovered Appeal and the Secretary of State will make the final decision. This will be announced in early 2014.

The names of the Inspector and the main parties from the Council and the Appellant were given.

3 Options for representation:

These were presented by WP with the assistance of Robert Pomery.

Firstly, any individual or organisation can ask to speak at the Inquiry, They might be subject to mild cross-examination by Counsel for both sides. It was confirmed that the various other organisations present at the meeting would use this as their preferred method of presentation. It is believed that the Dedham Vale AONB and Stour Valley Project will also use this method of stating their case.

Secondly, any organisation or individual can apply for Rule 6 status. WP identified the **benefits** of this as being:

The ability to make opening and closing statement.

The ability to cross-examine the Appellant's witnesses.

Provision of additional expert witnesses.

Some control over issues agreed between the parties as common ground (and therefore excluded from the Inquiry).

Party to all documentation.



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He identified the **disbenefits** as being:

The need to employ an advocate. The cost for a junior barrister for the whole hearing could be up to £35,000. This would need to be secured before giving instruction.

The need to identify an area, or areas, that would add to the Council case and then find, instruct and employ one or more expert witnesses.

Any statements made by or on behalf of SVAG would be subject to rigorous cross-examination. (If we do not take R6 status we would be able to make more general statements without having to be able to prove them in the same way.)

He said that both the Council and PINS were encouraging us to take R6 status. No decision on this has to be made until after the PIM meeting on June 27th. The Council are seeking help on a number of issues which were discussed.

4 Discussion:

The merits, or otherwise, of taking R6 status were discussed at length by the meeting with the valuable assistance of Robert Pomery from his experience of acting at Inquiries. Issues were raised on both sides of the argument.

A show of hands indicated a **two thirds majority in favour of taking R6 status. Many people did not vote one way or the other**

It was agreed that no final decision could be taken until after the PIM meeting and that the Committee would then come back with their recommendation to the membership. The Committee were not given licence to proceed without reverting to the membership.

The critical question of funding was discussed. It would not be possible to proceed in any event unless sufficient funding could be guaranteed. It was agreed that pledges of funding would be sent direct to WP at willpavry@aol.com. Nayland with Wissington Conservation Society pledged £2000.00 and DVS £1000.00 at the meeting. Pledges will not be called in until and unless we take R6 status.

Please can we have pledges from as many people as possible as soon possible.

5 Presence at the Inquiry:

We will need to show the strong level of opposition to the Appeal by having as many people as possible at the Inquiry. This will be confirmed at a further meeting.

The meeting closed at 9.00pm

Will Pavry
Chairman