

**AGENDA ITEM No. 8.5**

**MINUTES**

Meeting: **Urgent Business Items Sub-Committee**

Date: 10.00am Tuesday 20 September 2011

Venue: Aldern House, Baslow Road, Bakewell, Derbyshire

Chair: Mr G Nickolds

Present: Mr P Ancell, Prof J Herbert, Cllr G Purdy.

Apologies for Absence: Cllr A Favell, Mr C Pennell

**1/11 PUBLIC PARTICIPATION**

The Director of Development Planning reported that Foolow Parish Council had been made aware that Brosterfield Caravan Site would be the subject of a Part B report to this meeting, and had therefore sent an email informing the Authority that they intended to present a petition signed by 94 electors of the parish of Foolow stating:

"We the undersigned, being electors of the Parish of Foolow, register our extreme disappointment in the performance of Peak District National Park Authority (PDNPA) in being a party to permitting the installation of "park homes" (static caravans) upon the site of the former Brosterfield Farm caravan park. We require the PDNPA to resolve the matter promptly and, without regard to cost of reparations."

The email also advised that a number of Foolow residents had written to PDNPA stating their intention to claim damages as a result of the impairment of property values.

The Head of Planning reported on additional representations received.

**2/11 MEMBERS DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3/11 EXEMPT INFORMATION S100 (A) LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:**

That the public be excluded from the meeting during consideration of Agenda Item No 6 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 "Information relating to the financial or business affairs of any particular person, (including the Authority holding that information)" and Paragraph 5 "Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings".

JOINT REPORT OF HEAD OF PLANNING AND HEAD OF LAW

**4/11 CONSIDERATION OF POSSIBLE LEGAL PROCEEDINGS – BROSTERFIELD CARAVAN SITE, FOLOW (P.4484/RJB/AGM/CP)**

It was noted that although this issue would normally be considered by the Audit, Resources and Performance Committee, because of the need to lodge papers in the High Court by 27 September the Sub-Committee had delegated authority to determine the above item as an urgent matter. Although details of the discussion would be contained in the exempt minutes, the Sub-Committee were of the view that, as the decision made by the Sub-Committee did not disclose exempt information as defined in the Local Government Act, the full resolution should be included in the Part A minutes of the meeting .

**RESOLVED:**

- 1. To authorise the commencement of legal proceedings in the High Court to appeal against the decision of the planning inspector dated 16 August 2011 made in respect of land at Brosterfield Caravan Site, Foolow.**
- 2. As a matter of urgency to ask officers to simultaneously consider all options for solutions available to the Authority with a view to bringing a report to a full Authority meeting and in the meantime keep the Chair and Deputy Chair of the Authority and the Chairs and Vice-Chairs of the Planning and Audit, Resources and Performance Committees informed of progress.**
- 3. To ask the Director of Development Planning, in consultation with the Deputy Chair of the Authority and the Chair of Planning Committee to prepare a statement to communicate to Foolow Parish Council, neighbouring Parish Councils and the local community the decision of the Sub-Committee.**
- 4. To include a record of these decisions in the Part A minutes of this meeting.**

The meeting ended at 12pm.