

PICKMERE PARISH COUNCIL

Number 587(S)

MINUTES OF THE SPECIAL PICKMERE PARISH COUNCIL MEETING

HELD ON TUESDAY OCTOBER 1ST 2013

AT 7.30PM

PICKMERE VILLAGE HALL

AGENDA

- 1. Present:** Councillors: A Shore (Chairperson), C Tarrant (Vice Chairperson), P Gough, S Wilkinson, J Webb, V Brown, S Read, and Clerk: R Fogerty

Apologies: Councillor R Pepall.

Public: 8

Press: Warrington Guardian

This was a closed meeting, in that the public could attend, but not speak.

- 2. Declaration of Interests:** Every member of the Parish Council, as a 'body', declared interest, being the registered owners of the land.

- 3. Application to Register Land as a Village Green: Pickmere IROS.**

Section 15(1) of the Commons Act 2006

Chairperson, Andrew Shore, introduced this meeting in that it was the sole item on the agenda, that being to consider the application as above. Notices had been displayed on the Boards in the village.

The Council will consider what additional information and response is required to reply to Cheshire East in connection with an application to change the status of the IRS land to that of a Village Green.

Mr Andrew Shore handed out printed sheets naming 8 Items for discussion, to all Councillors.

- a) The Role of Cheshire East Legal Dept and the information provided:**

He expressed concern that CE had not made the information available to all Residents. Anyone who wishes to see the application has to go to CE Offices, at Sandbach to see the details. It has not been available on the web-site.

- b) Application Details:**

Councillor C Tarrant had been handed the application by the Clerk, prior to her going on leave. He had contacted the person who sent the letter; a member of the legal department but she was not available. The application seemed simply a bundle, of information, but did not seem to convey the impact to us as a Parish Council. AS had made inquiries to DEFRA since receiving it.

The Application became available in February, and this was only received by our Clerk on August 15th. SW stated that the delay of six months in receiving this was of concern. CT expressed his concern that few residents are aware of the application. AS agreed and felt there should have been wider publicity.

c) Are we clear as PPC what Village Green status implies? (See 'd' below)

d) Do we need specialist advice to help with 'c' above?

CE Councillor, SW, has been in touch with CE – there is a need for us to have our own legal advice. It is a legal process and SW feels there should not be a deadlock with the reply date, in order to pay due diligence to the application. AS asked the councillors should we look at the Application now, or seek legal advice first. He asked for a proposer and seconder re. seeking legal advice. SR proposed and CT seconded and 5 councillors agreed to legal advice

e) How much time do we need to reply as land owners?

This will be governed by the legal timetable.

f) Do we have an obligation to make application available/known to residents as their Council?

It was agreed to publish these Minutes on the web-site.

Also, a full set of the Application and Plans will be made available to view in the Village Hall. The arrangements for viewing these will be arranged in due course. There will be a councillor present at the time of viewing.

g) Deeds

The Council hold a copy of the transfer of land by the original land owners, A'106' being the deed signed. AS will make a copy of these available to our chosen Legal Advisors.

h) What form of reply should be sent to Cheshire East Legal Team?

There are statements in the documents re. what the Council are planning to do with the land concerned. Some of these are grossly overstated. The decision was taken not to refer to these until we have had legal advice and no comments to be made re: this application until that time.

AS will look into seeking an experienced Legal Advisor.

Clerk to send letter to CE, making short holding response, stating we wish to take legal advice.

(Clerk to copy in letter in these Minutes – see end).

PICKMERE PARISH COUNCIL

**Chairperson
Pickmere Parish Council
32 Pickmere Lane
Pickmere
Cheshire
WA16 0JU**

Ms Elaine Field
Legal Services
Cheshire East Council
Westfields
Sandbach
Cheshire
CW11 1HZ

3.10.13

Dear Ms Field

**RE: Pickmere IROS – application to register land as a Village Green
Section 15 (1) of the Commons Act 2006**

Pickmere Parish Council, having considered the above application for Village Green status on the land indicated on the plans therein, wish to make a short holding statement as below.

The Council has agreed to take legal advice, and upon receipt of such advice, will give a full response to the application.

The Council would, however, express its concern that this application was submitted in February 2013 and did not receive a copy until August 15th, and therefore would ask for a further eight weeks Consultation Period over and above the current 8th November deadline.

Yours sincerely

Andrew Shore
Chairperson to Pickmere Parish Council

