



BOUGHTON-UNDER-BLEAN PARISH COUNCIL

Minutes of the extraordinary meeting of the Parish Council held at St Barnabas Parish Centre on Tuesday 17th September 2024 from 7:30pm to 8:35pm

Present:

Cllr T. Covell (Chairman), Cllr J. Muteham, Cllr S. Moakes, Cllr S. Harper, Cllr I. Linfield, Cllr P. Ray

Also present:

Mrs S. Muteham (Clerk) and 3 members of the public

243. Apologies

- A. Apologies received from Cllr D. Clayson
- B. Reasons for absence approved. **Resolved:** to accept apologies for absence from Cllr D. Clayson

244. Declaration of Interests

None

245. Public Participation

Attending members of the public spoke briefly to note their concern over the process of Swale Borough Council's decision to grant planning permission for development at The Vicarage, 101 The Street.

246. Planning

- A. Members present considered a litigation in the name of Boughton under Blean Parish Council, relating to the planning application at The Vicarage, 101 The Street, (23/504718/FULL), which had been independently undertaken by Cllr Moakes with no prior authority of Boughton under Blean Parish Council (BPC). The Clerk and Chairman advised Cllr Moakes that under legislation, no individual councillor had the authority to act on behalf of the Parish Council. It was reported that SBC had agreed that its decision to grant planning permission was unlawful, following receipt of a 'pre-action' letter as part of a judicial review process, Noting that the process had been undertaken on behalf of the Parish Council without consent, it was agreed that the end result was one supported in principle. After a lengthy discussion and an in-meeting telephone call to the solicitors, conditions of possible acceptance to finalise and settle the matter were agreed that legal costs be to a maximum of £5,000.00 + VAT, to which the parish council would have no financial liability as the costs would be entirely recoverable from SBC. Other parties, including Cllr Harper and Cllr Moakes reported that they were personally willing to support financial expenditure in excess of the nominated amount and subsequently reported a declaration of interest. Members took a vote and it was agreed to proceed with the process. Having declared an interest, Cllr Harper and Cllr Moakes took no part in the vote. **Resolved:** to proceed with the legal process of Judicial Review against Swale Borough Council.

Chairman's Initial.....

Signed by the CHAIRMAN of the meeting

Chairman's Initial.....