



# STRATFORD ST MARY PARISH COUNCIL

## DRAFT

**MINUTES OF AN EXTRAORDINARY MEETING OF THE PARISH COUNCIL HELD ON  
TUESDAY 23<sup>RD</sup> OCTOBER 2018 COMMENCING AT 7.30PM IN THE VILLAGE INSTITUTE,  
HIGHAM ROAD, STRATFORD ST MARY**

		<b>Action</b>
<b>1.</b>	<b>Present and apologies for absence.</b>	
	Bill Davies (Chairman); Richard Tilbrook; Lorry Shead; Kevin Cassell, Shaun Baker, Graham Pearce; Roger Barrell (Vice-Chairman), Hilary Cairns and Jenny O'Hanlon (Clerk)	
	3 Members of the Public:	
	<b>Apologies:</b> - Brian Such	
<b>2.</b>	<b>Declarations of interest and dispensations.</b>	
	(1) To receive declarations of interest from councillors on items on the agenda.	
	(2) To receive written requests for dispensations for disclosable pecuniary interests (if any).	
	(3) To grant any requests for dispensations as appropriate.	
	There were no declarations of interest from councillors and no requirement for dispensation.	
<b>3</b>	<b>To discuss the recent correspondence received relating to the land dispute at the former garage site Lower Street</b>	
	The Chairman commented that we had agreed to fund professional legal advice at the September meeting from Wilson Browne. Since appointing our solicitors all Councillors had received a significant package from Thompson Smith and Puxon, Mr Wilds Solicitors on this matter.	
	The Chairman then asked the Councillors for their comments.	
	Cllr Baker commented that due to it appearing that we will not be protected for this legally by our insurers that we should not pursue the matter further as it poses too great a financial risk to the PC. The Chairman stated that the report from John Gordon at Wilson Browne indicated that our claim was unlikely to be successful because although we could have a good chance of overturning Mr Wild's possessory title, we would have difficulty following this through to the next stage because the parish council never had ownership of the disputed land. This was historically held by Northumbrian Water who had been approached recently but were of the view that they have been dispossessed of the land several years ago and would not be willing to become involved in this dispute. Therefore it would only be a matter of time before Mr Wild could claim outright title to the land once a 12 year period had elapsed. A general discussion was then had amongst the Councillors who all felt reluctantly that the risk of significant financial loss to the Parish Council was too great in this case.	
<b>4.</b>	<b>Open Public Discussion</b>	
	The Chairman then opened up the discussion to the public who were present.	
	The comment was made that the Chairman should be congratulated for his significant efforts in pursuing this case on behalf of the village over the last 12 years. But that based on all of the evidence and risk of financial loss, that the matter should be concluded.	

	A discussion about the potential loss of other pockets of common land then concluded with a suggestion that a map of all open areas of land in SSM be investigated and recorded. Which parts are owned by Northumbrian Water for example? Areas such as the land opposite the Swan and the Millennium Garden to be looked at and this matter to be added to the agenda for November meeting to discuss further.	CLERK
	Cllr Cassell asked whether we are likely to still incur additional legal costs from the other party. This is something that we will have to investigate if and when this happens with our insurers to see if we would be covered. WD would establish what excess if any would be applicable in this instance.	WD
	The proposal was made to write to Peter Fittell at Land Registry to advise that we are withdrawing our application to have the dispute referred to the Land Registry Tribunal, proposed by Cllr Barrell and seconded by Cllr Baker, all agreed unanimously.	
	The Clerk to call Peter Fittell urgently to ensure he is aware of our decision. Advise TSP by 26 <sup>th</sup> October. Letters to be drafted to both Land Registry and Thompson Smith and Puxon, for approval by the Councillors before being sent about the outcome of this meeting.	CLERK
	Cllr Barrell then went onto say that he wanted to discuss two further matters relating to this situation. He is not happy about the content of the letter from TSP which had been sent openly to all Councillors and that the accusations and defamatory information about our Chairman must contravene at least GDPR law as a minimum. CCTV stills, police records etc	
	After a lengthy discussion it was agreed that we would seek advice from SALC and our legal advice help line from our insurers and that following this a letter to be sent to TSP to address this matter	CLERK
	It was also agreed that any future disputes will be dealt with via a working party and not left to an individual for the protection of those concerned.	
	Cllr Barrell also wanted to ensure that the Clerk was in a position to claim for any additional hours she had incurred over and above her normal 10 hours per week. All Cllrs were in favour of this.	
	The meeting was closed at 8.05pm	
	<b>Date of next meeting – Parish Council meeting 12<sup>th</sup> November 2018 at 7.30pm</b>	