

KINGSTON PARISH COUNCIL

MINUTES: of the Extraordinary Meeting of Council on 31 October, 2024 commencing at 10 am in the Meeting Room, East Preston Parish Council Office, 122 Sea Road, East Preston.

PRESENT: Councillors Walker (Chairman), Buckenham, Joyce, Marr, Masson and Wetherell.
Val Knight (Clerk)

106/24 **Welcome** – The Chairman welcomed everyone to the meeting.

107/24 **Apologies for Absence** – Cllr Andrew. District Cllr P Kelly.

108/24 **Declarations and Dispensations of Interests** – Further to declarations held in the Register of Members Interests, in the interest of openness, Cllrs Masson and Walker declared membership of Kingston Gorse Estate.

109/24 **Public Opportunity** – No members of the public were present.

110/24 **Minutes** – Council agreed to defer consideration of the Minutes of the held on the 19 September, 2024 to the meeting of Council on 21 November, 2024.

111/24 **Judicial Review:**

- Council noted legal advice from Riccardo Calzavara (Barrister) has identified merited grounds (on one issue) to pursue a judicial review of the decision by Arun District Council on Planning Application K/46/23/PL.
- Council noted that if the judicial review is successful and the decision to approve quashed, the application could be reconsidered and the same decision made by ADC.
- Council noted the first stage is to issue a formal ‘Pre-action Protocol Letter Before Action’ to Arun and then submit a claim for judicial review to the administrative court (estimated legal fees up to £5,000). If the court decides to allow the claim to go forward to the High Court, more expenditure will follow including potential costs if the application fails (estimated costs around £35,000) but award of costs to Council if the application is successful.
- Council noted that Sharpe Pritchard are a supplier under the government’s Public Sector Legal Services Framework.

The following actions were then agreed:

- instruct Sharpe Pritchard (Solicitor) and Riccardo Calzavara (Barrister) to prepare the claim for judicial review. Estimated costs up to £5,000. £3,000 to be met from the Planning Matters Reserve and £2,000 from the General Fund or a fundraising appeal.
- the Clerk to set up a crowdfunder account to raise funds to cover potential legal costs say £35,000. Also, for larger amounts residents could pay direct to Council by bank transfer. Any monies not spent to remain in the Planning Matters Reserve Account to address future planning issues.
- An information letter appealing for funding, to be delivered to residents of Kingston by the Clerk and Councillors. The letter to also be delivered around East Preston as the development also affects East Preston – subject to volunteers coming forward to deliver them. The Clerk to arrange other publicity (e.g. other parishes, Ferring Conservation Group, the Gazette and the All About magazine).
- It was delegated to the Clerk in liaison with Members early next week to consider whether the fundraiser had shown enough initial community support to justify giving the solicitor the final go ahead to progress the claim.

112/22 **Next scheduled meeting of Council and its Committees:** Thursday 21 November, 2024 at 7pm. Agenda are published 3 days before Meetings on our website <https://kingston-wsx-pc.gov.uk/>.

The meeting concluded at 10.40 am.

Chairman:

Date: