

Wisborough Green Parish Council

Minutes of the Extra-Ordinary Parish Council Meeting

Date: Tuesday 18th December 2018

Present: Mr A Burbridge (AB), Mrs J Dandy (JD), Mr P Drummond (PD) (Chairman),
Mr A Jackson (AJ), Mrs S Overington (SO), Mr M Newell (MN), Mr M Watson (MW)

Apologies: Mr H True (HT)

In Attendance: Mrs L Davies, Clerk
Cllr J Duncton, County Councillor
Cllr J Ransley, District Councillor

Members of Public: None

The Chairman opened the meeting at 7.45 pm and welcomed all.

1. Apologies for Absence: Apologies were received and accepted from Mr True.
2. Declaration of Members' Interests: MN advised that he lived on the west road leading to the Pavilion.
3. Minutes of the Last Meeting: The Minutes of the last meeting held on Tuesday 20th November 2018 were approved as a true record and signed by the Chairman.
4. Public Questions: There were no members of public present.
5. Planning:
- a. Planning Applications: The following application was reviewed. Application details and plans had been circulated in advance of the meeting and were displayed.

WR/18/03001/DOM WR/18/03002/LBC - Case Officer: James Gellini	Mr & Mrs Stephen Woodcock Daniels Newpound Wisborough Green RH14 0AX Proposed garage outbuilding. O.S. Grid Ref. 505965/127344 <u>No Objection</u>
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6. New Sports Pavilion:
- a. Legal and Sporting Enquiries: It had been agreed to seek legal advice from the Open Spaces Society. Unfortunately, the Society did not fully answer the specific questions and the advice was slightly ambiguous; as such, the Parish Council's solicitor had been contacted. AJ gave explanation to the questions posed and read the email response that did raise questions over the size of the building on the village green and intended use. Small ancillary recreational buildings had been held to be acceptable but use was restricted to supporting activities on the Green. The solicitor advised that given the sensitivity of the site and the controversial nature of the proposal, he did not think it could be assumed that the proposal would be immune from challenge under the law relating to village green protection. It was possible that the site could be removed from the village green by applying to the Secretary of State and if the proposed excision was more than 200m² then law required land in substitution. Members agreed that this option would not be pursued. It was necessary to find a design that met sporting needs, legal requirements and was acceptable to the village in this sensitive location.

The Pavilion's history, current footprint, use and condition were discussed. It was agreed that the location and use had been established over time and was in line with other sporting facilities on village greens. It was noted that the current footprint was 200m² and the Sports Association's design 388 m².

Action By

MN had contacted the ECB primarily to ascertain whether it would be acceptable to use CCTV to meet their requirement that the wicket could be seen from the changing rooms. However, during this discussion the ECB had suggested that the size of the Sports Association's most recent design exceeded ECB requirements, and that of other cricket pavilions, and was reluctant to contribute to a building with a second floor as this would require a lift. It was noted that it was not solely a cricket pavilion and that different sports bodies had their own requirements which, in part, determined the building's specification. The legal advice set out that the building could only be used to support sport and recreation on the Green and that other uses, such as physiotherapy, cycling club, indoor bowls, were not lawful and would not serve as justification for the size of the building. The risk of substantially increasing the size and legal challenge were discussed. It was generally felt that whilst replacing the pavilion with one the same size would probably not be subject to successful challenge. However, retaining the current footprint could potentially cause difficulties in meeting the sports bodies' requirements, which also allowed access to funding, and could introduce practical difficulties identified by the Sports Association.

- b. Design: AJ had continued to work on the revised design presented to the Council on 23rd October; details were displayed. The building had been reduced, but retained the key elements identified by the Sports Association and met sports body requirements. AJ emphasised that he was not an architect and as such, these ideas would need to be professionally drawn to ensure that the concept worked. Although the design was not shown in the context of the Green, members were happier that the size had been reduced, but it was still a significant increase and presented a risk in terms of the legal advice received. Members agreed that they would be happier to see the design smaller, which would hopefully receive village approval. The need to have a public consultation for village residents, as well as undertaking statutory consultations, was discussed. AJ advised that he believed removing the tree would not help the design as there were other constraints to consider: football pitch, sightline to cricket square and from Ivy Cottage.

PD expressed thanks to AJ for all the work undertaken on the design to allow the project to be progressed; endorsed by all.

The following was agreed:

- No definitive footprint could be provided to the SA at the present time, particularly in view of the legal advice. AJ's plan displayed was a substantial increase and it was hoped that the footprint could be reduced further without impacting upon sports requirements. A footprint between the current and the displayed would be acceptable, but the design and impact upon vistas also required careful consideration.
- A village consultation was essential; it was important to consider how effective input could be obtained.
- AJ to verbally update Mr Michael Gadd, Sports Association Chairman, and to then email details of legal advice and Parish Council thoughts, with a view to the working group meeting in January. It was considered likely that the Sports Association seek its own legal advice.

AJ

7. Any Other Matters to Report:

- a. KC expressed his concern that the Parish Council was perhaps being portrayed negatively due to its hesitation over endorsing the design for a large Pavilion; he did not feel that this should be the case. The Sports Association made the initial approach and as such, discussions were held to give guidance. It was perhaps an error that a working group, involving Council Members, was not established at the outset, and unfortunately the project was taken too far down a long and sensitive course before information was provided to the Parish Council. MW joined the council later in the process and advised that he did not perceive it this way. There were a number of different factors that needed to be taken into consideration, which were not constraints imposed by the Parish Council, but related to the sensitivity of the site on a village green.
- b. Information relating to the use of Stable Field for sports practice had now been provided to the Council and circulated to all. As this information was not received in time for this meeting, it would be on the January agenda.

8. Date of Next Meeting:

Planning Committee Meeting on Tuesday 8th January 2019 at 8 pm.
Parish Council Meeting on Tuesday 15th January 2019 at 7.45 pm.

There being no further business, the meeting was closed at 9.30 pm.

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Chairman

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Date