

Burwash Parish Council

Minutes of the **Virtual** Burwash Parish Council **Extraordinary General Council** meeting to discuss Down Meadow held at 19.00 on Thursday 28th May 2020.

The meeting was conducted using Zoom Meeting Space and was recorded.

Please note: meeting reports are available at <http://www.burwash.org/parish-Council/meeting-reports.html>

Members Present: Cllr. R. Franklin, Cllr. A. Newson, Cllr. B. Wraight, Cllr. B. Newman, Cllr. N. Moore, Cllr. I. Rees, Cllr. J. Caulkin, Cllr. C. Chapman

Cllr. Franklin, Chair of The Parish Council, outlined to all attendees the structure of the meeting. Councillors would hear all comments made by the Public. Each member of the public in attendance would have the opportunity to comment once but that no questions would be answered. Following the public time, Councillors would vote to exclude the Public from the meeting to discuss the Council's legal position.

Meeting opened: 19.06

There were 10 members of the public in attendance.

Public Time

Public: Reflecting on the comments made by Ian Davidson of Surrey Hills Solicitors, he warns against the Council spending public money on this situation. I must agree this is an important point. The land registry documents refer to parts of the land and the right to open land. Surely, we should try to be friends with our neighbours. It could take so much money to pursue this and the council has already received an enormous increase to the precept. It looks very petty to go after this and is not a good use of the money. Report conducted by the Countryside Organisation in August 2017 and by the Sussex Wildlife Trust that reported the land was well looked after and good for the surrounding wildlife. The guys have maintained the land, for free, and appear to be the only ones managing the land.

Public: I am here representing the Residents Association and want to state that we cannot get involved in disputes but have questions/statements to propose to the Council.

- 1). Insurance. Are the trees covered by the Parish Council insurance and if so if they are a fire hazard, does it invalidate the insurance?
- 2). If the Parish Council does not act, surely this sets a precedence that anyone can extend their land?
- 3). Is this meeting about deciding to commit public funds or to fight in principle?
- 4). Should documented evidence of ownership be shared by both parties before a decision is taken?

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Public: Just to note that I don't envy the Council making this decision, very hard and there is a benefit to not committing public funds. But this land was part of a covenant and the Council are here to act for the community and not in the interests of one individual. Would like to raise the issue of what happens after this process. 90% of parishioners aren't aware of where Down Meadow is or that it can be used. We should think about what happens after this. The height of the trees can be tackled in the future.

Public: Money has been mentioned previously. How much have the Parish Council spent so far on this issue? *Cllr. Franklin: Approximately £1,800 so far on solicitors fees.* So the argument on spending lots of public money is not valid to date.

Public: I want to echo what's already been said. There is a risk for the Parish Council of a lengthy legal dispute and of spending a large amount of money in legal fees. Could we hope for a compromise? The trees on the land cast a great shadow could we get them reduced? That would then allow the conservation plans for the land to be completed.

Public: The trees cast a shadow over the meadow we can't argue that. Something should be done about the trees and the detrimental effect that they are having on the land. There is a large fence with barbed wire, I believe you should take action. The other party makes a lot of noise but no action.

Public: With the trees we should come to an agreement. We can argue they cast shade but could consider having them topped.

Public: I have lots of knowledge about leylandii trees. Their growth is continuous, they aren't native to the area. They should never have been planted. Nothing grows underneath them and the birds would prefer native trees. They are slower growing but much more attractive. If we don't act, does this set a precedent for land grabbing? Topping is only temporary.

Public Time Ends.

Council then voted to exclude the Public under the public bodies (admission to meetings) act 1960 sections 2 & 3. Councillors voted unanimously, the public were then excluded from the meeting.

A closed Council meeting then considered legal advice. Full minutes of this meeting will remain confidential whilst legal arguments are considered.

X

Cllr. Robert Franklin
Chair Burwash Parish Council