

Notes of Rail Freight Briefing to Members
Friday 12 December 2008 At 10.30am In Committee Room 2

Present:

Councillors: Brazier, Donald, Harris, Lee, Turner and Yates

Officers: Daniel Goodwin, Mike Lovelady, Glen Mathers

Purpose of briefing

- To advise Members of the processes to be followed in the event of a potential further planning application from Helioslough and role of the Council as Local Planning Authority.
- The briefing had been arranged by the Chief Executive following requests to his office and would be followed by a further briefing with those that had responded and given evidence at the Public Inquiry regarding the previous Railfreight application by Helioslough. It was stressed that neither briefing was a campaigning meeting, despite comment in the local press from which that might be inferred. In view of this, Anne Main MP, who would have been at this briefing had decided not to attend.

Information

The following information was provided at the briefing including the approach the Council would be taking:

- All planning applications were required to be determined on their merits.
- The Council had received a letter from Helioslough requesting comments on an environmental scoping report. Further information on this would be given in the following briefing.
- On receipt of any further Railfreight planning application the Council would check that the application was complete. It would then consider whether Section 70A of the Town and Country Planning Act 1990 was applicable. Further information on this would be given in the following briefing. If the Council decided to determine the application the usual consultations would be undertaken including with the parish councils and the highway authority. Guidance would be issued to the planning committee that would be determining the application.

Discussion

- Councillor Brazier was unhappy with certain comments ascribed to him in the Press. Daniel Goodwin said he would write to the Press to clarify the Council's position, pointing out that the briefing meetings were not campaigning meetings, were not secret and that notes of the briefings would be published on the Council's website. The Council would consider any application on its merits following due process.
- Councillor Lee expressed concern that the purpose of the briefings might be misinterpreted in view of the attendance of Ward Members, the Council Leader and Chief Executive together with residents who had campaigned against the previous application. She was particularly concerned in view of her membership of the Planning Referrals Committee which was likely to determine any application. Mike Lovelady advised that it was not inappropriate for Councillors to meet with local residents to provide information on Council processes with regard to any further

application submitted, provided there was no discussion on the merits of any potential application and that members adhered to guidance provided to members of Planning committees regarding pre-determination. Councillor Lee asked why representatives of the County and Parish Councils had not been invited to the briefings. Daniel Goodwin advised that a record of the briefings would be produced and made available to the public. Mike Lovelady confirmed that the meetings had been organised by the Council as a corporate body in view of its responsibility for keeping local residents informed of matters of local interest. Incorrect statements had been made in the press and it was acceptable for the Council in its community leadership role to make clear its approach to considering any potential application. Councillor Lee decided however that in view of her concerns she would not sit on any planning committee convened to determine the potential railfreight application.

- Councillor Harris stated that in view of her concerns and in case she was required to sit on the planning committee that determined any future application she would not attend the subsequent briefing meeting with those who had responded regarding the previous application.
- Councillor Turner pointed out that the purpose of the briefings had been clearly stated in the email sent to members, which referred to process, timescale and powers of the Council.
- Mike Lovelady advised that he could brief separately any member about the process to be adopted by the Council. He also advised that Councillor Brazier had also given notice that he would not be attending the following briefing.
- Councillor Yates stressed the importance of the notes of this briefing and the subsequent briefing being published on the Council's website. Daniel Goodwin reiterated his intention to write to the Press clarifying the purpose and content of the briefings.

The meeting ended at 11.05