

MINUTES OF THE MEETING OF THE KIG JOINT PARISHES GROUP
Held on 26th August 2009 at 7.30pm.

The meeting was chaired by Richard Jacques

1. Apologies

Apologies from absent members were accepted.

2. Report from Workshop held on 22nd August 2009

Peter Waite gave a report to all present on the workshop held on 22nd August 2009; he stated that this was a productive and helpful meeting.

He stated that the main reason for the workshop was to explain the procedure of the forthcoming Inquiry and to consider the draft proofs of evidence that had been prepared by Luther Pendragon.

He explained that the evidence to be submitted by the JPG fell into three categories. These being Environment, Traffic and Economy. These covered all of the eleven points that the JPG needed to make at the Inquiry.

He spoke regarding the proposed running order for the Inquiry and stated that at present this was for MBC and KCC to start and then AXA would put forward their case followed by all the Rule 6 parties.

He stated that it was unusual for the Appellant not to go first and as a result they were trying to persuade the Inspector to change the order.

He informed all that the opening and closing statements were being worked on. There would be cross examination opportunities open to all parties.

The key date for the JPG was 15th September when all proofs of evidence needed to be submitted.

Peter Waite informed members that other parties were now expressing disquiet over the lack of time and completed evidence.

John Horne spoke regarding Prejudicial Interests.

He also spoke regarding the letter sent to the PINS regarding the time constraints and he confirmed that other parties had now written regarding this and therefore supporting the JPG letter.

Richard Jacques stated that Luther Pendragon was in the process of putting a further letter together to PINS regarding the response to this letter as their response was inadequate and needed to be further addressed.

He referred to a statement put together by Larry Mulheirn from Sutton Valence Parish Council as its individual statement of evidence. He stated that this had been circulated to all JPG parties and advised all Parish Councils to put a similar paper together for their own submission to PINS. He stated that this would be important as the effect on

each Parish Council would be different and should be brought to the attention of the PINS.

He thanked Larry Mulheirn for producing the statement.

Geoff Licence asked if JPG still intended putting the final proofs of evidence to Peter Cooper. Richard Jacques confirmed that this would be done should the offer from KCC to use their planning experts no longer stand.

He confirmed that the draft proofs of evidence did comply with planning law and policy.

Steven Morris from Harrietsham Parish Council asked if the September 15th deadline was the same for individual parish statements. Richard Jacques stated that this did not comply, however it would be helpful for the JPG if the statements could be completed and a copy given to JPG to look over as soon as possible.

June Harrison suggested approaching KALC regarding these and statements from other parishes not in JPG. Richard Jacques confirmed that this was already in hand and being progressed.

The representative from Otham Parish Council stated that he felt that a large number of people were still unaware of the size and impact of the proposed development.

Larry Mulheirn asked if the letter to PINS had been written questioning under what system would be in place for the Inquiry. Richard Jacques confirmed that this letter had been sent.

Pat Sandford asked about the opportunities open for members of the public to speak at the Inquiry.

John Horne confirmed that anyone was entitled to speak and they could either contact and register or turn up at the Inquiry on the first day to register.

He stated that he would encourage people to speak.

Gavin McLaggan stated that it would be in the JPG's favour if the process was overwhelmed with people wishing to speak.

Richard Jacques confirmed that another issue to look at was the viewpoint areas for the Inspectors walkabout.

The arrangements for the Inquiry were discussed and Richard Jacques informed members that the first two days would be held at the Ramada Hotel and the remainder would be held at Kent House, Romney Road. He stated that two evenings during half term would be put on for people unable to get to the day sessions to speak.

Patrick Walton spoke regarding Section 106 Agreements and the need for all parishes to consider what they would like to see in place should the application be approved.

He spoke of the views of Bearsted Parish Council regarding these.

Richard Jacques stated that he would fetch this matter up at the next Rule 6 Party Meeting and report back.

Vic Davies from Boxley spoke regarding the need for conditions to be considered should approval be an option.

John Horne stated that the conditions and process of construction was an element that should be considered.

This was discussed further by all parties present.

3. Future Funding of Luther Pendragon.

Richard Jacques spoke regarding the current contract with Luther Pendragon; he stated that this was due to finish at the end of August.

He spoke regarding the work to date undertaken by Luther Pendragon, and stated as chairman he did not believe that the JPG would have achieved as much as it had without them.

He stated that there was still work to be undertaken throughout the Public Inquiry and beyond. He asked all present whether it was their wish to extend the contract with Luther Pendragon, and if not what other alternatives were open to the group.

Gavin McLaggan stated that he had asked Luther Pendragon about their thoughts on the Inquiry and he informed members that they were willing to have a representative to assist the JPG at the Inquiry and they would not charge any more for this service.

Larry Mulheirn spoke regarding a rate of £1000 a day, however Gavin McLaggan confirmed that under contract the work at the Inquiry would be included in the current monthly cost.

Larry Mulheirn asked if there was an option to use Luther Pendragon as and when needed during the course of the Inquiry.

Richard Jacques stated that there was still work to be undertaken on the opening and closing statements, the JPG needed help with cross examination at the Inquiry and it would be helpful for the group to have assistance when it came to summing up at the Inquiry to ensure that it encompassed all of the salient points.

He stated that further information was still to be presented by the Appellants and at present this was being drip fed, he confirmed that the proofs of evidence may need to be supplied for this additional information.

David Burton asked how the JPG would manage its own attendance at the Inquiry. This was discussed. John Horne suggested that this would not be considered until a detailed programme had been drawn up for the Inquiry.

John Horne stated that he was liaising with MBC regarding the possibility of having the Inquiry webcasted.

Richard Jacques suggested that the JPG should attend for the duration of the Inquiry and a rota would be needed.

David Burton suggested that the JPG could pay a scribe to attend for the duration of the Inquiry.

It was agreed that this matter would be addressed further when the timescales and running order for the Inquiry were known.

The contract with Luther Pendragon and the options open to the JPG were discussed further by members.

Larry Mulheirn spoke regarding the views of Sutton Valence Parish Council, he stated that they would need to be persuaded to commit further money and he worried as to whether the work undertaken to date was value for money. He stated that at present he could not decide.

He suggested that a way forward could be to appoint Luther Pendragon for the beginning of the Inquiry, then have them on the phone to assist with questions on an hourly basis and to then use them heavily for the summing up.

Peter Waite stated that there was a worry that this process could end up costing the JPG a lot more money.

Patrick Walton spoke regarding the work undertaken to date by Luther Pendragon. He stated that in his view it has been good value for money at a very reasonable cost. He stated that in his view Luther Pendragon had met all of their challenges and stated that their work had made the JPG look extremely professional.

Richard Jacques stated that it was his view that without Luther Pendragon the JPG would not have achieved its work to date.

He spoke regarding the views expressed during the discussions and stated that the contact ended at the end of August, he reiterated that should the JPG decide not to appoint Luther Pendragon, then it would have to take up the work itself.

He informed members that the group had now drafted a Business Plan and sent this to KALC Area Committee. The Area Committee was then going to approach all MBC and KCC Councillors to seek funding for the Joint Parish Group.

David Burton asked if the group was better placed to undertake this itself. Richard Jacques stated that the request would have more weight coming from the KALC Area Committee.

Richard Jacques stated that he needed an answer from the Group as to the appointment of Luther Pendragon.

Larry Mulheirn suggested that Luther Pendragon were appointed for a further two months until the timetable for the inquiry was known and then the situation could be reviewed.

Richard Jacques stated that the Inquiry commenced on 13th October and the Joint Parish Group needed to consider getting through it otherwise it may jeopardise its own position.

A discussion took place regarding the view of the member parish councils in the group. Richard Jacques proposed that the Joint Parish Group appoint Luther Pendragon to act for the group until the end of December.

Gavin McLaggan seconded this proposal and it was approved by the group, although it was noted that each Joint Parish Group representative would need to go back to their respective Parish Councils to ratify this decision.

4. Date of Next Meeting.

To be agreed.

Richard Jacques declared the meeting closed at 9.25pm.