

**MINUTES OF THE EXTRAORDINARY MEETING OF RADLEY PARISH
COUNCIL HELD AT THE RADLEY PRIMARY SCHOOL, ON TUESDAY, 13
JANUARY 2009 AT 7.30 PM**

PRESENT: Cr J Standen (in the Chair)
Crs Crowley, Davies, Dutton, Henderson, Nutt, Pasquire, Rogers, D
Standen, Yorston
Mr Roger Thomas, Ms Jo Cartmell, Mr Alastair Wallace

Mrs Jo Cartmell and Mr Peter Harbour spoke regarding Radley Lakes, asking the Parish Council to consider fully the need to go for Judicial Review and stressing that Save Radley Lakes would support the Parish Council throughout this.

1/09 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cr Johnston.

2/09 DECLARATIONS OF INTEREST

Crs Crowley and Pasquire declared a personal and prejudicial interest in activities, finances and the recent position of Save Radley Lakes, and they did not participate in the voting on the resolution set out in Minute 4/09 (2).

3/09 PLANNING APPLICATION

- (a) RAD/13453/2: Demolition of existing 4-bed bungalow. Erection of 1 ½ storey bungalow and pair of semi-detached houses, 1 Foxborough Road: The Parish Council strongly objected to this on the grounds of overdevelopment of the site and difficult access for additional vehicles both in Foxborough Road and Whites Lane. Cr Rogers abstained from the voting.

**4/09 APPLICATION FOR TOWN GREEN STATUS – THRUPP AND
BULLFIELD LAKES, RADLEY**

1. STATEMENTS:

The Parish Council accepted the following statements:

- (a) Ms Jo Cartmell: Ms Cartmell reminded the Parish Council that she had made the application for Save Radley Lakes to register Thrupp and Bullfield Lakes as a Town Green, and asked that, if the Parish Council was minded to continue the Town Green action, someone else could take over the burden of being the applicant.

Ms Cartmell indicated that she did not support the Town Green application any more because the position had changed. She felt that the objective had been achieved and that to continue with the legal action would be very counter productive. She trusted the statement made by

John Rainford and, as a member of the local community and a resident of Abingdon, she asked that the Parish Council held npower fully to that commitment. She looked forward to being involved in the plans for this area.

- (b) Cr Crowley: Cr Crowley spoke as Chairman of Save Radley Lakes and made the following points:
- (i) SRL's position expressing a preference for withdrawal from the Judicial Review had already been communicated to the Parish Council. However SRL was, to some extent, bound by its constitution which set out, as one of its principal aims, that SRL should campaign "To conserve The Lakes and all the wildlife therein". SRL's current official position was therefore that the needs of the wildlife were paramount and public access, certainly unrestricted public access, was secondary. That said, SRL was also committed to campaigning for the area to be a public amenity, which implied some degree of public access.
 - (ii) SRL had raised a considerable sum of money, much of it on the premise that the money would be used for pursuing the application for a town green, which would, if successful, guarantee unrestricted public access to land around the lakes. Cr Crowley indicated that there was likely to be a significant body of opinion in support of continuation of the Town Green action to this end. These people might take the view that the money that had already been spent should not be wasted by aborting the action when it still had a reasonable prospect of success, though there was probably at least an equal number who thought that money should not be wasted by continuing it. However, for the reasons given, and on the basis of information available to it, the view of the SRL executive was that it would prefer that the action be brought to a close. SRL had accordingly pledged financial support to the Parish Council, in the event that it withdrew from the action, on the basis of a resolution of its Executive on 29 December 2008 in which it maintained that such action was to the benefit of the area.
 - (iii) Nevertheless, in recognition that all the facts might not be at its disposal, in particular the extent to which npower had committed to its public promises, SRL would honour its existing pledge of limited financial support for continuing the Town Green action, provided, of course, that there was agreement that this was to the overall benefit of maintaining the rural and natural qualities of the area.
 - (iv) Many people, including Cr Crowley, were simply delighted that the lake had been saved and, assuming that this was indeed the case, fully supported the vision of an area, extending along this part of the Thames Reach, that was managed primarily for its

wildlife and natural beauty. This was surely the best way of enriching this part of the Oxfordshire countryside for the benefit of all.

- (v) Cr Crowley hoped that, in coming to its decision, the Parish Council would be sensitive to the express and likely views of all those who have supported the campaign, and would exercise its best judgement in determining the best way to achieve the best outcomes. It was not an easy call, and he wished the Parish Council good luck in whatever action it saw fit to take.

2. PARISH COUNCIL CONSIDERATION

The Parish Council reviewed the discussions at the Working Party on the Judicial Review and the advice prepared by Mr Alastair Wallace, and there was detailed discussion on the advantages and disadvantages of continuing with the Judicial Review.

It was proposed by Cr Rogers and seconded by Cr D Standen that the Parish Council should seek an adjournment of the Judicial Review proceedings while discussions take place with RWE npower to secure a more specific commitment to the preservation of the lakes, and, if this is not successful, the Parish Council would continue with the Judicial Review. This proposal was **ACCEPTED** by the Parish Council by six votes to two.

IT WAS AGREED:

- (a) Mr Wallace should contact the OCC and RWE npower solicitors and put this resolution to them.
- (b) The Parish Council should prepare proposals for the specific commitments that the Parish Council might wish to seek from RWE npower to assist Mr Wallace in his discussions with the solicitors and the court.

Date:

Chairman