

Dilton Marsh Parish Council

Clerk to the Council: Ms Nicola Duke
81 Studland Park, Westbury, Wilts, BA13 3HN
Phone: 01373 864127
clerk@office.diltonmarshparishcouncil.gov.uk

Minutes of an extraordinary meeting of the Parish Council held on
Thursday 3rd April 2025 in the Holy Trinity Church, Dilton Marsh at 7.00 pm.

Present: Cllr Irving, Cllr Jones, Cllr Williams, Cllr Leigh, Cllr Collins, Cllr Dopheide, Cllr Morland and Cllr Ness.

In attendance: Nicola Duke (Parish Clerk), Wiltshire Councillor Suzanne Wickham and 8 members of the public.

Members of the public were invited to make representations to the Council on any matters relating to the work of the Council or to raise any issues of concern:

- Mr Bill Jarvis spoke to members in respect of a potential Judicial Review into the PINS decision to allow the planning appeal for development to the rear of 117 High St, Dilton Marsh, reporting the view of the Neighbourhood Plan consultants that there were grounds for such a challenge and tabling estimates for the consultant to prepare a briefing note (£750) and to obtain an opinion from Counsel (£1,500 plus vat).
- A resident highlighted the issue with highway safety and traffic generation which would result from the development, especially when taken in conjunction with planned development in Westbury.
- Prior to the start of the meeting Cllr Jones provided information on research which members had undertaken in respect of the Judicial Review process, timescales and grounds for legal action.

3354	Apologies for absence Cllr Gibbs due to a prior commitment, accepted.
3355	Declarations of Interest and Dispensations to Participate None.
3356	Legal Proceedings Members considered whether to allocate the sum of up to £3,000 to seek a legal opinion as to the merits of launching a Judicial Review into the PINS decision to allow the appeal for land to the rear of 117 High Street, Dilton Marsh (March minutes refer). Such a legal opinion would cover: <ul style="list-style-type: none">• An assessment of the case• A review of the evidence• An evaluation of the strength of the legal position• An evaluation of potential outcomes In considering whether to seek such a legal opinion Members had regard to the associated costs and benefits of so doing, as well as noting the associated timeframe for launching legal proceedings. Following debate, the following resolutions were passed: <ul style="list-style-type: none">a) That the Parish Council would seek a legal opinion from Counsel as to the merits of a potential Judicial Review in the matter detailed above (proposed Cllr Leigh, seconded Cllr Dopheide);b) That the Parish Council would allocate the sum of up to £3,000 from the General Reserve to fund the legal opinion; with the General Reserve level being monitored on a monthly basis (proposed Cllr Leigh, seconded Cllr Dopheide) andc) That the Parish Council authorised Master Land and Planning Ltd to prepare a briefing note for Counsel (costs to be met from the allocation resolved under minute reference 3356b) (proposed Cllr Dopheide, seconded Cllr Leigh).

	<p>Following these resolutions, the Council was informed that Chambers would require payment of fees in the amount of £1,500 plus vat before commencing work. This was noted.</p> <p>The Clerk was duly authorised to issue the relevant instructions to both parties immediately.</p>
3357	<p>Meeting schedule</p> <p>The Council resolved to convene a second extraordinary meeting to receive and consider the legal opinion on Thursday 10th April 2025 at 7.00 pm in the Holy Trinity Church.</p>

There being no further business the meeting was closed at 8.30 pm.