

**Minutes of the Town Council meeting  
held in the Main Hall, Chantry Centre, Chantry Way, CM11 2AP  
on Thursday 16<sup>th</sup> January 2025 at 7pm**

**Present:** Chairman: Cllr M Thomas  
Vice-Chairman: Cllr J Devlin

**Councillors:** P Bunyan, R Clark, E Davies, M Dear, K Herlock, C May, M Moore,  
K Mordecai, G St Pierre, I Scott, H Stuart, G Talbot, A Talboys, J Tutton

**Also present:** the Town Clerk, Borough and County Cllr Dr R Moore and 14 members of the public

**91. Apologies for Absence**  
Cllr A Adshead

**92. Members Declarations of Interest with regard to items on the Agenda**  
None.

**93. Public Participation Session with respect to items on the Agenda and other matters that are of mutual interest**

4 members of the public and Cllr R Moore spoke. A synopsis of their comments is below:

- 74% of the site is best agricultural land although Basildon Borough Council believes this doesn't exist within the Borough. An agricultural land assessment was done by the developer which disproves this. The application has been passed before the Local Plan even looks at the site.
- Gleeson say this is the first grey belt decision anywhere in the UK, and in December the Secretary of State had written a letter to say that guidance on grey belt would be issued in the New Year.
- It was clear to those present at Basildon's Planning Committee on 8<sup>th</sup> January that the Committee members had not been fully briefed. Both members and officers were unclear about the new rules surrounding grey belt and were unaware of the Golden Rules.
- There is a major mis-representation of two local plan sections. Various sites around Billericay have been marked as deprived areas of Basildon. This is not in a deprived area and there is no mention of traffic congestion. There should be an appeal to Basildon Planning regarding these points.
- Cllr Moore said he was frustrated with the decision in Burstead ward, understands the dissatisfaction with the process and why the Town Council needs to explore the potential of challenging the decision. Only the applicant has the right to appeal which leaves the judicial review process only. He understands that Town Councillors received guidance notes around taking this course of action and there are a specific set of circumstances required to be met for a judicial review to be successful. Has Basildon misinterpreted or misapplied the policy, have they failed to have regard to material planning considerations, has Basildon erred in law or the planning process when considering the application? There is also a significant risk to a judicial review. Costs to the Town Council's reputation and also a liability for the legal costs of Basildon Borough Council. The National Planning Policy Framework (NPPF) has drastically changed. The Green Belt prevents urban sprawl by keeping land open, however the new NPPF states development in Green Belt should not be regarded as inappropriate if required to meet housing needs. A judicial review is not about the decision itself – more about the process.

**94. Town Council Minutes**

Members **(a)** received and considered the minutes of the Town Council meeting held on 12<sup>th</sup> December 2024, and **(b)** approved the signing of the minutes as a true record.

**RESOLVED:** that the minutes of the meeting held on 12<sup>th</sup> December 2024 be approved and adopted.

**95. Planning Application – 24/00762/OUT Land West of Laindon Road**

Further to Basildon Borough Council granting outline permission for the above development on 8<sup>th</sup> January and having listened to the representations made by members of the public, members considered what options there were for the Town Council to challenge this decision. Cllr Thomas said at this stage the Council would not be looking at a judicial review but does need official guidance and also to understand what formed the basis of Basildon's decision-making process. A judicial review application has to be made six weeks from the date the application is granted so there is possibly insufficient time, but to do nothing is not an option.

Cllr Dear requested a recorded vote.

Following discussions it was:

**PROPOSAL by Cllr M Dear. Seconded by Cllr M Moore.**

**(i)** a Freedom of Information request is submitted to Basildon Borough Council for copies of the barrister's legal opinions that were mentioned during the Planning Committee debate on 8<sup>th</sup> January 2025.

**(ii)** the Town Council contacts the Local Government Ombudsman to raise their concerns.

**RESOLVED: ALL MEMBERS WERE IN AGREEMENT WITH THE ABOVE**

**PROPOSAL by Cllr K Herlock. Seconded by Cllr M Thomas**

**(i)** a Freedom of Information request is submitted to Basildon Borough Council requesting evidence as to what training BBC Planning Committee members received on the new National Planning Policy Framework and the designation of green belt land as grey belt.

**RESOLVED: ALL MEMBERS WERE IN AGREEMENT WITH THE ABOVE**

**PROPOSAL by Cllr C May. Seconded by Cllr M Dear**

**(i)** a Freedom of Information request is submitted to Basildon Borough Council to ask what Terms of Reference were used for the Green Belt 2023 study carried out by Land Use Consultants.

**RESOLVED: ALL MEMBERS WERE IN AGREEMENT WITH THE ABOVE**

Cllr Thomas said that at the next full Council meeting there would be an Agenda item regarding setting aside a sum of money for legal fees.

**96. Consideration of Items for Press Release/Social Media**

- Members of the public can view the minutes of the extraordinary Council meeting to see how the Town Council intends challenging this development.

**97. Questions from the Press and Public**

A question was asked about the road to the proposed development as it wasn't made clear at the Planning Committee meeting. Cllr R Moore replied that the Planning Application contained a detailed proposal about the narrowing of Laindon Road. How additional traffic will be coped with is also included.

The Chairman thanked everyone for attending and closed the meeting at 7.49pm.

Cllr Thomas .....Date .....  
Chairman

DRAFT