

Minutes of the Extraordinary Council Meeting held 22/04/25, 19:30 at Witheridge Parish Hall**PRESENT:**

Cllr Harvey	Chairman	Cllr Bibby	Cllr Fox	Cllr Richardson
Cllr Northam	Vice Chairman	Cllr Cunningham		Cllr Smith
		Cllr Dorow		

In Attendance:

District Cllr P Jones

3 Members of the public
Parish Clerk

"Minutes of proceedings of a council and of its committees must be kept. They are intended to be formal records of official acts and decisions, not reports, still less verbatim reports of speeches..." Local Council Administration.

1. Public Session (maximum 3 mins per subject overall max. 15 minutes).

(Please note in accordance with Council Standing Order 3(h) a question shall not give rise to a debate or require an immediate response).

The Chairman welcomed all present and invited District Cllr Jones to outline the context for the meeting. Cllr Jones highlighted the following:-

- The land under consideration located between the Cannington Road development and Drayford Lane residences – Cannington Road Open Space (CROS).
- The land is amenity land [defined in the Deed of Covenant governing its use], for public use only and cannot be readily developed – two pre-application enquiries have been considered by the Planning Authority and guidance given suggested formal applications would be declined.
- The Parish Council or a Community Group could submit a Section 106 funding bid proposal to purchase the land. Given the auction time constraints it would further complicate the Section 106 funding application process, therefore if there was a viable proposal to purchase the land forthcoming then it would be advisable to seek the removal of the land from auction and a private purchase negotiated.
- Current Section 106 monies from the Juniper Way development does provide for the purchase of Amenity Land. Given the CROS governing document already mandates the land as Amenity Land, the Section 106 application criteria would seek applications which would provide public benefit over and above current provision for example a community orchard.

Public points raised:-

- Public sight of the costings for purchasing and annual maintenance of the land going forwards.
- Support for a Community Orchard albeit concern as to level of community support of its maintenance.
- Use of parish council funding to purchase – the Chairman advised the budget for the current year was already committed.
- Popularity of the space currently for many leisure uses with the wider Witheridge community.
- Residents in the vicinity making a financial contribution was not currently viable given personal finances.
- Local residents are currently undertaking some maintenance of the land.
- Cllr Dorow highlighted the responsibility for maintenance of the land is outlined in the Deed of Covenant as that of the land owner.
- Cllr Jones confirmed the District Council are responsible for enforcing the Deed of Covenant requirements of the landowner.

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- Cllr Jones outlined in theory the land could be granted planning permission if an equivalent piece of land could be provided on a like for like basis in another parish location.

Council Session – No public participation

2. To Approve Apologies for Absence.

None.

3. To consider Code of Conduct Matters:-

3.1. Written councillor dispensation requests arising.

None.

3.2. Declarations of Interests.

Agenda	Councillor	Reason	Dispensation
	None		

4. Consider viability of acquiring Cannington Road amenity land adjacent to the rear of Drayford Lane residents.

Information: https://www.rightmove.co.uk/properties/160557581#/?channel=COM_BUY .
[Deed of Covenant attached to Land](#) .
[NDC Community right to bid](#) .

The Chairman invited parish councillors to offer their viewpoints which were discussed.

Following discussion there was no proposal to purchase the land.

RESOLVED: To meet with the current landowners to outline the parish council's position. **Cllr Bibby and Cunningham to action.**

RESOLVED: To expand communications with the parishioners as to the viability of creating a Community Orchard Project Team with a view to securing the land for an orchard. **Cllr Fox to action.**

Meeting closed 20:47.