

Cabinet – 18 April

Written question from Cllr Peter Spink to the Leader

1. The Judicial Review in the planning consent re Westridge Farm is due to be heard at the Southampton Combined Court in July.
From what source is the cost of the IoW Council to defend this case being, or to be, drawn?
Can the expenditure be justified, given the limited funds of the Council and the strength of the case against it?

The cost of defending the judicial review claim is being met from existing legal budget. The claim is one to which, given the nature of part of the claim, there is special cost capping arrangement in place (the Aarhus Convention applies). As a result, there is a maximum adverse costs liability of £10,000 for the claimant, and £35,000 for the Council. Any costs exceeding these figures must be met by the parties from their own resources. The local planning authority considers the grant of planning permission to be a lawful and sound planning decision. As this matter is subject to live high court proceedings, it would be inappropriate to comment further.

2. Will the Leader explain why he was willing to allow Cllr Quigly, then chair of corporate scrutiny, to see the details of the floating bridge settlement but is not willing to allow the current chair the same opportunity?

On 22 November at Corporate Scrutiny Cttee the current chair, Cllr Robertson, who was chairing the meeting, asked the Leader if he would be prepared to allow him to see the settlement figure. The Leader's reply was that the chair of Corporate Scrutiny previous to Cllr Robertson, Cllr Quigley, had seen the settlement figure and as far as (we) were concerned that was the end of the matter in terms of the role of Scrutiny. At that same meeting Cllr Robertson agreed that was the end of the matter as far as he was concerned.