

Minutes of Extraordinary Meeting Held on 22nd Jan 2021

Held by video conference.

Present:

Chair: Nicholas Cliffe

Rupert Kirby

Emma Senior

Chris Elliott

Sam Nicholls

Ceri Williams

Sarah Robinson

Clerk: Anne Charteris

Members of the Public –25

Welcome by Chair: NC welcomed everyone to the meeting.

- 1. Apologies for absence:**
- 2. Declaration of Councillors' Interests**
- 3. Discussion on whether to proceed with a potential Judicial Review re Wellcome Trust development**

Background to the meeting:

A document that sets out in detail the obligations of the Wellcome Trust (WT) to mitigate the impact of the £1.3bn Genome Campus extension was published by South Cambridgeshire District Council (SCDC) on December 18. The document is a legal contract between the council and the developer, which outlines those obligations.

The S106 between SCDC and WT includes plans for road improvements, a cash sum for the extension and refurbishment of the village hall, employee travel plans, landscape mitigations etc as well as the timescale during which this is to happen. Hinxton is bound to be significantly affected during and after the period of development, which runs for 20 years and aims to build 1500 homes – in the first instance to be sold or rented to campus workers – on the east side of the A1307 opposite the current campus based on the west side. It would lead to more than doubling the current staff from 2,500 to 6,800.

HPC has consistently objected to the size and scale of the development since the application was made in December 2018, opposing the more commercial elements of the proposed scheme while supporting the work of the Trust. However, planning permission was granted 15 months ago because the national interest was deemed to outweigh the 'significant' harm caused by the development.

The Parish Council (HPC) then focused on the S106 on which it was consulted but was not a signatory. It was understood by some councillors that HPC would be given sight of the final draft of the S106 but this did not happen.

The S106 is a long, complex document. Some elements of the agreement are seen as positive and some as negative, both within and without HPC. WT won't build any community infrastructure on their site until the 500th house is built. To offset the pressure on Hinxton's current facilities it has offered £567,000 towards the cost of enlarging the village hall and associated costs, more than twice what HPC originally sought but which still leaves a potential small shortfall of £25,000. In addition, it has offered a 2.2-acre strip of land from the allotments down to the river for 20 years, or whenever their own communal facilities come on stream, at a peppercorn rent and the use of the WT site's community facilities.

However, there are concerns over the covenants, agreed by SCDC and Wellcome within the S106, which aim to restrict housing to on-site workers and their families. The mechanism by which this 'housing lock' is managed appears weak which could have an impact on the village into the future, particularly in terms of local infrastructure and transport links.

The only way to have forced SCDC to reconsider its decisions regarding the WT application would have been to apply to the courts for a judicial review (JR) of the way SCDC has managed the process. There was only a window of six weeks to make that application after the publication of the S106 on December 18. This gave HPC until 29 January to lodge an application.

At a Parish Council meeting on 11 January, some villagers indicated that they strongly supported making a JR. Some of the councillors were wary because the outcome of all legal actions is uncertain and the PC might have had to bear up to £15-£20k in costs if the council were to lose.

However, costs would largely have been recoverable if such an action was successful.

HPC decided to commit £1500 for a legal opinion on the likelihood of success of a JR application. This meeting was called to discuss this advice.

Questions which were presented to Counsel were-

The Wellcome Trust plans presented a case for growth- R &D, commercial development and housing, the decision was made quickly and outside the Local Plan.

Q1 – To look at the legality- was everything done correctly? We would need to show there was an error in law

Q2- Whether 1500 houses were necessary

Q3- Sec 106- are we happy that housing covenants are robust- for the camous staff and not open market?

Q 4 – Judicial Review- is this worth pursuing?

Our Counsel looked at the plans in great detail, although she sympathized with us, she came to the strong opinion that we should not proceed with the JR.

SCDC would have to found to have made a decision so illogical as to be an irrational decision- eg building on a known flood plain. It would be very difficult to find any holes. If there was a JR, it would ultimately go back to SCDC for a review.

If WT cannot sell the first 250 houses, they can they go to SCDC to see if they can be sold privately. If these first houses can't be sold, then it would undermine the case for any further houses to be built. There is concern for second sales, which could be 13 weeks after the first sale. There should be an element of control by SCDC, if sold on the open market this would increase traffic, however this is some way in the future.

The meeting was then opened to the public. Residents voiced their appreciation for all the hard work done by the Parish Council.

Comments received from the public were:

- One resident said that for SCDC to say that this planning permission would be harmful to Hinxton was appalling and showed little or no respect.
- Science is worldbeating and village not against this, just the size of the plans. The Science and commercial development could be done without this number of houses.
- WT had bought up a Property development company for just such a scheme. Can they use Science to justify this?
- Will there be opportunity to object further down the line? Response: There will be myriad applications with each scheme and we will be able to raise objections as normal.
- What now for the Village Hall? Response: We are not committed to anything yet. WT have to supply a certain amount of community space, either on their site or with our Hall, The provision is that we will extend by 90sqm, if we do not extend, then this amount will be added to the WT

new community centre. Once WT apply for first residential housing, then we can apply for the first part of the money. PC will hold exhibitions and chance for residents to give their opinion later in the year. If we vote to go ahead, then we will receive first part of the money for plans and legal fees. Once Planning permission given, then we can ask for the remainder of the money. £10k for initial fees, £67k for planning/design fees, £490k when we get planning permission.

- The PC and Village Hall Committee will need to decide how to cope with the next 2-3 years- eg the floor, will need to decide what is patched up or not patched.
- The way that WT has worked- we feel we have been taken to the cleaners, when the original expansion done, we were told that no expansion would be done across the A1301. This development will be 10 times the size of Hinxton, should never have happened.
- Do we really need the extension on our Hall, it is big enough for us? Response: The new houses will be part of Hinxton Parish so they will be using our Hall, needs to be bigger for them.
- If they are going to be a part of Hinxton, then just look what happened at Byrons Pool, that is now urban, we will be an amenity to the new houses.
- We are pleased to get a cut and dried answer from Counsel, we are very lucky to have such personnel on our PC. We want to let SCDC know that we seriously considered a JR and to let them know how strong feeling was in the village. Response: We will write to SCDC and let them know our frustration, we had no influence on the Sec 1056, We have had a reasonable outcome to a not very good proposition. SC wanted to attend the meeting but we said it was a village event and we will let them know the outcome and that we have taken legal advice.
- SR: We want to let villagers know that we are here to support and answer any questions or concerns.

Chair then asked for a vote on whether to proceed with a Judicial Review.

For – 0

Against – 7

It was therefore unanimous that we would not proceed with the Judicial Review.

Meeting closed at 8pm

Date of next meeting:

- **8th March 2021 Parish Council Meeting, 7 pm**

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