

WETHERSFIELD PARISH COUNCIL

REPRESENTING WETHERSFIELD, BLACKMORE END & BEAZLEY END



MINUTES of the Wethersfield Airbase Scrutiny Committee Meeting held at Wethersfield Village Hall on Monday 24 April 2023, commencing at 7:30pm.

Present:

- Cllr A Hull (Chairman) (Shalford PC)
- Cllr R Duffin (Vice Chairman) (Finchingfield PC)
- Cllr J Pearce (Wethersfield PC)
- Cllr D Coverdale (Finchingfield PC)
- Cllr T Roberts (Toppesfield PC)
- Cllr J O'Brien (Little Bardfield PC) and acting Clerk.
- Cllr S Short (Wethersfield PC)
- Cllr P Kennedy (Great Bardfield PC)
- Cllr S Harris (Sible Hedingham PC)

In Attendance: Members of the Public: 3

WA01/23-24 APOLOGIES FOR ABSENCE

Apologies were received from Cllr M Gurney (Ridgewell PC), Cllr G Inch (Ridgewell PC), Cllr A Hooks (Salings PC), Cllr A French (Shalford PC), Cllr D Hockley (Great Bardfield PC), Cllr N Nicholson (Helions Bumpstead), Cllr G Southgate (Castle Hedingham), Richard Aggiss and Donna Roder (Clerk & RFO)

WA02/23-24 MEMBERS DECLARATIONS OF INTEREST AND DISPENSATIONS

None declared.

WA03/23-24 MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2023.

RESOLVED that the minutes of the meeting held on 27 February 2023, copies of which had been previously circulated to Members, were confirmed as a true record and signed by the Chairman. Proposer Cllr Coverdale, Seconder Cllr Pearce.

WA04/23-24 PUBLIC PARTICIPATION

A member of the public declared he was the public front for a non-violent protest/campaign group known as Wethersfield Protests. Wethersfield Protests oppose plans for the proposed asylum centre at the airbase because it is the "Wrong Plan, Wrong Place". The group have been encouraging people to write comments on ribbons and tie them to trees up near the airbase. He thanked Rt Hon James Cleverly MP, Rt Hon Priti Patel MP, Rt Hon Robert Buckland KC MP and Braintree District Council for sticking their heads above the parapet to object to the asylum centre proposal. The group have a facebook site which they keep up to date with what they have been doing. They are aiming to build up a base of people to help.

They have been in touch with a law firm to discuss how to carry out peaceful protests. It was stated that members of an extreme right group had been up to the gates of the airbase to put posters up.

A member of the public confirmed that letters had been set out by Cllr T Roberts on behalf of The Fields Association enclosing the Buro Happold Geoenvironmental Desk Study report commissioned by WASC. These had gone to various MPs and government departments. In particular, a letter had been sent to the Rt Hon Michael Gove MP in his role as Secretary of State for Levelling Up Housing and Communities, asking what expert opinion he had obtained prior to making his Screening Direction regarding the asylum centre.

WA05/23-24 CLERKS REPORT

CORRESPONDENCE

1. A letter was sent to Rt. Hon Michael Gove MP, Rt. Hon James Cleverly MP, Cllr Graham Butland and Kevin Bentley from Braintree District Council on 13 March 2023 regarding the prisons and asylum reception centre, highlighting the Levelling Up and Regeneration Bill including section 101 of the bill.
2. A letter was sent to Cllr G Butland on 10 March 2023 regarding the proposed asylum reception centre including points resolved at the Wethersfield PC meeting of 8 March 2023. BDC has since obtained a full injunction hearing which is due to take place at the High Court on 19 April 2023.
3. A meeting took place between the Home Office and WPC (telecon call) on 28 March to inform them that an announcement would be made selecting Wethersfield airbase the following day. There were very little other details they could share or confirm to. Three follow-up letters have been sent to the HO since. However, currently no reply on any item including the request that they consult face to face with residents here.
4. RT HONARABLE JAMES CLEVERLY MP: A last minute meeting took place between Finchingfield and Wethersfield PC on 2 April 2023. Follow-up communication has since been sent on items to be addressed.
5. A letter was sent to Panfield PC regarding their withdrawal from WASC, as agreed at the previous meeting. No response received.

THE FIELDS ASSOCIATION

Banners: New Banners have been displayed in Wethersfield, Shalford and Sculpins Lane.

A grant application for £3500.00 toward the contamination desktop survey has been made to TFA.

Several press interviews by TFA on the asylum plans at the airbase, have been shown on major news channels and national tabloid papers.

A further sub-committee has been formed by TFA to specifically handle the ARC.

Crowd Justice Funding has been set up by an individual resident to potentially issue a further JR pending the outcome of BDC's injunction hearing on 19 April. Lawyers Deighton Pierce Glynn area also working closely with BDC lawyers in the interim. Currently £14.6K has been

pledged. Further details can be found by visiting <https://www.crowdjustice.com/case/stop-the-inhumane-asylum-camp/>

WA06/23-24 CO-OPTION

RESOLVED It was agreed to co-opt John Pearce as a non-Councillor member of WASC. As a non-Councillor member John Pearce will not hold any voting rights per the Terms of Reference. Proposer Cllr T Roberts, Seconder Cllr S Short. Unanimous vote.

WA07/23-24 SUB-COMMITTEES

Cllr J Pearce gave an update on the work of the **Technical Sub-Committee**:

Levelling Up and Regeneration Bill (LURB)

The Technical Sub-Committee have been reviewing the LURB going through Parliament at the moment. Clause 101 of the Bill deals with Crown Land, which is particularly relevant for WASC as the 800 acre airbase site is all Crown Land. By way of background, the Crown didn't previously require planning permission to develop Crown Land. In 2005 it was decided that this was outdated and the law was changed so that planning permission was required, unless the development was of national importance and urgent in which case the Crown could apply to the Secretary of State for consent. However, this provision has never been used because it is too complicated. Clause 101 aims to streamline the process and asylum centres and prisons have specifically been mentioned in relation to this. Clause 101 introduces a new provision which allows the Secretary of State to grant planning permission on matters which are of national importance but **not urgent**. This clause has been debated in the House of Lords where issues have been raised. If this Bill is passed without any amendment to Clause 101 it will mean that the Crown can potentially carry out any development it chooses at the airbase with no planning application to Braintree District Council.

The Technical Sub-Committee has written to Rt Hon James Cleverly MP (twice), Cllr G Butland, the Chief Officer at Braintree District Council and Rt Hon Michael Gove MP expressing concerns regarding clause 101, but no responses have been received.

Cllr R Duffin suggested that WASC also write to other political heavyweights for example Rt Hon Priti Patel MP and Rt Hon Sir Iain Duncan Smith regarding this.

Why Braintree District Council's Injunction Hearing was unsuccessful.

The judge decided that he did not have jurisdiction to make a ruling, because BDC applied for an injunction under s. 187b of Town and Country Planning Act and an injunction can not be granted against the Crown pursuant to this provision unless BDC had the consent of the current land owner (MOD) to bring this action (which they did not).

The judge went on to consider whether if he had jurisdiction to make a ruling, the asylum centre would be Permitted Development pursuant to Class Q of the General Permitted Development Order. Class Q permits development in an emergency situation, for a 12 month period. Braintree District Council's argument (which is supported by WASC) is that the

asylum situation at the moment is not an emergency, but a long standing crisis. The judge decided that there was an emergency and development is permitted under Clause Q.

The judge granted BDC leave to appeal on the basis that new and important points of law were being considered. WASC is waiting to hear whether BDC will appeal.

Phase 1 and Phase 2 Works Programme

The Technical Committee has added further tasks to the works programme and is working its way through these.

A report had been produced by Historic England relating to the listing application for the military chapel, the weapons storage area and the Victor Alert hangars. It is believed that the listing has been recommended and WASC hope to hear about this shortly.

There are currently 3 planning appeals ongoing for prisons at 3 other sites. As Wethersfield is a back up site for a prison, the decision of these appeals is important. At Chorley the Planning Inspector wanted to refuse the appeal, but the Secretary of State said that if the highways mitigation was altered this might tip the balance, so the public inquiry has been reopened. There are 2 other sites which are also under appeal, with decisions expected in May.

Cllr J Pearce has chased up the Transport Consultants and their report should be finalised by the end of this week.

Alternative Uses

The Fields Association had prepared an alternative uses concept plan for the airbase site. The Technical Sub-Committee are building upon this to produce a draft document of initial ideas linked to policy and evidence for discussion amongst WASC and The Fields Association. The aim was to produce the document in 3 weeks and it should be ready by the end of this week. This document will feed into the Neighbourhood Plan.

Joint Neighbourhood Plan

WASC are waiting for Braintree District Council to approve the Neighbourhood Plan area. This will comprise only Finchingfield and Wethersfield now. However, it was discussed whether some wording could be agreed which referred to the planning policy in Toppesfield submitting itself to the Joint Neighbourhood Plan for Finchingfield and Wethersfield in respect of the part of the airbase within the Toppesfield parish boundary. Cllr T Roberts suggested that Toppesfield Parish Council might be able to liaise with Emma Goodings from BDC to find an acceptable form of wording to insert into the Toppesfield Neighbourhood Plan. Cllr S Harris also discussed finding some wording which could be included within the joint Neighbourhood Plan and which would allow the part of the airbase within the Sible Hedingham Parish boundary to be included in the joint Neighbourhood Plan. The idea then being that Sible Hedingham could then confirm their agreement to anything that is proposed.

The Terms of Reference for the Joint Neighbourhood Plan have been agreed by both Wethersfield and Finchingfield. The Neighbourhood Plan Committee will meet once a month on a Thursday in Wethersfield. BDC has suggested that a Neighbourhood Plan logo is used.

Cllr A Hull gave an update on the work of the **Strategy and Co-ordination Sub-Committee:**

Events regarding the asylum centre had moved rapidly in the last 2 months. The Fields Association had taken the lead in dealing with this and in particular their media team had been fantastic.

Buro Happold Geo Environmental Desk Study

Cllr A Hull discussed the importance of this study. This is a 50 page survey assessing the likely levels of contamination at the airbase site. Buro Happold are a geo-environmental firm. The author of the report Hugh Mallett has 45 years' experience in this field and is an expert on contaminated land. The report assesses the risk of contamination at the site as it stands, and if the site is repurposed or redeveloped. The report lists a number of Class 1 Hazards which have a potential high risk to future site users/ visitors and which could be present across the entire site. The report explains that due to the history of military use there is a significant potential for unknown and undocumented sources of contamination which could be present across the site. The report also refers to this being a conservative assessment of contamination at the site given that no site walkover has been undertaken and the absence of complete historical records and site investigation data. Whilst the report refers to all risks being capable of mitigation, thorough investigation is required before any work can be done and a remediation strategy would need to be worked out (which is likely to take at least 2 years). One of the main concerns at the site is the risk of radiation. Luminescent paint was used on instrument dials in aircraft and these was radioactive. These instruments were often burnt, and the radioactive ash spread across the site, possibly used for landscaping and put in holes for fence posts. There is potential for contamination to be present as gases and there is no need for redevelopment to take place for these to be a risk to human health.

Cllr S. Harris stated that contractors working on site would need to act if they received a copy of the report as they would not be able to put staff into a situation where they could knowingly be subject to harm. It is not clear who the contractors are on site. Clearsprings are potentially one contractor. Cllr T Roberts would write to Clearsprings on behalf of The Fields Association, sending them a copy of the report.

Cllr D. Coverdale suggested contacting the national body of insurers and sending them a copy of the report. Cllr A. Hull agreed to do this.

Cllr A Hull explained that he would be speaking to Reed Smith, a large law firm, who were interested in exploring whether there are grounds to issue a claim in relation to contamination at the site. This had been co-ordinated via The Good Law Project.

Strategic Migration Partnerships

Cllr J O'Brien raised the issue of Strategic Migration Partnerships (SMPs) which are local Government led partnerships funded by, but independent of, the Home Office, whose role is to coordinate and support delivery of national programmes in asylum and refugee schemes. There are 12 SMP partnerships across England, Wales, Northern Ireland and Scotland. The

SMP local to the airbase is based in Bury St. Edmunds. SMP's act as a go between the Home Office and the Local Authority and will organise multi-agency meetings involving police, medical services and other stakeholders. Given that it is likely some asylum seekers will be housed at the airbase in the near future and that Parish Councils are unlikely to have any say over this through the usual planning process, Cllr O'Brien suggested that WASC write to both the local Strategic Migration Partnership and Braintree District Council asking them to set up these meetings and for representatives of WASC to be a party to them.

WA08/23-24 FINANCE

WASC Finance Updated 1/4/2023

Invoices Received

<u>Date</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount ex VAT</u>
27/2/2022	Captial Road Safety	Traffic Monitoring	£600.00
10/03/2022	Sedley Place	Prison Model	£2,137.50
01/03/2022	CBA	Mobilisation Payments	£2,000.00
28/02/2022	Andrew Martin Planning	Briefing note and research	£1,000.00
05/05/2022	CBA	Consultancy	£2,800.00
15/07/2022	Spectra Studios	Prison Model	£1,200.00
01/08/2022	CBA	Landscape assessment	£3,895.00
10/11/2022	CBA	Heritage application	£5,000.00
15/03/2023	T Roberts	WASC Postage Costs	£141.49
		Total	£18,773.99

Income Received

<u>Date</u>	<u>Payee</u>	<u>Description</u>	<u>Amount</u>
21/02/2022	Shalford Parish Council	10% Contribution 21/22	£2,150.00
14/03/2022	Toppesfield Parish Council	Contribution	£500.00
11/04/2022	Little Bardfield Parish Council	Contribution	£300.00
08/04/2022	The Fields/SWAP	Grant	£5,000.00
05/05/2022	Bardfield Parish Council	Contribution	£1,000.00
18/05/2022	Finchingfield Parish Council	Contribution	£4,474.20
20/06/2022	Sible Hedingham	Contribution	£500.00
01/08/2022	The Fields/SWAP	Grant	£5,000.00
10/08/2022	Castle Hedingham	Contribution	£300.00
25/10/2022	Helions Bumpstead Parish Council	Contribution	£100.00
01/12/2022	Finchingfield Parish Council	Contribution	£4,748.50
17/06/2022	Shalford Parish Council	10% Contribution 22/23	£2,150.00

12/12/2022	Sible Hedingham Parish Council	Contribution	£2,375.00
24/01/2023	The Salings Parish Council	Contribution	£500.00
		Total	£29,097.70

Current Position

£10,323.71

Cllr A Hull gave an update on Finance. The position was the same as at the previous meeting apart from the deduction of £141.49 paid out in respect of postage costs.

WA09/23-24 ITEMS FROM COUNCILLORS TO BE ADDED TO THE NEXT AGENDA

All items should be sent to the Clerk by 26th May 2023.

WA10/23-24 NEXT MEETING OF THE WETHERSFIELD AIRBASE SCRUTINY COMMITTEE:

The next meeting of Wethersfield Airbase Scrutiny Committee will be held on Monday 5th June 2023 at Wethersfield Village Hall.

The Chairman thanked everybody for attending and declared the meeting closed at 9.40pm.

Signed:
Chairman

Date: