**SUNNINGHILL & ASCOT PARISH COUNCIL MEETING 11 JANUARY 2022**

**AGENDA ITEM 12**

**COOMBE LANE LAND VILLAGE GREEN APPLICATION**

**SOLICITOR FEE ESTIMATE FOR WORK REQUIRED**

**BACKGROUND**

Since the sale of the land off Coombe Lane which has historically been used by the public for recreation there has been a call by local residents to protect the land and keep it available for public use. Sunninghill & Ascot Parish Council moved in September 2021 to apply for Village Green status for the land and, in acknowledgement of the amount of work that would be involved and the requirement to ensure the application – as a one-off opportunity – is prepared to a level to ensure the best chance of success, it was agreed that a consultant or solicitor should be sought to work with the clerk in undertaking the process.

After much research the clerk has found a firm of solicitors, Birketts LLP, who have experience in this area and has agreed with them the initial work of drawing up a Draft User Evidence Form to enable the collection of the necessary evidence from local residents. The cost for this aspect of the work, and for necessary land registry checks, is £700 plus VAT.

**THE PROPOSAL IS TO CONTINUE WITH THE VILLAGE GREEN APPLICATION, USING BIRKETTS LLP, UNDERSTANDING THE FOLLOWING POSSIBLE ESTIMATED FUTURE COSTS**

Birketts have provided the following fee estimate:

* Once the user forms are collected in, to assess the evidence and advise on the prospects of success - around £2,000 plus VAT. This will of course depend on the number of forms received but the assumption is of a reasonably high level of response.
* To assist with preparation of the application - £1,000 plus VAT.
* To assess any objections and respond - allow £1,000 plus VAT (this again depends on what is said)
* A site visit £1,500 plus VAT
* Assuming the matter goes to an inquiry there will be additional cost in preparation of the statement of case and witness statements and in representation at the inquiry. At this stage (and assuming a 4-day inquiry) costs are estimated at £26,000 plus VAT.
* Allowing another 30 hours for general correspondence with us as client and with the Council and others - £5,000 plus VAT (this assumes the matter continues to an inquiry)

Taken together this gives a total figure of £37,500 plus VAT with the work as far as submission of the application being around £3,000 plus VAT of that, or £4,500 if the site visit takes place before the application is submitted (which may be beneficial).

Birketts have assumed a four day inquiry based on their experience. This type of matter tends to involve a large number of witnesses, some of whom do not come forward until the inquiry has opened and the nature of the evidence means that it is time consuming to analyse.