



A Renewed Request for Information from People for Packsaddle

Our Community and Councillors deserve answers

On 6th March 2026, Somerset Council (SC) announced its decision to close Packsaddle Community Fields to the public, after 50 years of continuous public use, giving just a few days notice.

SC's Head of Property, John Kulasek, stated in the communication that the reason for its decision was that it had received formal notice of a £500k+ legal action by developer LiveWest (LW), against the Council. He stated "*we have carefully reviewed our options once again. The conclusion has not changed, either this Council fulfils its obligations within the contract with the developer and fully supports and aids the developer in its pursuit of planning permission, or it will face challenge for breach of contract.*" SC's contract with LW does not in fact say this, it says SC "*must cooperate with the Developer and use reasonable endeavours to assist the Developer in obtaining a Planning Permission*". They are not the same thing.

People for Packsaddle (PfP) had, in November 2025, provided SC with a comprehensive barrister's opinion, providing legal guidance and case law as to why the Council was unlikely to be legally obliged to close the Fields to fulfil its contractual obligations.

Despite this, SC proceeded to close Packsaddle Community Fields to the public on 10th March.

On 7th March, PfP wrote an open letter to Cllr Mike Rigby, responsible for the Council's assets, asking him to answer a number of important questions relating to his decision to close the Fields, which are in the public interest. We have received no response.

On 25th March, John Kulasek and Chris Hall (SC's Executive Director Community, Place & Economy) appeared at a Frome Town Council meeting, to answer questions about the closure of Packsaddle Community Fields. Some of their responses were deeply troubling and inconsistent.

- a) When asked why they had closed the Fields, their response was that they were obliged under their contract with LW to prevent trespass and that the public had been trespassing by straying off the permissive and public footpaths. This is concerning because legally there was no trespass. Our legal advisor has confirmed that it only becomes trespass if the landowner has explicitly forbidden access, which SC had never done. So legally, SC were under no obligation to close the Fields to prevent trespass. Interestingly, the trespass point was never mentioned in SC's official communications about closing the fields.
- b) Mr Hall confirmed that he was the decision maker for the Fields closure. When asked repeatedly whether the legal advice he received to inform this decision, had advised that it was necessary to close Packsaddle Community Fields to meet SC's contractual obligations to LW, his repeated response was "I can neither confirm nor deny this". This suggests that his decision to close the Fields may not have been in line with the legal advice that SC received (which has not been made public to date).
- c) When asked how closing the Fields would assist LW in obtaining planning permission, neither Mr Hall nor Mr Kulasek were able to answer. Their response was that the mechanics of exactly how to obtain planning permission was up to LW. Surely as a decision maker, it would be basic due diligence for Mr Hall to understand exactly *how* closing Packsaddle Fields would assist LW in gaining planning permission. Otherwise, how could he know whether SC were legally obliged to do so?
- d) Neither Mr Hall nor Mr Kulasek were able to answer how the alleged £500k potential cost to SC, if it does not close the Fields, was calculated.

All of this raises significant concerns over the validity of SC's decision to close the Fields, whether that action was necessary to comply with SC's contract with LW, and how realistic the supposed £500k threat from LW was. We therefore urge Somerset's elected Councillors to demand from Cllr Mike Rigby and the Council's relevant Officers the following:

PfP's 3 crucial demands that are now in the public interest:

1. Make public the relevant documents / legal advice which the Council says forced its decision to close Packsaddle Community Fields. Specifically:

- a. A copy of the formal legal notice received from LiveWest detailing the legal action it intended to take, including details of how the £500,000 of costs, that SC said it would potentially incur if it didn't close the Fields, were calculated.
- b. A copy of the legal advice which SC received prior to making its decision.
- c. The reason(s) why PfP's barrister's opinion provided to SC in November 2025 was discounted.

If there is genuinely nothing to hide, then there should be no issue whatsoever in SC releasing these documents.

2. Respond to concerns from residents that the closure of Packsaddle Community Fields was part of an agreed strategy between LiveWest and SC.

As explained above, there has been troubling inconsistency in SC's reasoning for closing the Fields, and Officers have been unable or unwilling to answer some basic questions that would provide much needed transparency on this significant decision.

Furthermore, although SC's public announcements have stated that they had to close the Fields to avoid legal action under their contract with LW, SC's CEO Duncan Sharkey wrote to PfP on 13th March stating "*You seem to be under the impression the Council is in some way unhappy with the contract with LiveWest. That is not the case...The Council continue to support LiveWest to develop this site.*"

An email from Russell Baldwinson, Executive Director of Development & Investment at Bromford Flagship LiveWest, expressed a similar sentiment on behalf of the developer "*We continue to work collaboratively with senior officers at the Council*".

Such statements do not accord with the narrative propagated by the Council, that it acted reluctantly and under duress.

Instead, unless and until it publishes the legal notice and advice, as per our first demand, it is reasonable and sensible for the public to conclude that the Council acted as a willing partner, prioritising its support for LiveWest over its responsibility to residents.

3. Schedule a debate by the full Council, to reopen Packsaddle Community Fields, with documents relating to the decision to close them shared with Councillors in advance. This is needed because:

- a. There has been inconsistency, lack of transparency, and potential lack of due diligence over the decision to close Packsaddle Community Fields. The decision therefore needs to be scrutinised and reviewed.
- b. Planning Applications for Packsaddle Community Fields have already been refused twice; once by SC's Planning East Committee, and once at appeal by the Planning Inspectorate.
- c. Packsaddle Community Fields have been used by the public for 50 years, and are a listed Asset of Community Value (ACV). The Council's decision to close the Fields very clearly conflicts with the spirit of ACV status.
- d. SC knew that a decision to close Packsaddle Community Fields would be highly sensitive. It should have been debated by the full Council in the first place, before the decision was made. This must now be rectified and democratic accountability restored.