

**MINUTES**

**For the meeting of Parish Council, held on Wednesday, 6<sup>th</sup> March 2019**

**Meeting Number 19.336**

**Public Participation Session**

There was nothing to note from the public.

**19.336.1 Apologies for absence**

Cllr Susan Daenke (SD) and Kieran Evans (KE) sent their apologies and were not present. Cllrs Bohm (DB), Forbes (GF), Mullane (NM), Donne (HD) Stafford Allen (RSA) and Whitfield (RW) were present.

There was 1 member of the public present from the start and a further person entered the meeting at 20.50.

**19.336.2 Declarations of interest**

The Chair asked for Declarations of Interest, Cllr Mullane noted his ongoing interest in Southfield Farm.

**19.336.3 Approval of the minutes**

The minutes of the previous meeting were discussed. There was a request to update Apologies for absence on page 1 – KE wasn't present but it detailed he was.

The Clerk updated the minutes. The minutes for the 6<sup>th</sup> February meeting were then moved by DB and seconded by NM. It was supported unanimously by the Council.

**Action:** Clerk to present to Chair to sign, then file.

**19.336.4 Chair's report**

Cllr Bohm (DB) outlined her Chair's report explaining last month has seen the transition to the new clerk. She thanked RW for the support she has shown.

She then went on to highlight that there are lots of documents to cover tonight to be more compliant with Governance Regulations and thanked the advisory groups for their ongoing work.

**19.336.5 Clerk's report**

The clerk highlighted the key points from her report.

We have received a number of verbal reports regarding the unpleasant smell from the chicken farm in Bletchingdon. Bletchingdon PC have received no complaints of a smell in their area. It is suggested that a form be placed in the village shop so people can record incidents (in case they can't get through on the phone) so we have a record.

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A member of the public mentioned he has contacted the Environment Agency on 7/8 consecutive days to help build a dossier on events. He continued that they have been very helpful and also included a follow up call.

**Action:** Clerk to create form to detail incidents of smell from chicken farm and place in shop.

**Action:** Clerk to contact businesses at Staplehurst Farm to see if impacted by chicken farm smell.

**Action:** Clerk to add contact number for Environment Agency in next village news.

Potholes are continuing to be registered on Fixmystreet.

NM provided an update on the potholes along the road to the Old Police Station house. OCC confirmed that they would be reviewed. This was slightly delayed due to the person responsible being off ill. Although most of the holes are only 20-30mm deep they are still looking to get the Dragon patcher there shortly.

The website has also been updated with the approved Asset and Risk Registers, latest news and minutes.

The annual village litter pick, part of Cherwell's Spring Clean initiative has been re-arranged to Saturday 6<sup>th</sup> April. Graham Barnett and Robin Stafford-Allen will organise notification in the village news. Depending on volunteer numbers work will include litter picking, work on North Lane and Oak Tree ponds and tidying of the old phone box area.

The hiring of the internal auditor, IAC Limited, is progressing and we have now received their Engagement letter.

#### **19.336.6 Resolution: To approve Standing Orders and Code of Conduct Documents (RW)**

RW presented the revised Standing Orders and Code of Conduct documents for approval.

The council has reviewed the current Standing Orders (2010) against the new model Standing Orders available from the National Association of Local Councils (NALC), 2018 and presents a revised version for adoption for the FY2018/19.

It is also recommended that the Standing Orders should undergo another review in FY19/20 and should be adopted by the council in the new FY.

RW then went on to detail the Code of Conduct document. It is expected of all Parish Councils that they sign up to a Code of Conduct when they take office. The Parish Council Code of Conduct Summary (2016) was signed by the Parish Clerk at the time. That Code of Conduct was reviewed against the model Code of Conduct available from the National Association of Local Councils (NALC), May 2018.

It is recommended that the revised draft of the Code of Conduct is agreed by Council and duly signed. It is also advised that the Code of Conduct be reviewed annually and any necessary revisions made, then adopted by Council as part of the Annual Parish Council meeting.

DB asked where was confidentiality covered in the documents eg. PC or sub-committee discussing matter in confidence or is it covered under general good behaviour?

RW highlighted that Standing Orders relate to the structure of meetings and how they operate, the Code of Conduct is more about behaviours. DB mentioned there is nothing explicit in the documents regarding confidentiality.

DB highlighted that the concern is the public's right to know about issues alongside a working groups right to work through an issue before it goes public. This is being raised as there have been a couple

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of issues lately where members of working groups have gone to the village before working documents have been fully discussed.

NM questioned whether some advisory groups should have a form of confidentiality in their Terms of Reference. RW commented that the inference from the Standing Orders document is that if you are on an Advisory Group you adopt the Code of Conduct and the behaviours of the Parish Council.

RSA commented that in advisory groups there needs to be a clear demarcation of what is discussed in public and what is not.

NM highlighted that points in the Code of Conduct need to be highlighted to members of working groups and they should sign up to it, this was supported by HD. GF commented that he is not comfortable with this.

RW mentioned the benefit of not meddling with the Code of Conduct document as its written by Cherwell DC and if altered the document would not be under their banner.

NM questioned whether working group members should register and declare interests and should groups sign up to this to which RW replied yes they should.

**Resolution:** It is moved to adopt the revised Standing Orders document. The resolution was proposed by RW and seconded by RSA. It was supported unanimously by the Council.

**Resolution:** It is moved to adopt the revised Code of Conduct document. The resolution was proposed by RW and seconded by NM. It was supported unanimously by the Council.

**Action:** Chair, on behalf of the council, to sign approved Code of Conduct.

**Action:** Clerk to file signed Code of Conduct and upload to website.

**Action:** Governance lead to review Code of Conduct annually and then present to Council at the Annual Parish Council meeting.

**Action:** Clerk to add Code of Conduct review to Annual Parish Council meeting agenda.

**Action:** Governance lead to ensure new individuals who join a Working/Advisory Group to sign up to Code of Conduct and declare any interests when join working group.

**Action:** Governance lead to ensure existing members of Advisory Groups be asked to sign up to Councils Code of Conduct and declare any interests in next financial year.

#### 19.336.7 Information: Responsible Financial Officer (RFO) Training Report (RW)

Cllr RW presented a debrief on the RFO training the Clerk and herself recently attended. She highlighted it was a useful session and that the course detailed the obligation the council has to designate an RFO. It also highlighted the need to articulate the roles and responsibilities for the Clerk, book keeper and Finance Advisory Group.

**Action:** RW to articulate roles and responsibilities for clerk, book keeper and Finance Advisory Group.

**Action:** Clerk/RW to provide overview of activities for calendar year.

**19.336.8 Resolution: To approve:** Financial Regulations 2018/19 document and receive Finance Group update (GF/RW)

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### Finance Group Update:

GF discussed the main themes in the Financial Advisory Group (FAG) Terms of Reference and Set Up Memo including members, meetings and key areas of work for the group to consider.

DB confirmed that SD had stood down from the FAG due to her other commitments on the PC. HD highlighted that there were therefore only 3 members in the group.

DB thought the Clerk should be a member, however there is the issue about the Clerk's relationship to a councillor. She suggested that should a conflict arise a declaration of interest would be covered. She also noted that she had read there must be a minimum of two councillors on an advisory group but it was also common to have non-councillors who could provide expertise in a group.

GF stated that he considered there was too much compliance over the Financial Advisory Group and PC and could therefore not put forward the Terms of Reference document. The only option he saw open was to resign from the finance advisory group.

DB commented that it was disheartening as RW and DB have done lots of the background work and confirmed that there has to be governance structure in public office.

HD asked whether the approval of the Terms of Reference document could be delayed as councillors not comfortable with the current situation.

**Action:** Finance Working Group to discuss Terms of Reference document further and bring back to the PC in due course.

### To approve: Financial Regulations 2018/19 document

RW presented a summary of the Financial Regulations based on the model financial regulations drafted by NALC in January 2016. This document has been put forward for approval to help be more compliant with auditors.

NM questioned if the RFO the Clerk or the financial lead councillor?

RW outlined that the detail of an RFO varies with what each may cover, therefore job roles for each interested party need to be assigned so the council know what is covered by whom. The RFO is responsible to make sure we are compliant with regulations eg. filling in end of year forms, appointing internal auditor and compiling forms for the external auditors. The RFO does not have to be responsible for actually handling the money.

In the RFO training RW detailed that the RFO is usually the clerk or employee of the council or in some cases it could be a councillor. Therefore we need to define what the roles and responsibilities are for the councils RFO.

NM commented that the Financial Regulations revision note seems sensible and there is no reason to not adopt it.

DB highlighted the fact that there is no audit trail on where the previous council stood on these issues so essential to progress.

At this point DB recognised GF's financial expertise and outlined that in his absence DB and RW have attempted to move things forward.

GF reported that he is not happy with RFO job description document.

RW confirmed that the Parish Council has to have an approved Financial Regulations document.

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GF perceives that the broader areas covering structure to be too bureaucratic and uncomfortable with this level of detail.

DB clarified for the council that for the time being the Clerk was not to be the RFO as detailed in the job description. RW suggested that the role of RFO could be defined as someone who ensures the council are compliant in the financial obligations rather than the handler of money, bank accounts and reports.

NM suggested this matter be discussed in greater depth after the remainder of the meeting agenda had been concluded.

**19.336.9 Resolution: To approve** the following invoices.

The clerk requested approval of the following invoices detailed in the table below.

Payee	Purpose	Total payable incl VAT
OALC	Clerks Training – Minutes & Agendas	£54.00
OALC	Clerks Training – A Clerks Year	£102.00
OALC	Clerks Training – Roles & Responsibilities	£102.00
OALC	RFO Training Course (x2 attendees)	£204.00
OALC	Annual Subscription Renewal 19/20	£138.97
Mike Moss	Hedge laying works, adjacent playing field	£650.00
NALC	Local Councils Explained 2013 Book Purchase	£19.99
Ruth Whitfield	Parish Clerk Expenses 18/19	£126.71
Ruth Whitfield	Parish Clerk Printing Expenses 18/19	£73.94

This resolution was proposed by RSA and seconded by DB. It was supported unanimously by the Council.

**Action:** Clerk to update invoice log with approvals.

**Action:** Clerk to update Transparency log of invoices in excess of £100 and add to PC website.

**Action:** Clerk to initiative request for payments from councillors.

**Action:** Councillors to process online payment requests.

**19.336.10 For discussion:** to discuss and agree recommendations from the Planning Group (HD)

Councillor Donne outlined the recommendations from the Planning Group. He started with the applications that had been Concluded:

**19/00001/TCA** | G1 x 7 nos Conifer/Leylandii - Remove as causing light issues to the property. | Cruck Cottage Northampton Road

**CDC Approved**

**18/02148/F** | Two storey rear extension, reducing height of rear kitchen window and additional flue in roof of extension to west elevation to serve multi fuel stove | The Dower House Church Road

**PC Objected - CDC Approved**

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**18/00491/DISC** | Discharge of Condition (i) (boundary treatment) of 17/02277/F - APP/C3105/W/18/3193060 | Keepers Cover Church Lane

**PC No Objection – CDC Approved**

HD then raised the matters awaiting decision:

**18/02066/F** | Demolition of redundant concrete barn and erection of 4 dwellings with associated access and amenity | Southfield Farm

**PC have commented – style not in-line with NP and overdevelopment of site.**

**CDC say are asking for changes to application – No further news at this point**

**18/02089/F** | - Change of use to office space and the conference room to be used as light manufacturing of high-tech mobile phones - Coach House at Weston Manor Hotel

**PC Commented - No further news at this point**

**19/00025/DISC** | Discharge of Conditions 3 (tile sample), 4 (stone sample), 5 (timber sample), 6 (landscaping), 8 (doors and windows), 9 (architectural detailing), 10 (enclosures), 11 (parking and manoeuvring areas) and 12 (means of access) of 18/01251/F | Sycamore House Shepherds Close

There were issues/complaints around access during concrete pouring for the foundations.

**PC – condition 11 Parking and manoeuvring & 12 means of access are not good enough and PC commented as such**

It was suggested HD look into the comments made by Cherwell for the new house developed on Blacksmiths Close, which opened onto a private road, these may be useful for this application.

There has been a resident complaint about the state of the road following trucks delivering, it was reported To Cherwell and they said they would have bring the matter up directly with contractors themselves who were reportedly coming back to fix the problem.

**18/01871/F** | Erection of Staff accommodation building with storage and front terrace with low wall/planter | Chequers Inn

**PC commented on being pro need for accommodation (staff only) – worried about green belt encroachment, against low quality of the proposed chalet and would like to see a more natural wood, plain oak type building. Worried over view from Oxfordshire Way if they are minded to approve scheme.**

HD confirmed there were no new applications. Finally, HD covered Outstanding Planning Issues:

***Southfield Farm / Land north of Oak View***

PC (Cllr Mullane) is liaising with Owner / OCC / CDC noting the issues around pond and footpath, which is progressing. An update was requested.

NM commented that he emailed OCC, CDC and the developer in December and January following a meeting with Clive Tredwell. He chased today and cc'd in Councillor Griffiths.

He summarised the key facts regarding obtaining ownership of the Oak Tree pond.

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Spoken to Land Registry regarding culvert ditch. Owner of ditch is riparian land owner, riparian land owner is owner of the pond -no one owns the pond. OCC will only culvert the ditch if the PC own the pond. NM confirmed that he has advised them that it has been registered as a community asset.

The PC also had registered interest with Land Registry in 1993, which means Land Registry would need to notify the PC if someone tries to register ownership.

There are two ways in which the PC can claim the land, register as 1<sup>st</sup> possession if we have a deed, however there is no deed. The other way is through adverse possession however for this to succeed it would have needed to be fenced in for minimum of 12 years. The PC could still apply but need solicitor support and the PC likely went as far as it could in 1993. NM confirmed that we would look at obtaining some free legal advice first to understand options.

Other next step would be to see if Councillor Griffiths can get legal teams from CDC and OCC together with the developer to see if we could work it out.

DB read somewhere that all of verges given to PC at first PC meeting in 1800s before land was sold off.

RW confirmed there is a letter in the PC cupboard, dating from around 1993, investigating whether the pond was gifted to the PC or not. Her understanding was that the pond was to be given for use of the village and another letter articulates that it was to be used by villagers in order to try and claim it.

**Action:** Clerk to dig out letters and pass to NM.

**Action:** NM/Clerk to investigate obtaining advice from a lawyer and send info to land registry.

#### 19.336.11 **For information:** to receive an update on the Neighbourhood Plan (DB)

DB provided an update on the Neighbourhood Plan. Cherwell DC have read the rebuttal to the representations and will get back to DB with any comments. The rebuttal will not be made public on the website. DB/SD will continue to progress NP to Examiner as per due process.

**Action:** DB to send round rebuttal to councillors.

#### 19.336.12 **For information:** to receive an update on the Traffic Group (NM)

NM presented the following report:

The Traffic Group continues to prioritise Church Lane and Church Road. There are a series of options that the group are looking at and deciding which ones to look at first. NM and Eric Bohm will talk to any impacted residents before making any decisions on taking this to the PC and OCC for discussion.

Recently, a petition was put together by a resident of North Lane for all residents following the discussion of using one 20's Plenty sign. The results of this petition were sent to Councillors who live on North Lane. It was suggested by the petition that there was already a policy and proposal that was being discussed between the PC and OCC. This is categorically not the case as the group have been concentrating on Church Lane/Road. A letter from NM will be sent to all North Lane residents confirming this and the process from here on. The group will look at a couple of ideas that can be taken further.

This has been a frustrating time as it suggested that the PC was working against residents, which is not the case as no proposal has been brought forward about North Lane.

DB thanked the group and commented that they are doing a great job.

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**Action:** NM to discuss Church Lane/Road thoughts with affected residents and then also discuss with Councillor Griffiths to gain her support.

**19.336.13 For information:** to receive an update on the Works Group (RSA)

RSA outlined the key areas of the Playground report.

He confirmed the work to the hedge along the playing field has been completed.

There has been no further progress on grant applications for the purchase of the playing field.

The Duchy of Cornwall have confirmed that £500 can be taken off the asking price of the purchase of the playing field to cover the re-instatement of the fence along the spinney.

RSA queried whether the field is registered as a community asset and what needs to be done to achieve it. HD reported it had not been done as yet. RW confirmed that a motion was granted in a previous meeting so can be progressed.

**Action:** HD to pursue registering playing field as a community asset.

RSA queried whether he can buy items on behalf of PC.

Once the Financial Regulations are agreed the following is to be followed.

For items of expenditure less than £100, which are in the budget and have been discussed and approved in advance at a Parish Council meeting then the approval is there to purchase the items.

It should be noted however that it is best practice that the clerk should purchase items on behalf of the Parish Council. In order for the council to claim VAT back on items they have to be purchased in the Parish Councils name eg. the Clerk or Weston on the Green Parish Council and preferably delivered to the Clerks address.

**Action:** RSA to purchase turf for hibernaculum and present invoice to PC meeting.

RSA confirmed that KE is continuing to progress the moving of the allotments.

**19.336.14 Public Participation Session**

A member of the public commented that he had heard a rumour that Lagan Homes had purchased a bungalow on Westlands Avenue to provide access to any new housing development on the school field. DB commented it was in the rebuttal to NP.

He suggested it would be a good idea to investigate road widths required for an access point to identify what width is compliant in case they try to put an access point in Westlands Avenue. This would ensure PC have arguments in place should the need arise.

**Action:** HD to investigate road width required for housing developments.

**19.336.16 Resolution:** To exclude public for confidential discussion of Parish Councillor roles.

This resolution was proposed by DB and seconded by RW. It was supported unanimously by the Council.

The public meeting closed at 9.10pm.

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The chair continued the meeting in camera.

Unfortunately GF decided to formally resign from the Parish Council and left the meeting at 9.13pm.

**19.336.17 Resolution: To approve: Financial Regulations 2018/19 document**

It was further discussed that the PC are required to have a Financial Regulations document in place, if the council were in agreement.

RW confirmed that the role of the RFO would be clearly defined with the clerk covering the compliance side of financial matters only and would be removed from handling finances.

**Resolution:** It is moved to adopt the Financial Regulations 2018/19 document. The resolution was proposed by RW and seconded by HD. It was supported unanimously by the Council.

**Action:** RW to provide a definition of RFO role.

The meeting closed at 9.30pm

It was confirmed that the date of the next meeting is 3<sup>rd</sup> April 2019.

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