

MINUTES

For the meeting of Parish Council, held on Wednesday, 1st May 2019

Meeting Number 19.339

Public Participation Session

There was nothing to note from the public.

19.339.1 Apologies for absence

Councillors Donne (HD) and Evans (KE) sent their apologies which were approved and were therefore not present. Cllrs Bohm (DB), Daenke (SD), Mullane (NM), Whitfield (RW) and Stafford Allen (RSA) were present.

There were 5 members of the public present. Councillors Carmen Griffiths (OCC) and David Hughes (Cherwell District Council) also joined the meeting part way through.

19.339.2 Declarations of interest

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

Cllr Stafford-Allen noted his interest on the land behind Guernsey Cottage fronting the School Field.

19.339.3 Approval of the minutes

The minutes of the previous meeting were discussed and approved with no changes required.

The minutes for the 3rd April 2019 meeting were then moved by NM and seconded by SD. It was supported unanimously by the Council.

Action: Clerk to present minutes to Chair to sign, then file and upload to the web.

19.339.4 Chair's report

DB provided a verbal report to the meeting and thanked Councillors for their confidence in her and also their support over the past year. Time will now be taken to give some serious thought over annual planning for next year.

19.339.5 Clerk's report

End of Year Audit: The clerk confirmed that the requested documents had been delivered to the Internal Auditors on 25th April 2019. He will notify us if he requires any further information and if any additional work is to be undertaken he will contact us for approval prior to commencing the work.

Feedback should be received prior to the Parish Council meeting on 5th June 2019 in order that we can undertake the following:

- Receive and note the Annual Internal Audit report
- Approve the Annual Governance Statement (Section 1 of AGAR form)
- Approve the Accounting Statements (Section 2 of AGAR form)

She then outlined the next steps required in the end of year reporting and confirmed the deadline for submitting our forms to the External Auditor is 28th June 2019.

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Action: Clerk to add End of Year Financial approvals for AGAR and Internal Audit report to 5th June PC meeting.

Action: Clerk to complete AGAR forms and circulate to Financial Working Group prior to June PC meeting.

Chicken Farm: The clerk confirmed that village feedback on the chicken farm smell had been collated and sent to Robert Iles at the Environment Agency. A couple of residents informed the clerk of incidents and these were listed on the spreadsheet however there were no forms returned back to the clerk.

Planters: Planters for the village gates have been purchased. Councillor Daenke has very kindly volunteered her services to maintain the west gate closest to North Lane and Julia White and Helen Price have agreed to maintain the Bletchingdon Road gate. The clerk will look after the remaining gate until a village member volunteers.

Action: Clerk to notify SD and residents when planters are installed and ready to be planted.

Community Assets: The Assets of Community Value application for the playing field and spinney is continuing to progress with a decision expected by 7th May 2019. Following discussions with CDC the application for the Oak Tree Pond has been withdrawn. As it stands it currently wouldn't pass the test for a community asset; HD will look into it further and re-apply. Once this pond is sorted the North Lane duck pond will be progressed.

HD is progressing with the application for the Ben Jonson pub next.

Action: HD to re-evaluate Oak Tree Pond Community Asset application and re-apply.

Action: HD to continue progressing Ben Jonson Community Asset application.

SD queried whether the chicken farm smell had been reported to Bletchingdon Parish Council given its proximity or if businesses on the A34 had complained. The Clerk confirmed that Bletchingdon PC had received no reports and the clerk had received none from A34 businesses.

19.339.6 **For Information:** To receive an overview on the Neighbourhood Plan (DB)

DB confirmed that the Neighbourhood Plan has gone to Examination by Mr Timothy Jones who began the examination on 24th April. Mr Jones was chosen as he has experience of Neighbourhood Plans in small villages.

The examiner was made aware of the rebuttal document to the representations submitted and has decided to go to a public consultation on the schedule of changes. Information on this has been placed in the village. The consultation ends on 10th May 2019. Information with the examiners 'Guidance and Directions' document can be found on the PC website.

DB commented that CDC have been a great help over the clarity of the process.

The people who wrote comments in the rebuttal document have all been contacted regarding the new consultation. People can only rebut the rebuttal and any new comments will be considered before proceeding.

DB will keep the Council informed of the process.

19.339.7 **For information:** Feedback on Annual Parish Meeting (27th March 2019) and Minutes (DB)

DB explained that there was a new format for the Annual Parish meeting this year which involved inviting all groups in the village and requested feedback from the Council.

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SD thought that the meeting went very well and was pleasantly surprised by the contribution of the audience with a general interest in village issues. Inclusivity was good.

RSA noted it was a good meeting.

NM queried whether advisory groups (excluding planning, finance) could be included next year to keep the village up to date with progress on key areas of activity?

SD remarked you could cover highlights of each group next year.

A member of the public queried what was happening with the Transport Group as they felt it had gone quiet and still no public transport in the village. The Chair of the Transport Working Group came and presented to the PC in April 2019 and plans are being formulated which will become more visible in due course.

DB commented about a Councillor who used the Priority Fund to manage the transport issue in their area and worked with Comet bus to fund it coming through their area. She commented that she would discuss this further with Councillor Carmen Griffiths.

Action: DB to discuss transport funding scheme with Councillor Carmen Griffiths.

19.339.8 For Information: Update on School Field (DB)

DB then brought up the subject of the School Field regarding a message received from John Lagan of Lagan Homes suggesting a meeting with the PC saying the following:

"Basically I'm going to see me maximise the number of houses on this site in the future when Oxford's housing numbers drop OR if they'll (the PC) engage with me now I will do 10 high quality homes - design led bungalows etc to meet their aspirations. I will also grant 70% of the site to them for free for community purposes. I don't have a time limit/option so prepared to take a long term view on this".

DB mentioned she had taken advice from fellow Councillors and also from David Peckford, Deputy Manager of Planning Policy, Conservation and Design at Cherwell District Council who replied the following:

".....There is nothing to stop the developer seeking to engage with the Parish Council appropriately but the PC should not feel it must be supportive in principle of a particular scheme because of fear of an alternative.

The Parish Council should not feel it has to engage and could politely decline (having regard to whether it has been consistent in meeting / not meeting developers). Or it might prefer to meet with the developer but on the basis that it does not provide any view at this stage.

If the Parish chooses to engage it might prefer to just give an indication of what it would expect from development generally and decline to give any in principle view at this stage if it would be uncomfortable in doing so. It goes without saying that it certainly shouldn't compromise its formal position (especially where there are live applications).

In terms of the potential acceptability of any proposal I would of course suggest falling back on the adopted and then emerging Development Plan. The former includes requirements for the efficient use of land (policy BSC2) and measures for scrutinising whether affordable housing is being appropriately provided under policy BSC3:

"B.110 Housing proposals will need to provide affordable housing where they meet the qualifying thresholds. Where the number of dwellings proposed falls below the relevant threshold, or the number of dwellings is not specified, the Council will consider whether or not sites reasonably have capacity to provide the number of

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dwelling that would trigger the requirement to provide affordable housing. The purpose of this is to ensure that the policy requirement is not being avoided through inappropriate planning such as ineffective or inefficient use of land or a mix of dwellings that does not reflect other housing policies or local needs."

Policy ESD 15 requires high design standards.

I would also suggest being very cautious in dealing with 'offers' from developers bearing in mind 1) the need for correct and appropriate consideration of development proposals 2) whether such offers are likely to be necessary to make a development acceptable and 3) the general principle of proportionality.

Lagan Homes and David Peckford's suggestion has been discussed with Nigel Birks, Chair of the School Field Group and Roger Evans.

DB highlighted that the Parish Council's thinking has always been that the PC don't talk to developers.

NM queried what were Nigel Birks and Roger Evans views?

DB replied that she had heard nothing back as yet from Roger and Nigel considered it was inappropriate for a number of reasons.

DB went on to add that it's not the Councils job to support 10 luxury homes and is not a suitable discussion to have in the middle of a Neighbourhood Plan examination.

Views of the Council were sought:

RSA remained silent during discussions following his declaration of interest at the start of the meeting.

NM commented that he thought it used inappropriate language and was a veiled threat. The PC could meet the developers to gather information if we thought it could be useful. In terms of the Neighbourhood Plan the School Field was not one of the sites identified and the Plan specifically mentioned the village wanted affordable housing not high quality homes.

RW commented that she felt the letter had a threatening and offensive tone and went on to add that on a Planning training course undertaken by HD and RW in 2018 the perspective was to go talk to developers. RW didn't see the point of talking to the developers knowing where we stand with Neighbourhood Plan but the outcome of the examination may change that view. She also queried if we could ask Cherwell District Council for any info on planning discussions.

NM mentioned that PC could request a Freedom of Information Act (FOI) regarding anything that could have been said in any discussions.

Councillor Hughes commented that pre application discussions are not formally an application merely a developer seeking advice. Those discussions are confidential, so developers can be advised whether it is a good idea to proceed with any application and can get the views of other interested parties such as Highways. He suggested that the FOI act would not apply because of the confidentiality agreement between the developer and CDC.

Applications are costly and Cherwell DC want applications that are in policy and are an acceptable scheme. He went on to add that its often not only used by larger developers but also by lay people.

SD commented that there is no point talking to developers as don't want to get into an argument about facts. If you meet it can used against you at a later stage by developers saying 'we had a positive consultation with the Parish Council' and you could risk misrepresentation. Therefore SD would not recommend meeting them. The PC can agree to the developer holding a public meeting that they instigate themselves and the PC could attend for information collection purposes but again that can be misread as a positive consultation further down the line.

Councillor Griffiths then highlighted that Pre-application discussions are confidential and therefore there is no chance of a freedom of information request. She highlighted a situation in Kidlington where they allowed a developer to come and present to a meeting, however they did not engage with them at all

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and made no comments. It therefore worked out beneficial to the council to let the developers come as they gained additional information.

Having researched some Information on the web NM reported that on a local government site regarding pre-planning application meetings that:

The Freedom of Information Act 2000 includes a presumption in favour of disclosure of information, including pre-application discussions, unless such disclosure would cause adverse impacts (Regulation 12(5) Environment Information Regulations 2004). If an applicant has reason for requesting that the council keep advice confidential, they should be permitted to make a reasoned request to the council prior to the pre-application discussions taking place. Councils retain discretion in regard to decisions on disclosure of information in any instance and should review these decisions on a regular basis.

<https://www.local.gov.uk/sites/default/files/documents/pre-application-suite-3e1.pdf>

NM commented that he personally did not see any grounds for CDC being able to refuse providing information in these circumstances.

Councillor Hughes added that it doesn't hurt to ask.

SD commented only four more houses are required to fill Cherwell's Local Plan quota. Councillor Griffiths went on to add that it is also not stated in Cherwell's plan that the housing need should be in Weston on the Green.

DB summed up the Council's view that the Parish Council would not engage with Lagan Homes at present due to the Neighbourhood Plan.

Action: DB to reply to Lagan Homes letter.

19.339.9 For Information: to receive an update on Southfield Farm planning application (HD/NM)

NM provided an update on the Southfield Farm planning application. NM is currently working on a rebuttal letter and has sent a draft to HD for comment.

The letter explores the reasons the planning inspectorate declined the previous phase two application in 2017.

This is an unsustainable form of development given the current state of public transport in the village. The application has been linked to the Comet service, however NM struggles to see the long term sustainability of the Comet system whereas homes are permanent.

Councillor Griffiths highlighted that at the recent No Expressway meeting in Bicester it was mentioned that an area had S106 money apportioned for transport schemes and then after 2 years the services had been stopped so there is no long term guarantee.

DB commented that she thought this was a more professional application and she believed there has been a lack of objection letters submitted from the public. The deadline date of submission is 8th May 2019. NM agreed to provide an outline letter to assist.

Action: NM to provide an outline letter for people to object to Southfield Farm application should they wish to.

Councillor Hughes responded to the Parish Council's query of whether they would call the scheme in. Councillor Hughes had emailed officers and forwarded the request, however because the application is for 10 or more houses the application has to go to Committee and also has to have a portion of affordable housing.

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Councillor Hughes went on to read out a reply from Senior Planning officer, Nathaniel Stock who addressed the following points:

- Case officer, Matthew Chadwick will make a site visit.
- As it's a major application of more than 10 houses it must go to the planning committee.
- Planning officers are supportive of Neighbourhood Plans in the district.
- Weston on the Green's Neighbourhood Plan is at submission stage and whilst it will be referenced in the planning officers report it tracts little weight in determining the application.
- The current application is different from the original as it has a different number of houses.
- The Appeal decision remains relevant and still has a bearing on the determination of the application.

Councillor Hughes then went on to say that the reason it has been resubmitted is that 26 houses are not acceptable and that the Neighbourhood Plan suggests the village could accept a certain number of houses so developers thinking there is the opportunity of 18 additional homes. Perhaps there is a difference of opinion between the developer thinking that 18 is required as part of Neighbourhood Plan and Planning Officers who are thinking along the lines of infill housing to meet the need.

NM reaffirmed that this application is not just about 18 houses, this is phase two and an application for an additional 4 houses on the farm site have already been submitted and further phases are anticipated.

19.339.10 For Discussion: to discuss and agree other recommendations from the Planning Group (HD)

The Clerk highlighted the key changes in the planning report from the previous April Parish Council meeting:

Awaiting Decision

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

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

CDC say have asked for changes to application

Update – New plans 3/4/19 are much better, stone building, less overlooking, more parking - answered many of our issues.

DB queried whether the outstanding objection to the placement of rubbish bins and their collection had been answered? Clerk to pass on comment to HD.

Action: Clerk to check with HD regarding query over the outstanding objection to the placement of rubbish bins and their collection at Southfield Farm application.

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 30/1/19 - No further news at this point

19/00086/TCA - G2 x 13 no. Yew - Remove | **The Moat Northampton Road**

PC Commented - disappointed to see requests to remove mature hedging especially within a conservation area and especially for habitats. If CDC are minded to approve, could replacement in some form by other native species be requested?

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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**

**PC commented on Condition 11 (parking and manoeuvring)
& 12 (means of access) 13.3.19 Still awaiting update (chased)**

New Applications

19/00546/TPO | Horse Chestnut T1 - Fell to near ground level; Horse Chestnut T2 - Reduce lateral by 6m retaining 1 secondary branch and the defect for habitat value; Horse Chestnut T3 - Crown reduce by approximately 4m, removing no more than 6m from any one branch to reduce the sail area and decrease the likelihood of failure of the upper canopy on to the adjacent road, reduce to near previous points retaining the smaller diameter branches - subject to TPO 06/75 | **The Old Vicarage Mill Lane**

PC commented – seems Appropriate arboriculture management

19/00101/TCA | T1 x Horse chestnut with an infection of phytophthora - Dismantle and remove. G1 x 2 no Western Red Cedars - Dismantle due to them being planted in the wrong location; the client wishes to reinstate the grass which is not possible while they remain in place. | **Home Farm House Church Lane**

PC commented – seems Appropriate arboriculture management

19/00596/OUT | Residential development of up to 18 dwellings with associated access, internal roads, car parking, public open space, landscaping, drainage and other associated infrastructure. | **Land North of Southfield Farm North Lane**

PCs reply on this 'Phase 2' to be discussed already at meeting

Resident Concerns raised and action

1. There has been a complaint received by the Parish Council, from a resident, regarding tree works in a conservation area / green belt at Ladygrass / new house off Church Lane. PC has reported it as a potential planning breach to CDC. 25.4.19

Ongoing Planning issues

Southfield Farm / Land north of Oak View Phase 1 - (see also 19/00596/OUT)

PC (Cllr Mullane) is liaising / working with the Owner / OCC / CDC over the issues around Oak Tree pond and footpath access, which is progressing. See also note on ACV application on Oak Pond by PC.

19.339.11 For Information: to receive an update on the Works Group (KE & RSA)

RSA provided a summary of his report to the Council.

The hibernaculum has been built at the Oak Tree pond on the spring clean day on 6th April 2019.

The path between the Village Hall and Westlands Avenue has been "improved" by OCC's Footpath's Department following our request for some topping to the path, the whole thing was scraped and back-

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filled with Type 1 MOT. There were immediate complaints that this needed finishing with a topping. John Miller donated a load of ballast and a team spread this and rolled it with the loan of a hand roller from a villager.

The pitch has been mowed several times and the allotment areas has been weed killed and rotovated courtesy of a tractor and rotovator borrowed from John Miller by RSA.

DB highlighted that an anti-rabbit fence was required around the allotments.

RSA and the Council wished to formally thank Kieran Evans for all the work he has undertaken and to John Miller for the loan of the tractor and the ballast which have all helped in village improvements.

NM also commented what a fantastic job RSA has been doing with lots of different projects. He went on to add how disappointing the work by OCC was on the footpath.

Councillor Griffiths questioned whether it was reported back to OCC? It was confirmed it had not been as the PC had solved the issue themselves. She suggested next time report it as OCC pay good money to companies and need to know if the job completed is not of a suitable standard.

NM took the action to report it to OCC with accompanying photos.

Action: NM to report issue over footpath laying to OCC.

19.339.12 For Information: to receive an update on the Traffic Group (NM)

A full update will be provided at the June PC meeting following a meeting between the Traffic Group and Councillor Carmen Griffiths and Mike Wasley from OCC on 2nd May 2019.

Action: Clerk to add Traffic update to June PC meeting agenda.

19.339.13 For Information: to receive an update on the Expressway (DB)

DB outlined the events on the Expressway that she has attended recently as detailed in her report. This included the conference held in Bicester on 30th March 2019.

DB also attended a meeting of the Western Parishes group where an interesting discussion regarding various Councils stances on the Expressway stood on a 1-5 scale. Of the 18 Parishes, 8 have agreed to a position of being against the Expressway as a whole, whichever route is decided. Some are undecided whether to join the No Expressway Alliance whilst some Councils would prefer an Expressway which sorted out the issues of the A34, traffic through villages and dangerous lorry driving on rural roads.

The Overarching A34 group that met in our hall in the autumn will be re-convened in June to extend the work that is being done in the wider region.

DB desires well informed Councils to make their own decisions and informed actions.

Councillor Griffiths reported that the County Council's view is supportive in principle of an Expressway and feel it would improve conditions on the A34 however, they have asked for a fuller consultation. Villagers she represents tend to be against the Expressway but everyone has a right to say their side if there is a fuller consultation. Information to hand is vague at present.

SD commented that surely an Expressway is against the national planning framework on the grounds of environment and sustainability.

19.339.14 Resolution: To Approve the renewal of the Parish Council Insurance for 2019/20

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(Clerk)

The clerk presented the renewal for the Parish Council's insurance for 2019/2020. She reported that the insurance premium has increased from last year's £540.45 to £556.66 this year due to Index Linking of 4%. This is included when they calculate the premium to take account of inflation (RW had queried this prior to the meeting).

The Parish Council is currently in a 3 year long term agreement which ends next year so it will be time then to look around at different cover options.

RW also queried if the insurance policy gives us adequate cover over the Parish risk register? In particular we now have very easy access to a fast running stream at the playing field and two village ponds with easy access to varying levels of water.

The clerk responded that we have public liability insurance of up to £10,000,000. It will provide protection against your legal liability for bodily injury to third parties or property damage occurring on property for which the council is legally responsible as a direct result of the council's negligence.

The Personal Accident section covers employees, Councillors and volunteers for those over 16 whilst working on behalf of the council and cover is provided under the liability section for all age groups whilst carrying out council activities (e.g. relates to pond works carried out on spring clean day). The ponds and streams have always been a part of the village however the clerk will highlight to the insurance company that work has been undertaken on them so access is easier.

HD reviewed the documents prior to the meeting and commented that he thought it was fine to pay but review next time and thought it seemed more comprehensive cover than maybe needed but at least it covers employee and public liability.

The resolution to renew the Parish Council's insurance was proposed by RW and seconded by SD. It was supported unanimously by the Council.

Action: Clerk to highlight to Insurance company that we have undertaken works to ponds and stream areas since last year and access is easier.

Action: Once confirmation of name changes to policy confirmed and water access cover, Clerk to agree insurance renewal for 2019/2020.

DB requested approval to extend the meeting beyond its two hour limit. It was agreed unanimously.

19.339.15 Resolution: To Approve the purchase of up to 3 Epitomes of Title for the Oak Tree Pond at total cost of £180 (NM)

As discussed at the April PC meeting, a request to purchase up to 3 Epitomes of Title around the Oak Tree Pond was made. Each one would cost £60 and Southfield Farm would be the first one to try. All 3 may not be required but approval was requested in case they were.

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

RW made the Council aware that this money would come from the legal budget.

Action: NM to proceed with purchase of Epitomes of Title and present invoice to Clerk for future payment.

19.339.16 Resolution: To approve the following invoices.

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

Payee	Purpose	Total payable incl VAT
Robin Stafford Allen	Turf for hibernaculum at Oak Tree Pond	£27.14
Came & Company	Parish Council Insurance Renewal	£556.66

This resolution was proposed by DB and seconded by NM. 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.

19.339.17 Resolution: To Approve the purchase of 4 ‘Keep Dogs on Leads’ signs for dog bins at a total cost of £5.08 (Clerk)

It was suggested that a sign with Please on it would be required and approval for a spend of up to £20 to purchase 4 signs was requested.

This resolution was proposed by SD and seconded by NM. It was supported unanimously by the Council.

19.339.18 For Information: Nominations for OALC’s Executive Committee

The request by OALC for a nomination of a Parish Councillor to sit on OALC’s Executive Committee was shared for information. Any interested Councillor was advised to speak to the clerk for further information.

19.339.19 Date of next Parish Council meeting: 5th June 2019

The meeting closed at 21.36

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