

Minutes of the Parish Council Meeting held on Tuesday 12 January 2016 in the Village at 7.30pm.

Present: The Chairman, Cllr David Peart and Cllrs Bridget Culley (from 5.1), Ray Randall, Tony Styles, Colin Henderson, Katie Dixon, Philip Jeffery, Tony Grunsell, Hugo Wurzer, Hampshire County Cllr Tom Thacker (up to item 5.5 [& 5.6 b/f]) and the clerk, Derek Kane.

Members of the Public in attendance: Four

Time for public speaking:

A resident, **Sue Prior**, asked to address the council regarding the item **5.6 (Rope Yarn Lane)**.

She read out extracts of correspondence from HCC and their (the group of residents) advisor (P.Scrase).

A report to the county's regulatory committee will be considered very soon to reclassify the lane (as a Restricted Byway).

After a decision is taken an appeal can be lodged 'both ways'

If the decision is taken by the regulatory committee to reclassify the lane HCC should be asked to use their discretionary powers to clear the lane of obstructions.

County Cllr Thacker said that he believed that while a process is being undertaken (including an appeal, should that occur) that the county council should not be clearing obstructions from what is currently a lane NOT on the Definitive Map and which may belong to a landowner.

The chairman said the matter is to be considered by the council with them being informed at this meeting of Mr Scrase's latest communications to the chairman and the matter of writing to HCC to request clearance of obstructions to be discussed and considered under item 5.6, which he will bring forward shortly after the beginning of the Proper Business of the Council Meeting.

Another resident, **Monique Carter**, asked to address the council regarding item **7.1.2 (Planning application for Whitefloods)**

She explained the application to the council and provided some existing and proposed development photos and text (which had not been included in the planning pack supplied by BDBC) which gave more detail about the plans.

The application deals with four proposals.

- 1). The removal of an existing conservatory (central to one elevation) and the erection of an orangery to the centre and right of the same elevation.
- 2). The removal of a 60s style garage and relocating close to the existing access point a more sympathetic 3-bay oak frame structure.
- 3). Closing existing access and opening a new one. A couple of fence panels along up the lane. Relocation will remove 'nasty kink' thus improving sightlines.
- 4). As part of the LBC some internal alterations.

The chairman said the matter is to be considered by the council under item 7.1.2 which he will bring forward shortly after the beginning of the Proper Business of the Council Meeting.

Chairman's Initials

Monique Carter also requested, on behalf of the school's PTA, permission to use the Rec and Pavilion for a children's Easter Egg Hunt and Race on 27 March. She also requested that the 'school walk' from the school to the Rec be cleared of any nettles, etc, (especially at the gates). The chairman saw no issue with these requests and the clerk will formally place these as an agenda item for approval in the February meeting. In the meantime the clerk will pass on to Grounds Maintenance the works request on the school route.

The Proper Business of the council commenced.

1. Apologies for Absence: BDBC Cllr Graham Falconer

2. Declarations of Interests: The clerk had been informed by Cllr Culley prior to this meeting that she will be declaring an interest in **item 7.1.4.**

3.1 The Minutes of the Meeting held on Tuesday 8 December 2015 (previously circulated).

Cllr Styles asked for sentence within the penultimate paragraph of 5.1 (Bell's Field) to read:

"It is the **PC's majority view**, given the circumstances, and the background information given as to why an element of SO has been introduced, **that** the project should still proceed, as the parish gains eight valuable affordable rental homes (as well as three SOs) rather than nothing."

rather than

"It is the **collective PC's** view, given the circumstances, and the background information given as to why an element of SO has been introduced, **then** the project should still proceed, as the parish gains eight valuable affordable rental homes (as well as three SOs) rather than nothing."

This was agreed unanimously.

Having been already circulated, Cllr Grunsell proposed that they were a true record and should be signed; the proposal was seconded by Cllr Dixon and unanimously agreed by the council.

3.2 Matters arising: None.

4. Borough & County Councillor Reports.

4.1 County Cllr Tom Thacker had nothing to report but invited parish councillors to put any questions to him.

Cllr Jeffery enquired if Hants Highways are liable for any costs to damage to tyres due to conditions of highways.

Cllr Thacker said only if a highways defect report had already been made to the council and corrective works remained outstanding.

Cllr Randall raised the matters of uneven raised kerb stones on Bourne Meadow after corrective work had ben dome recently by Hants Highways.

Cllr Thacker asked that the clerk inform him of this matter and he would take it up as this appears to be a matter of unsatisfactory work-finish.

Chairman's Initials

4.2 In his apologies **Borough Cllr Graham Falconer** submitted a report:

Bells Field: There has been several exchanges between BDBC and Hyde since the last meeting. The situation is 'fluid'. I've had preliminary meetings with the portfolio holders for Housing and for Finance (Cllr John Izett) and we await further feedback from the HCA and Hyde. I'll leave it at that in case I say something which then is turned upside down but we are trying to conclude this as a matter of urgency.

Unhelpfully the Government is cutting **BDBC's Revenue Support Grant by £789,000**. We will cover this with various actions but most importantly we think we will achieve an additional £580,000 in New Homes Bonus. The forecast for the Revenue Support Grant is that by 2019 BDBC will be paying the government £170,000!

The chairman had offered to bring **item 5.6** forward to enable members of the public attending this meeting to follow this matter to be able to leave asap.

5. Item for discussion:

5.6 Rope Yarn Lane — Update

The chairman had received two detailed emails from a group of residents' advisor on this matter (P.Scrase) for which the chairman read out extracts to the council as follows:

From the 4/1/16:

"I said in December that I would give you a report on my discussions with James Hammond of the HCC legal department, which I will now do.

When I became involved in this matter last summer it was apparent that there were serious misconceptions regarding the legal status of ancient highways which do not happen to be recorded on the definitive map. The law in relation to obstructed highways is contained in s130 of the Highways Act 1980, which applies to all highways irrespective of whether they are on the definitive map, but no one was prepared to acknowledge this and so I had to insist on being put in touch with the HCC legal department. Mr James Hammond is the solicitor from that department with whom I have been in contact. Mr Hammond soon found himself obliged to admit that s130 does apply to all public rights of way, and not just to those on the definitive map, and therefore that HCC does have the power to deal with obstructions. However the important issue between us was not the question of power, which is discretionary, but obligation, which is mandatory.

I am attaching a copy of s130 so that you can understand what I am referring to. There are two different routes by which HCC as highway authority may be obliged to deal with the obstruction of a highway. One is when members of the public make a request for an obstruction to be removed and the other is when the request comes from a parish council.

In response to a public request the highway authority is not obliged to take immediate action if there is a serious dispute as to whether or not the way in question is a public right of way. This is just common sense, but it took a decision of the Court of Appeal to make this point clear. The other side of this coin is that if it is clear that there is no serious dispute, then the highway authority has an obligation to deal with the obstruction, and not merely a discretionary power.

In my discussion with Mr Hammond I said that it is clear from Mr Piper's letter of 24th June 2008 that there is no serious dispute, but he took the line that this letter was only provisional and that HCC needed to consider the matter again in greater depth. To him greater depth meant the conclusion of the application to have RYL put on the definitive map. As you know, Mr Goodchild, the HCC map review officer, is due to issue his report to the Regulatory Committee in February and one can reasonably assume that he will come to the same conclusion as Mr Piper, namely that RYL is an ancient highway and there is no serious argument to the contrary.

Chairman's Initials

In my opinion irrespective of whether the obligation on HCC to deal with the obstruction already exists because of Mr Piper's letter, it will certainly arise when Mr Goodchild issues his report, assuming it is favourable. However Mr Hammond insists that everything must await the decision of the Regulatory Committee which he says will take a further 6 to 9 months. Rather than continue to argue this point with Mr Hammond there is a simpler route via the procedure for use by parish councils.

According to s130 (6) if a parish council represents to a highway authority that a highway for which the authority is responsible is obstructed, then it is the duty of the authority to take proper proceedings to deal with the obstruction, unless it is satisfied that the representations made by the parish council are incorrect. The Court of Appeal has made it clear that proceedings has a wide meaning and does not mean just legal proceedings. So the highway authority does have some discretion in how it sets about dealing with the obstruction, but in accordance with the DOE 2/1993 circular it has to act quickly to resolve the problem.

In correspondence Mr Hammond has admitted that if your council does make a representation under s130 (6) then an obligation to deal with the obstruction will arise on the submission of the map review officer's report, unless HCC is satisfied that your representation is incorrect. This means that the alternative parish council procedure is likely to be 6 to 9 months faster than the general public procedure, which is why I am writing to you now to ask for your assistance.

I should mention that Mr Hammond has said that even if I am correct in saying that the obligation on HCC to deal with the obstruction has already arisen, or is likely to arise on the delivery of Mr Goodchild's report, the continuation of the procedure for putting RYL on the definitive map is in itself a valid act in discharge of that obligation. I strongly disagree with this opinion, which I believe to be flawed because if the obligation already exists under the Highways Act it is not complied with simply by continuing with another procedure which is likely to reconfirm the existence of the same obligation. What is required is prompt action which will in one way or another clear the obstruction, not simply the continuation of the process to put RYL on the definitive map.

I have gone into the legal background in some detail in order for you to understand why it would be extremely helpful if you could write a letter to Mr Hammond along the lines of the draft which I am attaching. As you can see the letter is not in any way controversial. It is simply what is necessary to trigger the more favourable procedure contained in s130 (6)."

The Chairman replied to P.Scarse on 5 January.

Thank you for the detailed information you have provided and I'm sure I will need to read through it a number of times before fully understanding the legal implications that you have described.

Correct me if I am wrong, but the gist of what you are saying is that although RYL is at the moment not a highway recognised by HCC, if it is recommended by Mr Goodchild that it should be reclassified, then HCC will then have a legal obligation under s130 of the Highways Act to clear any obstruction without delay if subsequently requested to do so by the parish council?

If this is the case, I can see no reason not to write Mr Hammond as you suggest if this will help to facilitate an earlier conclusion to the clearing of the obstruction of RYL. However, it would not surprise me if HCC continue to prevaricate and use their current excuse for not attending to other matters we have brought to their attention namely, "budget constraints".

I will add RYL to the agenda for the next full council meeting next week and if instructed to do so will write to Mr Hammond.

From the 10/1/16:

"Thank you for this reply. What you say is almost correct, but not quite. The point is not whether HCC actually recognises RYL as a public highway, but whether according to the law it ought to do so. The following summary may be of help.

Chairman's Initials

First, Mr Hammond [a solicitor for HCC] has agreed that HCC does have the power to remove obstructions from highways which are not on the definitive map, but this power is of course discretionary, and HCC has declined to exercise it.

Second HCC is obliged to deal with the obstructions if a request is made by a member of the public and it can be shown that there is no serious dispute as to whether or not RYL is a public right of way. I think that from Colin Piper's letter it is clear that there is no serious dispute and I trust that Harry Goodchild's report is going to make the point even more strongly. Nevertheless Mr Hammond is arguing that nothing short of a final decision on the application to put RYL on the definitive map will satisfy this test. I believe that this is fundamentally incorrect and contrary to the Court of Appeal decision to which I have referred. However it would appear that nothing short of litigation is going to decide this point and that is not a route down which anyone wishes to go.

Third, there is the procedure by which the parish council makes a statement of its belief that RYL is a public right of way and then HCC becomes obliged to deal with the obstructions, unless it can show that it is satisfied that the representations made by the parish council are incorrect. What this amounts to is a reversal of the burden of proof. This is a special privilege given to parish councils because, in the words of one of the Court of Appeal judges, "it can be assumed that they can be relied on to act responsibly. Their representation must be acted upon unless a highway authority is satisfied that it is incorrect. There is no such subsection which applies to the individual..." As I have previously said, Mr Hammond has conceded this point, but still argues that continuing with the procedure to put RYL on the definitive map satisfies the obligation which would arise, even though such argument would appear to be flawed.

I hope that this summary is of help in advance of your meeting next Tuesday. If your fellow councillors are reluctant to adopt a course of action which might upset or inconvenience HCC, you could mention the following points.

It will cost no more to clear the obstructions now rather than in a year's time, so there is no budgetary reason for not doing what is necessary now.

Even if it were solely a matter of discretion, and I say that it is not, there would be good reason for that discretion to be exercised in favour of the residents of Stoke, as this unfortunate state of affairs is largely attributable to two misstatements made by HCC staff which they would not have made if they had first studied HCC's own records and website. One was in stating that RYL is not a public right of way and the other was in stating that the lane was not owned by HCC. We know this from the responses to our FOI/EIR requests. Given these unfortunate misstatements, one has some understanding of why Mr Sheerman acted as he did.

I hope that you will receive the necessary authority to send a letter to Mr Hammond along the lines which I have suggested, but if you feel that your fellow councillors are not yet persuaded to give you that authority, it might be better to defer the decision until your meeting in February, in order to give time for any further explanation which may be required."

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**The parish council agreed that the chairman will write to the HCC requesting removal of the obstructions invoking S130 (6) asap.**

**County Cllr Thacker** pointed out that the country council had fast tracked this matter given that these matters normally can take between 5 – 7 years.

**Two members of the public then left the meeting.**

**The chairman** had offered to bring **item 7.1.2** forward to enable members of the public attending this meeting to follow this matter to be able to leave asap.

Chairman's Initials

## 7. Planning:

**7.1.2 – 15/04069/HSE & 04070/LBC – Whitefloods, Stoke Rd, SMB, SP11 6EF** – Alterations, demolition of existing conservatory and garage, erection of single storey rear extension, and erection of detached garage with attic accommodation and creation of new access.

**Decision:** No objection.

**The last two members of the public remaining then left the meeting.**

**The published order of the agenda was then resumed.**

**Cllr B Culley arrived for the meeting.**

## 5. Items for discussion:

### 5.1 Flood and Emergency Group (FEG) – Update.

Last month the chairman asked the clerk to arrange a FEG meeting for mid-January with EA and HCC reps attending.

After some e-mail communication the following e-mail was received from Simon Cramp, Environmental Initiatives Manager, HCC on 8 January 2016:

*“Sadly, the drainage engineer working with myself and Ian on the Pathfinder project for the Bourne Valley, left the County Council at the beginning of December. Unfortunately, this happened with very little notice. While I’ve now been able to appoint a replacement, they are endeavouring to get up-to-speed as quickly as possible and are currently familiarising themselves with the project background, analysis and initial findings prepared prior to the departure of the previous drainage engineer. I have a meeting with them on Tuesday and I’ve asked for an update at that time about progress and what it might be possible to cover at a briefing with you this month.*”

*Pending the outcome of that, and having spoken to Ian, our currently preferred date would be 22<sup>nd</sup> January. I will let you know as soon as I can following my meeting next week if there are any reasons why we might need to review that arrangement. I hope that won’t be necessary.”*

The clerk to await conformation from Simon Cramp re the 22 January meeting. As well as the chairman, Cllr Culley and Sarah Cooney indicating previously that they could attend this date, Cllrs Styles and Randall indicated they would be able to attend and that Cllr Styles would prompt Clem Jones (who had been away from the parish for the last month until recently).

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Update from Southern Water dated 17 December 2015:

From previous correspondence and meetings, you will be aware of the work which Southern Water has conducted to survey and seal the sewers in St Mary Bourne and nearby villages, helping to protect them against the infiltration of groundwater.

In recent years the company has invested more than £1 million in the area to improve the performance of the local sewer network. That’s a significant proportion of the £14 million being invested by Southern Water during 2013 to 2016 to improve the performance of the sewers in the 60 towns and villages affected by high groundwater levels across the company’s region.

In the St Mary Bourne area, while the most serious issues have been resolved, some low level but significant points of ingress remain - which is why we have again returned to the village this month.

Chairman’s Initials

We are just completed a dig repair to the junction of a lateral drain serving Thorn Gate at its junction with the main 150mm diameter sewer where we have discovered gushing infiltration.

Earlier in the month we sealed 76m of public sewer and two manholes in Church Road and The Dean in Hurstbourne Tarrant. Furthermore, in Ibthorpe this month we repaired 68m of four sewer lengths - three of them customers' drains - all in the vicinity of the main road.

Of course, the performance of any sewer system can never be guaranteed due to ground movements, the invasion of tree roots and the like but we are confident that, after such a significant investment, the performance of the local sewer network will have been improved considerably should the winter that is nearly upon us prove to be wetter than usual.

We continue to keep a close eye on the area and to take steps when improvements are identified. Meanwhile, our Infiltration Reduction Plan for the area, which is on our website for all to see, has been updated and is about to be resubmitted to the Environment Agency. The Plan sets out in detail what we have done and do to mitigate the infiltration of groundwater into the sewer network. The updated plan will also be published on the Southern Water website once approved by the EA.

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A Southern Water Stakeholder Newsletter for Winter 2015/16 mentioned SMB in a 'Fighting the floods' article – "... a further £2 million is being spent this year to improve sewer performance in 18 locations across the region. Before the end of March 2016 work will be taking place in the following locations in Hampshire—..., St Mary Bourne, ... and Ibthorpe."

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The clerk had sent to the council earlier updates from the **EA on Groundwater levels dated 6/1/16**. Currently for the valley there are no cause for concern at this juncture for this valley and looking ahead to February.

Bourne stats update (supplied by Clem Jones and Sarah Cooney):

Valley Farm well measurement – 3 January 2016:

From Sarah Cooney:

"I've taken the level today in Robin's well which is 356cm below ground level – a rise of 104cm since the 2 December. With the amount of rain we have been getting this week I am sure this upwards trend will continue. Looking at the previous measurements I've taken, the springs come up in Robin's field around the 196-198cm mark."

Here are the rolling 6-month measurements:

2015-6	Cm	Delta	Comments
04-Aug	244	-46	Level dropping; river down
01-Sep	295	-51	Level dropping; river down
04-Oct	382	-87	Level dropping; river down
01-Nov	438	-56	Level dropping; river down
02-Dec	460	-22	Level still dropping; river down
03-Jan	356	104	Level rising; river down

Chairman's Initials

From Clem Jones:

St Mary Bourne Flood Risk Summary (as at 7 January 2016)

Date	7/1/16	Status	In the last few days two key measures have both shown changes from falling to rising at a level greater than what could be expected from the recent heavy rain
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Note 1.

The measures at the Vernham Dean Bore Hole and the gauge at Holdway Cottage are from the ground base and are depth of water.

Note 2.

The measure in the Summerhaugh well is the space between the kitchen floor and the top of the water. This is effectively the ground water level at this point in the valley.

Location	7/1	1/12	Comments
Vernham Dean Bore	98m	94m	There was a mistake in the numbers for December, the Vernham Dean bore hole measurement should have been 94m not 177m
Well at Valley Farm, Stoke	356 (3/1)	460	
Springs at Stoke	n/a	n/a	
Gauge at Holdway	0cm	0cm	Still effectively dry but the river is flowing stronger than last month
Spring at Holdway	Dry	Dry	
Well at Summerhaugh	146cm	177cm	

BDBC have offered SMB 150 – 200 sandbags on condition that they are sorted in a dry and secure location. A resident, Daniel Culley, has offered to store these on condition they are supplied on pallets. In the event of them being needed Mr Culley will arrange with members of the council to place them in a central location in SMB and Stoke.

The clerk to advise BDBC of the above and Mr Culley's contact details.

5.2 Black Garden – Update:

Following a request from the clerk a reply was received from the agent dealing with this land. He had nothing new to report. The clerk will continue to ask on a monthly basis.

5.3 Neighbourhood Plan – Update – See also item 7.8.

Clr Dixon explained the Scoping Document for the Strategic Environmental Assessment which is being sent to statutory consultees Natural England, the EA and Historical England. They have five weeks to respond.

5.4 Street Furniture options for The Square – The clerk has proposed an expenditure option of £2.5k for 2016/17 on these although funding will be NOT from Precept but from Reserves (and grant monies, if available) – See item 6.2.

Chairman's Initials

The council agreed to this item of planned expenditure (to replace vulnerable wooden posts – placed by HCC). The chairman will look towards a planter(s) perhaps in the form of a horse trough. Planters may involve some extra maintenance cost (through the PC's grounds maintenance) although perhaps the nearby inn might want to help maintain this. Another suggestion from Cllr Culley was some Bell Bollards. Cllr Jeffery emphasised that whatever is placed should not be nailed or cemented to the surface in order to keep such furniture portable in the event of a large HGV (or other large/long vehicle) trying to negotiate The Square

5.5 Community Speedwatch – Update:

The clerk is chasing the Police's CSW coordinator for confirmation that suggested session sites are okay and for an intro/training session for new volunteers to be arranged with the police and clerk.

Cllr Styles advised that some residents are joining up with some Longparish residents to fundraise for purchase of devices that flash 'Slow Down' messages and that are portable.

The chairman pointed out that Whitchurch / Overton's devices are rented from BDBC at a reasonable rate and the clerk has been looking into this.

5.6 Rope Yarn Lane.

This item was dealt with earlier in the meeting.

Cllr Thacker left the meeting.

6. Finance

6.1 Lloyds Bank Cheque Signing mandate – Update (if any).

None. The clerk to follow-up when he is relocated back in Andover at his other employment.

6.2 To discuss the Finance Committees Budget Proposals for the 2016/17 Financial Year and agree the Precept and General Grants request for the 2016/17 Financial Year.

(Borough to advise final tax base, confirmed grant levels and any referendum principals by 11 January 2016. Precept and Grant return deadline to BDBC is 31 January 2016. The clerk has received indications from BDBC officers that it is likely that all grants (maintenance, wicket, limited and litter collection) will remain at 2014/15 levels or with a 1% increase).

The council had discussed this matter before hand at the December Parish Council meeting and was looking top once again freezing the Precept demand.

The clerk has received advice of tax base, grant levels and referendum principals.

The tax base and a £9 increase in the Council Tax Support (CTS) grant has been advised.

Grounds and wicket maintenance grants have increased collectively by £112. Referendum principals (ie increases of >1.99% in Precept) will not apply to Parish Councils. Notwithstanding this, the council has again waived their option to increase the Precept by <2%.

There is Budgeted Income for 2016/17 now of £54,015 and Budgeted Expenditure for 2016/17 of £53,370 leaving an unallocated surplus of £645.

Projected reserves at the end of the current FY are estimated at £39k.

Chairman's Initials

The council intends to fund from reserves Street Furniture for The Square (see item 5.4) and items relating to additional leisure facilities at the MUGA (a concrete table tennis table), Lake / Bourne bank rebuild and some flood prevention tasks for c.£9k.

A freezing of the Precept Demand, at £21,000, and taking into account the CTS grant (£1,503) will result in a drop of £0.82 pa for a D Band property in SMB, with regards to the Parish Council 'element' of Council tax bills for householders.

Cllr Grunsell proposed that a Precept of £21,000 be demanded and forwarded to BDBC and this was seconded by Cllr Randall. The council unanimously agreed to this proposal. The actual payment of the precept will be £19,497 in two instalments (as is normal practise, in April and September) with the CTS grant of £1,503 being paid with the first instalment.

Limited, maintenance and wicket grants will also be paid in April. The clerk will also raise an invoice in April for the Litter Grant for which he is yet to be advised of the level for 2016/17 by BDBC. The clerk is anticipating an increase of 1%.

6.3 Monthly Accounts – January

Account	Amount	
Treasurers Account	649.97	#7
Investment Account	36,805.69	#1 #7
Petty Cash Account	15.79	
Lloyds TSB Fixed Term Deposit	20,000.00	
Less un-presented cheques	1,031.20	#2 #7
Closing Balance	56,040.25	#1

#1 Balance in Investment Account & Closing Balance includes balance of **£4,649.39** of **Neighbourhood Plan Funds** (drawn from £4,650.00 grant payment from the Groundwork UK grant received in September 2015)) and **£5,560.00** of **Lengthsman grant from HCC** (drawn from £9,960.00) grant payment for 2015/16) held on behalf of 10 associate parish and town councils.

#2 Un-presented cheques (2506, 2507, 2509 and 2510) are included in this amount of £1,031.20.

Payments made since the Full Council Meeting on 8 December 2015 (there was no Planning Meeting in December):

Payee	Cheque No	Amount
Mr FA Tarrant (Litter Picker)	2507 #3	257.40
Vitaplay Ltd (Repair of Stoke multiplay unit)	2508 #4	546.00
Southern Water (6m ending Dec 2015)	2509 #5	127.32
HMRC (Q3 Tax & NI)	2510 #6	515.48
TOTAL		1,446.20

#3 Cheque signed by three councillors 12/12/15

#4 Cheque signed by three councillors 14/12/15

#5 Cheque signed by three councillors 30/12/15

#6 Cheque signed by three councillors 4/1/16

#7 A transfer agreed on 29/12/15 by the chairman and one other councillor and enacted on 5/1/16 from the Business Investment A/c to the Treasurer's a/c for £400.00 to cover the above payments does not show on the latest bank statements, but will be included the February accounts.

Chairman's Initials

Receipts since the Full Council Meeting held on 8 December 2015 (into Business Investment Account):

Source	Date	Amount
Bank Interest	9/12/15	1.66
W Culley #8	31/12/15	133.20
TOTAL		134.86

#8 A resident, Mr W Culley, has made a donation of £133.20 to pay for the vat exclusive value of the Roses recently planted at the War Memorial Garden. Cllr Culley had paid for these Roses on supply and is subject to a payment from the council this month to cover her expense. The vat (which is included in the payment made by Cllr Culley to Penwood Nurseries Ltd) will be claimed as part of the PC's annual claim for the refund of vat from HMRC.

The clerk was asked to write to Mr Culley expressing the Parish Council's grateful thanks for his generosity.

CDFG for Neighbourhood Plan, as at 31/12/2015 held by SMB PC, in Business Investment a/c.

Item	Payments In	Payments Out	Date	Balance
b/f				4,649.39
c/f				4,649.39

Lengthsman funds, as at 31/12/15 held by SMB PC, in Business Investment a/c, on behalf of the 10 associate town and parish councils.

Item	Payments In	Payments Out	Date	Balance
b/f				6,160.00
Longparish PC		140.00	8/12/15	6,020.00
Newtown PC		100.00	8/12/15	5,920.00
Hurstbourne Priors PC		100.00	8/12/15	5,820.00
Highclere PC		180.00	8/12/15	5,640.00
Burghclere PC		80.00	8/12/15	5,560.00
c/f				5,560.00

Payments Due at Meeting:

Payee	Cheque No.	Amount
Derek Kane (salary)	2511	645.76
Cllr B Culley (expenses – Roses for War Memorial)	2512	166.50
Premier Grounds (Grounds Maintenance)	2513	642.50
Premier Grounds (Lengthsman Longparish PC)	2514	260.00
Premier Grounds (Lengthsman Newtown PC)	2515	420.00
Premier Grounds (Lengthsman Ashmansworth PC)	2516	260.00
Premier Grounds (Lengthsman Echinswell PC)	2517	320.00
Total		2,714.76

Chairman's Initials

Invoices raised since last Full Council Meeting:

To	Inv No.	Dated	Amount
SMB Bowling Club	13/15	29/12/15	63.66
David Scrase (Fishing Licence Q3)	14/15	4/1/16	720.00
Total			783.66

Payments for the above two invoices have been received and will show in the February accounts

Provision needs to be made for the usual **£500** buffer for any unforeseen expenses this month.

It was agreed to transfer **£3,200.00** from the Business Investment account to the Treasurers account.

The acceptance of the reconciled accounts was proposed by **Cllr Grunsell** and seconded by **Cllr Jeffery** and unanimously agreed by the Full Council.

7. Planning:**7.1 Planning Applications for discussion at meeting:**

7.1.1 – 15/04279/HSE – The Cottage, Stoke Hill, Stoke, SP11 0LT – Erection of a single and two storey extension to front / side and erection of garage following demolition of existing.

Decision: No objection.

7.1.2 Whitefloods

This item was dealt with earlier in the meeting.

7.1.3 – 15/04307/ HSE – 14 Stevens Green, SMB, SP11 6DF – Erection of two-storey side extension.

Decision: No objection.

7.1.4 – 15/04209/HSE – Strawberry Fields, Egbury Road, SMB – Erection of garage / workshop to include ancillary accommodation to first floor over.

Decision: No objection.

7.2 Trees

7.2.1 Notices of Intent: None.

7.2.2 Update on T/00466/15/TCA – Trestan Cottage, SMB – Fell 1 no Yew (PC objected on 8/12/15).

Received from D Harris, BDBC Tree Officer on 4/1/16:

“Small maturing Yew tree located on the edge of the Bourne and close to the eastern elevations of the dwelling. The Yew has a sparse canopy, and appears to have been under stress for several years. The tree is growing with approximately 300mm separation between the main stem and the dwelling, and has obvious canopy encroachment over the dwelling. Whilst the comments of the PC are noted, it is not reasonable to try to retain this lesser quality tree in this location. A TPO is not appropriate or expedient, and the tree sits within several areas of Policy:

Chairman’s Initials

Policy 03 of the Basingstoke and Deane Borough Council Tree Policy relates to protected trees.

Criteria states that permission to remove a protected tree will be granted where:

There is strong evidence that the tree is or is likely to contribute to (on the balance of probabilities) damage to a building.

The tree does not meet the criteria set out in Policy 01 for the serving of a new tree preservation order or the original reasons for serving the order no longer apply

The tree is responsible for casting a significant level of shade over a home or garden that cannot be remedied by pruning (in accordance with the council's shading assessment methodology).

The removal would be in the interests of good silvicultural or arboricultural management and would benefit the long-term development of adjacent better quality trees

The tree has a much reduced life expectancy due to ill-health.

The tree is at risk of causing damage to people or property where the hazard cannot be reasonably remedied without removing the tree.”

7.3 Advice of Planning Applications considered by BDBC:

7.3.1 – 15/03678/HSE – L’Ancresse, High Street, SMB, SP11 6AY – Construction of first floor involving raising of the roof and erection of two storey front and rear extensions with roof lights to side elevations. Erection of single storey side extension forming garage and utility.

Granted on 17 December 2015.

The clerk drew attention to the council that the LPA requires obscure glass only to be used for windows looking towards existing cottages on the High Street.

Access suggestions: For large and long vehicles access from the A343 should be employed. The centre of the village and minor lanes should not be travelled on.

7.3.2 – 15/03910/HSE – Spring House Farm, SMB, SP11 6AR – Erection of conservatory to rear of property following demolition of existing & **15/03911/LBC** – Replacement of French windows to rear of property to match existing. Erection of conservatory to rear of property following demolition of existing.

Granted on 18 December 2015.

Access suggestions: For large and long vehicles access from the A343 should be employed. The centre of the village and minor lanes should not be travelled on.

7.4 Planning applications withdrawn to be noted: None.

7.5 Planning appeals: None.

7.6 Compliance: None.

7.7 Other parish councils’ planning matters:

7.7.1 TVBC Revised Local Plan (update). Noted.

Chairman’s Initials

7.7.2 TVBC Community Infrastructure Levy (update). Noted.

7.8 Other Planning matters:

BDBC: Consultation on proposed modifications to the Local Plan (2011 – 2029) – deadline 8/2/16.

Cllr Dixon will scrutinise and advise accordingly, if need be.

8. Recreation Ground and Lake:

8.1 (not on agenda) On 8 January the **Chairman and the clerk** inspected the **Recreation Ground** to determine **whether football could take place that following week end**. It was the chairman's view that it should not given the very soft conditions there. The teams' organisers were advised by the clerk accordingly.

The chairman and clerk will inspect the Rec on **14 January** to ascertain if there has been any improvement before allowing any football on the following weekend.

8.2 (not on agenda) **Fence around Play Area (SMB)**. Premier suggests that they just re-set damaged post on corner (near noticeboard) – only repair when council wish to replace all posts as mesh (which is in good condition) will be difficult to reassemble and attach.

8.3 (not on agenda) **Stoke Multiplay unit**. The overlooked caps for bolts on this equipment has now been rectified by Vitaplay, thus the equipment no longer presents a medium risk status.

8.4 (not on agenda) **Pavilion side door – lock**. Although an arrangement had been made to only secure this door through a drawn bolt from within, it had appeared that 'someone' had managed to lock this door 'conventionally' for which the clerk did not have a key. Closer examination by the chairman showed that 'internals' within the door had 'slipped' thus rendering the handle inoperable. The chairman then arranged for the old locking mechanism to be removed thus allowing access by booted footballers to this changing room directly.

8.5 (not on agenda) **Smoke Free Play Areas**.

The following email dated 8/1/16 was received from BDBC:

"To all Parish and Town Councils:

You may recall that the borough council conducted consultation last year seeking public views on the potential introduction of a voluntary ban on smoking in or near children's play areas.

The results were reported to the Community, Environment and Partnerships Committee in October 2015 and the Portfolio Holder for Partnerships, Cllr Cathy Osselton, made the decision to implement the scheme in December 2015 – please see the report and decision notice at: <http://www.basingstoke.gov.uk/rte.aspx?id=1508&DecId=2313>.

Part of the decision was that parish councils be encouraged to introduce a voluntary ban in the 49 play areas under their control, with the borough council making a financial contribution towards the cost of the signs. It is intended that the borough council procures all signs and their installation, acting on behalf of parish councils where relevant. The council would provide 2 signs per play area; the cost of any additional signs would need to be met by parish councils (estimated cost per sign with installation is £130).

Chairman's Initials

It is important to note that this is to be a voluntary code and the ban cannot be enforced – the report does acknowledge that the consultation comments highlighted ‘either a desire to make the ban mandatory or expressed concern about the lack of enforcement with a voluntary arrangement.’ However, it was also noted that ‘as there are significant constraints on taking an enforcement approach, it is considered that a community-led scheme based on respect and goodwill is the favoured way forward.’

More legal background, and all the consultation findings, including an analysis of responses from parish postcodes, are presented in the appendices to the Committee report which is available at the following link: <http://www.basingstoke.gov.uk/rte.aspx?id=1504&MeetingId=2056>

Assuming there is approval by full council of the budget for implementation, it is hoped the scheme can be introduced by summer 2016. A competition for the design of the signs at play areas will be promoted in the spring edition of Basingstoke and Deane Today.

To help us in planning for the procurement of signs, I would be grateful if you could let me know whether you wish to include your parish/town play areas in the scheme. If so, please could you provide the following details:

How many play areas your council is responsible for.

A map showing the location and name of each play area.

A plan with the layout of each play area, including fencing and existing signs/posts where relevant

Whether you would wish to purchase additional signs (2 signs with installation will be made available per play area by the borough council) and if so, how many @ approx £130 each

Who the key contact would be for us to liaise with regarding any queries and installation arrangements.”

Deadline 14/3/16.

The clerk will arrange for this matter to be placed on the Full Council Meeting agenda for February.

9. Item of Correspondence to be circulated:

9.1 HCC: Small Grants Scheme Countryside Access — current round deadline 29/1/16. Noted.

9.2 HCC: Vegetation Priority Cutting List 2016 — deadline 1/2/16. Cllr Styles to examine and forward 6 priority cuts

9.3.1 Police: New PCSO Damon Hope introduction email. Noted.

The clerk advised councillors that he had received a phone call from PCSO Hope in December introducing himself and that he took note of this meeting’s date and the start times.

The clerk was asked to ask PCSO Hope (or another officer) to visit the Parish and in particular to visit the Play Shelter by the Play Area in SMB circa 5-7pm where the CCTV camera has been covered with bags (since removed) and minor nuisances committed by persons unknown, including scattering contents of a sandbag within the shelter. The clerk was also asked to place this observation of minor nuisances onto Facebook/BVS. The play shelter is used by a few youngsters during the specified hours.

Chairman’s Initials

Cllr Styles hopes that Police representation can also be secured for the Annual Parish Assembly in May.

9.3.2 Police: Whitchurch December Newsletter. Noted.

9.3.3 Police: Basingstoke Community Policing Priorities survey. Noted.

9.3.4 Police: PCC Precept Survey – no deadline given but clerk suggests asap. Noted.

9.4 BDBC: Have Your Say grant applications – deadline 22/1/16. Noted. (The clerk also had forwarded this to Priors Players who had successfully obtained such a grant in 2015 for Midsummer's Night Dream).

10. HALC/BDAPTC/SLCC/Training & Conferences Reports:

10.1 HALC: Royal Society of Arts / Heritage Lottery Fund – Heritage, Identity and Place – consultation. Noted.

10.2.1 HALC/NALC: Introduction to Sector Led Body for External Audit (2017/18) – deadline to opt-out 31/1/16. Noted. The clerk recommends that the PC by default opts-in. Council agreed.

10.2.2 HALC/NALC: Update from chairman of Smaller Authorities Audit Appointments Ltd. Noted.

10.3 DCLG: Spending Review – Briefing note for town and parish councils. Noted.

10. 4 (not on agenda) – (via HALC) **Hampshire & IOW Devolution Newsletter.** The clerk will forward to councillors.

10.5 – HALC (not on agenda) – E-Update. The clerk will forward to councillors.

11. Footpaths:

Cllr Culley advised that a hole has formed in the **concrete bridge behind the BVI** (across a minor rivulet) and the wooden bridge (over the main channel of The Bourne). The clerk was asked to establish ownership of this bridge which is believed to be owned by the BVI (on their land?)

12. Highways/Transport/Services:

12.1 The clerk had a request for info from BDBC in relation to funded Litter Picking. The clerk will provide these by the deadline of 15/1/16.

12.2 The clerk had received a repeat request from a resident about willows along Gangbridge and also hedge encroachment onto that highway from another resident's property.

The clerk will forward the minute for 8 December PC meeting that dealt with the former to the complainant and will write a polite request letter to the resident with hedge encroachment.

12.3 The PC gave their thanks to **Cllr Dixon and her son** for their work removing debris, etc from the **Baptist Hill highway during recent heavy rains.**

12.4 Cllr Randall raised the matter of the salt bins at the bend of Egbury Road / Jamaica Farm. The clerk will follow through his request to HCC of last month.

Chairman's Initials

13. (not on agenda) Other matters:

Chairman / vice chairman absence: The vice-chairman (Cllr Culley) advised that she would be away from the end of January till the end of February whilst the **chairman** advised he would be away from the end of February for about a month too. There will be a four day gap (mainly over a weekend) when, if there is a matter arising that cannot keep until the vice chairman's return, the clerk will consult with other councillors available.

There being no other business the meeting closed at 9.20pm.

Chairman, St. Mary Bourne Parish Council.

Date _____

Chairman's Initials