

## KIDMORE END PARISH COUNCIL

Minutes of a meeting of the Parish Council held at the Church Room, Kidmore End on Wednesday 22 January 2020 at 8.05pm and concluded at 9.05pm.

Present: Dr C D Aldridge (Vice-Chairman, in the Chair), A B Gitsham, A P Harland, I G C Pearson, H Thresher.

Apologies for absence were received from Ms S M Biggs, Ms A S O'Reilly, J A Swift QC, T M Perchard, P H Dragonetti (district councillor).

### 8.01 ELECTION OF CHAIRMAN

In light of the resignation, on 13 January 2020, of Ms S M Biggs from the office of Chairman, it was

RESOLVED: That Dr C D Aldridge be elected as Chairman of the Council until the Annual Meeting of the Council in 2020.

(Dr Aldridge thereupon signed a declaration of acceptance of office)

### 8.02 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED: That Ms S M Biggs be appointed as Vice-Chairman of the Council until the Annual Meeting of the Council in 2020.

### 8.03 MINUTES

The Minutes of the meeting held on 11 December 2019 were taken as read, confirmed and signed as a correct record, subject to the correction of the spelling of "RESOLVED" and the correction of the years – 2019/20 – in Minute 7.04(iii).

### 8.04 REPORT OF DISTRICT COUNCILLOR

The Council noted a written report by Mr P H Dragonetti, the district councillor for the Kidmore End & Whitchurch ward, covering, inter alia:

- the current position regarding the South Oxfordshire Local Plan;
- his Council's finances: difficult decisions would have to be made in settling the budget for 2020/21;
- motions adopted by his Council at its meeting on 18 December 2019;
- the South Oxfordshire Community Lottery.

### 8.05 OPEN SESSION

During the Open Session, which was extended to 20 minutes with the consent of the Council,

- Mrs D Collins of Horsepond Road and Mrs C Kew of Wood Lane, Gallowstree Common asked questions of the "Around the Boundary" music event held at the Gallowstree Common Recreation Ground in May 2018 and 2019, complained about the noise nuisance associated with the event and requested that consent was not given for the event in 2020;
- Mr A McAslan of Kidmore End complained about the responses provided by the Kidmore End Neighbourhood Development Plan Steering Group to questions posed to the Group, and orally to the Council, about the housing requirement in the Parish. He named

another resident who intended to move from the area as a result of the identification of a possible development site.

#### 8.06 LAND OFF COOPERS PIGHTLE, KIDMORE END

(cf 7.02/19) In a note, Mr E Madejski rehearsed the history of his land off Coopers Pightle, Kidmore End, which land he had put forward for development under the emerging Neighbourhood Development Plan. He had been clearing the land of brambles and hawthorn bushes. He and his sister intended to build houses for themselves on the land, and an additional 2 houses for sale.

#### 8.07 ALLOTMENTS

##### (i) Gallowstree Common - water supply

(cf 7.04(i)/19) The Executive Complaints' Manager of Castle Water Ltd advised, by letter, that she had completed her investigation of the Council's complaint concerning the accounts for water in respect of the allotments at Gallowstree Common. She stated

"There is no provision in the Scheme of Charges or the deemed contract (as set out in the Scheme of Terms & Conditions) for charges to be reduced due to a faulty or missing meter. There are 2 alternatives available:

- 1 you can be billed on a reasonable estimate based on historic usage – this is the basis on which your bill has been prepared, or
- 2 we can request the Wholesaler to move you to "Assessed" charges. However, this would be likely to result in charges 2-3 times those based on estimated meter readings. ...

"Pending any change being agreed by the wholesaler, the current bill remains correct and payable".

Members rejected this response, arguing that it made no reference to the letter from the Company dated 14 October 2019 (see minute 5.06) or the obvious miscalculation of the amount the company was seeking to enforce. The letter did not address the council's complaint. In addition, Members considered that the Company was exceeding the terms of its licence issued by Ofwat.

Engage Services, acting on behalf of Castle Water Ltd, had sought to collect the demanded sum. The Clerk had drawn their attention to the Council's ongoing dispute with the Castle Water.

RESOLVED: 1 That the complaint be escalated to the next stage in the complaints' procedure of Castle Water Ltd.

2 That Ofwat be requested to take appropriate steps to investigate the matter of non-compliance by Castle Water Ltd in this matter and consider taking enforcement action.

##### (ii) Tenancies

(cf 7.04(ii)/19) The Clerk reported that 2 of the tenants mentioned at previous meetings had paid the rent due at Michaelmas 2019. The third had not yet paid, and, in accordance with the Council's decision in November 2019, he had been advised that his tenancy had been deemed to have been surrendered. The plot had been relet.

In answer to a question, the Clerk advised that 4 names remained on the waiting list for an allotment.

#### 8.08 THE REFORMATION PUBLIC HOUSE, GALLOWSTREE COMMON

(cf 7.05/19) The District Council's Head of Corporate Services, by letter, advised that her Council considered the Reformation public house, Horsepond Road, Gallowstree Common constituted land of community value within the meaning of Section 88 of the Localism Act 2011. Accordingly, the nominated land had been entered on to the List of Assets of Community Value and would remain so listed for a period of 5 years from 8 January 2020.

The former Chairman had suggested that the Council contact the Plunkett Foundation for advice as how best now to proceed.

#### 8.09 DIAMOND JUBILEE PAVLION, GALLOWSTREE COMMON - WATER SUPPLY

(cf 7.09/19) It was reported that the leak on the water supply pipe to the Diamond Jubilee Pavilion, Gallowstree Common Recreation Ground had finally been repaired on 21 January 2020, by contractors working for Drainage Advisory Services & Assistance, who had been appointed by the Council's insurers to trace and repair the leak.

A further account for water had been received from Castle Water Ltd on 19 December 2019. The account, which covered the period July to November 2019, was based on the reading obtained when the supply was cut off, on 13 November 2019 - 15606. The account was in the sum of £15,436.32, and was notified to the Council's insurers by the Clerk.

It had been discovered that Engage, Castle Water's field agents, had not fully closed the valve when they had disconnected the supply. As a result, water had been lost through the meter – the meter had read 16315 on 29 December 2019. The Clerk had written to Castle Water indicating that the Council would not accept responsibility for water lost after the service was "disconnected". It was reported that the service had been turned off totally on 21 January.

RESOLVED: That the action of the Clerk be approved and confirmed.

#### 8.10 ESTIMATES, 2020/21

(cf 7.12/19) The Responsible Financial Officer reminded the Council that he had made an error in his oral advice to the Council when it was setting its budget for the financial year 2020/21. As a result, one of the figures was understated in the resolutions of the last meeting (Minute 7.12). Therefore, it was

RESOLVED: That the budgetary provision for the Diamond Jubilee Pavilion sinking fund be £7,350, in the financial year 2020/21.

#### 8.11 THIRD THAMES BRIDGE

(cf 7.19/19) Mr A P Harland offered to be one of the Council's representatives at the meeting of the Third Bridge Action Group in Sonning Common on 31 January 2020.

#### 8.12 APPOINTMENT OF OFFICERS, SUB-COMMITTEES AND REPRESENTATIVES

In light of the change in the chairmanship, it was

RESOLVED: That Dr C D Aldridge be appointed a representative on the Kidmore End Neighbourhood Development Plan Steering Group for the period until the Annual Meeting of the Council in 2020.

#### 8.13 FINANCE

##### (i) Balances

The Clerk reported that balances at the bank totalled £23,221.25.

(ii) Accounts for payment

RESOLVED: That the following accounts, listed in the schedule under Financial Regulation 5.2, be approved for payment:

Castle Water Ltd – Water for allotments (December/January)	£5.31
Ms G M Springer – Refund of allotment rent overpayment	£7.50
Ian Kendrick Ltd – Cutting back trees at play areas	£1020.00
Chiltern Society – Subscription	£30.00
Kidmore End Royal British Legion – Wreath	£40.00
R F Penfold – Salary net of Income Tax	£142.10
HM Revenue & Customs – Income tax deducted	£94.73
R F Penfold – Printing agenda etc	£3.60

(iii) Budget monitoring

The Council noted a report of the Clerk showing expenditure, up to 31 December 2019, against the approved budget for 2019/20. The report showed a predicted overspend at year end of £3,238, excluding capital payments and if the Council otherwise spent in accordance with the budget.

#### 8.14 CONSULTATION ON PLANNING MATTERS

(i) Decisions

The Council noted that the applications for

removal of existing outbuilding and replacement garden store at Collegewood Farmhouse, Cane End;  
single storey rear extension at 38 Halls Cottages, Wood Lane, Gallowstree Common;  
conversion of existing outbuilding to create a 2-bed annex, formalisation of SUDS roadway and lowering of existing front wall at Anstey, Wood Lane, Gallowstree Common;  
removal of existing tractor shed and development of ancillary building for residential purposes within garden at Lavender Cottage, Reading Road, Cane End;  
proposed 2-storey side extension, a 2-storey rear extension, a single storey rear extension, a new porch and internal alterations at Trees, Wood Lane, Kidmore End

had been permitted conditionally.

(ii) Action of Plans Sub-Committee

RESOLVED: That the action of the Plans Sub-Committee in respect of the following applications, as set out in the register of action, be approved:

new vehicular access at Oldfield House, Horsepond Road, Gallowstree Common;  
removal of existing tractor shed and development of ancillary building for residential purposes within garden of Lavender Cottage, Reading Road, Cane End;  
proposed 2–storey side extension, a 2-storey rear extension, a single storey rear extension, a new porch and internal alterations at Trees, Wood Lane, Kidmore End;  
single story rear and side extension, alterations to some windows and general improvements at Gable Cottage, Chalkhouse Green Road, Kidmore End;  
erection of a side extension at Oldfield House, Horsepond Road, Gallowstree Common.

(iii) Planning appeals

In letters, the Head of Planning of the District Council advised that appeals had been lodged against the enforcement notices issued by the District Council to cease use of land at The Copse, Mill Lane, Kidmore End

- for the holding of wedding ceremonies, receptions and other organised events and commercial leisure accommodation, and
- development without planning permission, viz a dining platform and timber, glass and canvas marquee structure.

The appeals would be determined on the basis of an inquiry.

The closing date for representations to the Planning Inspectorate had been 21 January 2020. In the circumstances, draft representations had been circulated to Members: a majority of Members had indicated their informal support for the representations. As a result, the Clerk had submitted the representations set out in Appendix to the Planning Inspectorate.

RESOVED: That the action of the Clerk be approved and confirmed.

(iv) South Oxfordshire Local Plan

(cf 5.12(iv)/19) The Council noted a copy of a letter from the Secretary of State for Housing, Communities and Local Government to the Leader of the District Council explaining, in detail, that he continued to consider whether to give a direction under Section 21 of the Planning and Compulsory Purchase Act 2004 in respect of the emerging South Oxfordshire Local Plan.

8.15 CLUB SC

The Deputy Clerk (Admin & Finance) of Sonning Common Parish Council requested the Council to consider making a financial contribution to the work of Sonning Common Youth Club, a local community run and funded youth club based at Maiden Erlegh Chiltern Edge School. Year 6 pupils from Kidmore End Primary School were eligible to join.

RESOLVED: That consideration of the request be deferred to later in the financial year.

8.16 CITIZENS' ADVICE OXFORDSHIRE SOUTH & VALE

By e-mail, an Administration Officer from Citizens' Advice Oxfordshire South and Vale requested the Council to consider making a financial contribution to the work of the organisation, which provided advice to local residents, including 28 residents of the Parish in 2018/19.

RESOLVED: That consideration of the request be deferred to later in the financial year.

8.17 SOUTH OXFORDSHIRE DISTRICT COUNCIL

The Council noted an e-mail from the District Council setting out motions adopted by that Council at its meeting on 19 December 2019, including one supporting young people aged 16 to 17 being given the vote and another about the development a strategic plan to improve the cycling and walking infrastructure

8.18 BROADBAND

The County Council's Digital Infrastructure Team advised, by e-mail, that that Council had secured £6.3m of funding from Government for delivering further ultrafast (full fibre) broadband aimed at businesses in rural Oxfordshire. Additional coverage would be delivered in the Parish by Airband. 3 premises in the Parish were identified in the e-mail, only one of which seemed to be business premises.

8.19 OXFORDSHIRE ASSOCIATION OF LOCAL COUNCILS

The Council noted an update for members published by the Oxfordshire Association of Local Councils in December 2019.

#### 8.20 OXFORDSHIRE RURAL SERVICES SURVEY

By e-mail, Community First Oxfordshire drew attention to the Oxfordshire Rural Services Survey, to gather data on current services (shops, medical, education, transport, care facilities etc) that are available in rural Communities. The closing date for submissions was 29 February 2020.

RESOLVED: That the Clerk complete the Oxfordshire Rural Services Survey, with support from Members as to the qualitative questions.

#### 8.21 WOOD LANE, KIDMORE END – HEDGES

Mrs S Mellor of Wood Lane, Kidmore End complained, in a letter, about the height of the hedges bordering the highway each side of her house driveway, so that she was finding it increasingly difficult/dangerous to use her driveway. She had been in touch with "South Oxfordshire Highways Division" which had taken up the matter with the owners of the land to the north of the driveway. She asked who was responsible for the hedge at the Parish Room, and about permission to install a mirror on the highways verge opposite her drive.

The Clerk had advised Mrs Mellor to contact the Parochial Church Council concerning the hedge at the Parish Room, and that she would need the consent of the highways' authority and the landowners to erect a mirror on the verge opposite her drive.

#### 8.22 NEIGHBOURHOOD DEVELOPMENT PLAN STEERING GROUP

(cf 7.20/19)The Chairman reported that the Neighbourhood Development Plan (NDP) Steering Group had met on 19 January 2020. The Council noted a brief report, circulated by the Chairman of the Steering Group, in advance of the meeting, about the Group meeting.

Mr S Roe of Kidmore End, in a letter written on behalf of 9 other residents of Kidmore End, responded to the Council's letter conveying the decision from the last meeting. Mr Roe complained about the response he had received from the Chairman of the NDP Steering Group, challenged the Council's belief that the Steering Group operated independently of the Council and contesting the procedure adopted by the Steering Group to allocate a site development.

Members did not share Mr Roe's view that the NDP Steering Group was a sub-body of the Council. The Council had taken pains, because it had wanted to corral the enthusiasm of residents rather than councillors, to set the Group up independent of the Council. The Council took the view that the Steering Group was self-regulating, save for the 3 key decisions reserved to the Council.

RESOLVED: 1 That Mr S Roe be advised as immediately above.

2 That the Neighbourhood Development Plan Steering Group be requested to provide a written report on the circumstances leading to its decision to identify a specific site for development.

#### 8.23 PLAYING FIELDS COMMITTEE

The Chairman of the Playing Fields Committee reported that the Committee had met on 8 January 2020, when the principal issue had been the leak on the water supply to the Diamond Jubilee Pavilion.

#### 8.24 TRANSPORT SUB-COMMITTEE

The Chairman reported that Ms C Brook, the local highways' "Superuser", had told her that most of the potholes she had previously reported had been repaired earlier in the week of the meeting.

#### 8.25 MEETINGS, CONFERENCES ETC

The Chairman referred to a meeting with officers of the District Council on 13 January 2020 concerning the disposal of the Council's share of Community Infrastructure Levy (CIL) funds. The subject would be included on the agenda for the meeting of to be held in March 2020.

#### 8.26 QUESTIONS TO CHAIRMAN

In answer to a question, the Chairman instructed the Clerk to include the storage size of e-mail inboxes on the agenda for the next meeting.

**REPRESENTATIONS TO INSPECTOR RELATING TO APPEAL AGAINST ENFORCEMENT NOTICE IN RESPECT OF USE OF LAND AT THE COPSE, MILL LANE, KIDMORE END FOR HOLDING WEDDING CEREMONIES ETC**

The Council wishes to make the following representations in respect of this appeal against an enforcement notice issued by South Oxfordshire District Council.

The Council supports the enforcement action for the following reasons

1. This is the wrong location for a business of this size, within a residential area. There are other households nearby which are adversely affected by the noise and traffic caused by the events at The Copse.
2. The village of Kidmore End, including Mill Lane, is within the Chilterns Area of Outstanding Beauty.
3. Due to the current road system, being narrow country lanes, the increased traffic raises the risk of accidents on the local roads. Visitors will be travelling to the area who are not local and are not used to these small lanes.
4. The business in its current format is not sustainable for the other residents of Mill Lane to have their rights to a life without noise pollution and the detrimental effects of the increased and persistent noise.
5. The use of The Copse as a wedding venue at weekends during the summer months is causing distress to residents living in Mill Lane. These residents have stated that the noise levels are such that it is not possible to open windows at night, causing lack of sleep to both adults and children, weekend on weekend. The knowledge that this is ongoing each weekend is stressful.
6. Traffic can be late at night, when guests are leaving the venue.
7. Both access points are not suitable for large numbers of cars and service vehicles, that may include catering, toilet delivery, music equipment etc, as well as guests. Mill Lane itself is a narrow lane, not wide enough for 2 vehicles to pass in many places, fraught with pot holes and often flooded. The access from the A4074 is hazardous. The access from Tokers Green Lane is in a narrow lane. Satellite Navigation devices will take vehicles to Mill Lane: it is not suitable for larger vehicles.
8. There will be certain times when the traffic will be increased during the days before the event and arrival of guests. The road network is not suitable for this traffic.
9. Taxi drivers to the venue get lost.
10. Noise has been heard on occasion by residents in the village of Kidmore End.
11. The venue is marketed for the weekend. This often means that the noise levels are high for more than one night each weekend.
12. The owners of the property put up signs in the hedgerows giving directions to the venue before the weekends. These are often not removed after the event and cause litter on the roads.

I attach extracts from the minutes of the meeting of the Council held on 24 July 2019.

For these reasons, the Council urges the inspector to dismiss the appeal.