

MINUTES OF THE MEETING OF LONGPARISH PARISH COUNCIL HELD IN THE COMMUNITY HALL ON 14 SEPTEMBER 2009

OPEN FORUM

The formal business was preceded by an open forum which was attended by parishioners including Maggie Barber, Stephanie Berwick, Tom Bremridge, Graham Darrah, Mary Jo Darrah, Karen-Marie Dinesen, Wendy Ellicock, Jonathan Frere, Gloria Goodliffe, Nigel Goodliffe, Tony Holmes, Mike Johnson, Jenny Jolliffe, Peter Jones, Pippa Sawyer, Phil Wood, Cathy Yelf, Henry Yelf. There were two sections on the Settlements Boundary Review and the fencing of Footpath 11. In each case there was a presentation followed by questions and opinions. Notes are attached – see Appendices A and B.

The formal business started at 9.30pm.

PRESENT

Jeremy Barber (Chairman), Christopher Duxbury (Vice Chairman), Christian Dryden, Chris Dewbury, Phil Harris, Toby Cooper, Tony Humphrey (Clerk)

Members of the Public Mrs Maggie Barber, Jonathan Frere, Mike Johnson

09/115 APOLOGIES

Councillors: Martin Lampard, Jo Clear

09/116 VACANCIES

Three people had expressed interest; Jonathan Frere, Richard Maloney, Mrs Karen Marie Dinesen.

Deferred to next meeting, in the meantime the Chairman will ask each candidate to prepare a presentation on what they could bring to the Parish Council. **Action JB**

09/117 MINUTES OF THE PARISH COUNCIL MEETING OF 13.07.09

The [Minutes](#) were approved and signed.

09/118 MINUTES OF THE PLANNING COMMITTEE MTG OF 12.08.09

The [Minutes](#) were approved and signed.

09/119 PLANNING

09/119.1 New planning applications

09/119.1.1 09/01727FULLN The Cottage

Demolish existing outbuilding retaining south east gable wall to incorporate into replacement outbuilding with garden wall. This latest proposal was produced after extensive discussion with TVBC officers.

No objection by majority decision with two abstentions.

09/119.1.2 Tree Notifications

The Council had no objection to tree works at Autumn Cottage and Mayfield.

09/119.2 Previous planning applications

Mr Duxbury reported - see Appendix C.

09/119.3 Green Space Strategy

Meeting agreed that Chairman/Vice Chairman/Clerk to write response. **Action JB/CDu/TH**

09/120 RURAL SETTLEMENT BOUNDARY REVIEW

The matter had been extensively discussed during the Open Forum.

Agreed that the Chairman and Vice Chairman would meet Cllr Neal and, with the Clerk, draft a response including reference to the following points

- Too early to draw lines on map.
- Safeguards needed.
- What is the methodology?
- What are the aims?
- The Council want to be involved in drawing initial lines.
- The Council want a village consultation.
- Longparish is on the edge of the borough, how does this strategy relate to other boroughs?

The response will be circulated in draft to all councillors for comments. **Action JB/CDu/TH/All**

[Note – [Click here to see the letter](#)]

09/121 FINANCE

Financial Report accepted – see Appendix D and Appendix E

09/122 OPEN SPACES

09/122.1 Use of Football Pitch

All agreed to the use of the football pitch by Andover U13.

Clerk to arrange invoice.

Action TH

09/122.2 ROSPA playground report

This has been passed to Andy Smith for action who will report back for the October Parish Council Meeting.

09/122.3 North Acre Street Light

The only way forward is the PFI route – meeting agreed to go ahead.

09/122.4 Water Levels at The Cleeves

Replies to the Council's letter show no agreement.

The Council agreed to ask our water management group to review the letters and suggest next step.

Action JB to arrange

09/122.5 Clean up day

This will be 14 November 2009, to be led by Jenny Joliffe.

09/123 ROADS & BRIDGES

09/123.1 30mph limit

Mrs Dryden had been in touch with Mott Gifford and awaited their report.

09/123.2 Twenty is Plenty signs

No public funds available but could be done privately. Mrs Dryden will liaise with the School.

09/124 FOOTPATHS

09/124.1 Fencing of Footpath 11

The matter had been extensively discussed at the Open Forum. The Council agreed to await Peter Watson's advice and the outcome of his actions and consider the matter again at the next meeting.

The Chairman will include a report in the monthly article in Hill & Valley.

09/124.2 Sugar Lane Footpath 47

The muddy area at the Southern end has been made up by Middleton Estate.

09/124.3 Buck Close Footpath 20

Middleton Estate have installed a kissing gate provided by HCC.

09/125 TRANSPORT

Nothing to report.

09/126 COMMUNICATION

Nothing to report.

09/127 SCHOOL/PLAYGROUP/COMMUNITY HALL

Nothing to report.

09/128 VILLAGE HALL

09/128.1 Open Day

22 September to show plans for the Village Hall refurbishment.

09/128.2 Renewal of Lease

With only some 4 years to run with the existing lease, the Village Hall Committee has been concerned that they would fail to qualify for major grants without it being renewed for a longer period. Mr Duxbury met the Administrative Trustees and the Diocesan Director of Property, representing the Winchester Diocesan Board of Finance, on 23 Jul to explore and seek a way forward.

The outcome from this meeting and subsequent correspondence is advice from the Diocesan solicitor that the lease falls within the definition of a 'business lease' for the purposes of the Landlord and Tenant Act 1954 and as such the Parish Council has security of tenure.

This means that we can expect a new lease in 2013 on similar terms to the existing lease except in relation to the length of the lease and the rent. Pursuing a new lease now would mean surrendering the existing lease and being in danger of losing the security of tenure that we currently enjoy. It is not possible to simply agree a new expiry date of the existing lease.

The Council agreed that it would seek to renew the current lease when it expires and decided to press on with the 'letters of comfort option' in support of Grant applications, in an attempt to mitigate the short lease term left and only consider surrendering the lease if we run into difficulties. The latter course would mean the PC taking its own legal advice and renegotiating the lease in accordance with the Charities Act 1993.

Chairman/Vice Chairman to prepare the PC letter of comfort.

Action JB/CDu

09/128.3 Land Matters:

There remain some outstanding issues that also needed to be addressed.

09/129 CORRESPONDENCE

See Appendix F

09/130 REPORTS AND NEXT MEETING

The Clerk had attended TVALC the previous week and reported that the Chairman had been re-appointed to the TVBC Standards Committee.

The next Parish Council meeting is on Monday 12 October

09/131 CLOSURE

Chairman closed the meeting at 11.00 p.m.

TH/18.09.09

Appendix A Notes of Open Forum

Subject: TVBC Settlements Boundary Review

Date: 14 September 2009

Speaker: Graham Smith – Planning Policy Manager TVBC

The Open Forum was to discuss the [paper](#) attached to the July Parish Council minutes. The background had been explained briefly in the September Hill & Valley. Chairman, Jeremy Barber, introduced Graham Smith of TVBC who explained the issues and answered questions. There was then an opportunity for parishioners to express their views. The main points emerging in a discussion lasting about an hour were as follows.

- 19 villages are involved. They are the ones considered to be sustainable because they have facilities such as school, shop, etc.
- The approach represents a modest relaxation of the current rules
- TVBC planners are “doing the rounds” to gain suggestions as to boundaries and/or approach to be taken
- Current infill policy has been criticised by Planning Inspectors. In the past their view has not been final but in future it will be binding upon TVBC
- There is sufficient land in Andover to meet housing needs. The review is not about meeting the Government set allocation of new houses
- The rural settlements strategy is one of a number of documents which will support the Core Strategy. The Core Strategy was withdrawn because of inspector criticism and is currently being re-worked. The reasons the core strategy was withdrawn are explained on the TVBC website – see <http://www.testvalley.gov.uk/Default.aspx?page=6516>
- Approaches to Boundary Review:
 1. Don't change (thought to be unsustainable in view of Inspector criticism)
 2. Village envelope
 3. Village envelope – tighter drawn
- Longparish has all varieties of settlements, i.e. linear and North Acre, plus separate “island”, e.g. Forton.
- Timetable is as follows
 - Formal consultation – Autumn 2010
 - Next consultation – Summer 2011
 - Adoption – early 2012
- The review is nothing to do with affordable housing which is the subject of separate policies
- The term ‘settlement’ is used to describe built up areas, wherever they are; not just North Acre which is the only part of Longparish described as ‘settlement, in the current Borough Local Plan
- Under present rules for infilling development is only permitted along the building line. Backfill and tandem development is not permitted. I
- If envelopes are adopted then the principle of development is permitted within them subject to detailed criteria on design, character etc
- Safeguards include
 - Effect on character
 - Flood plain
 - Ecology
 - Landscape

- Parish Plan and Village Design Statement
- Proposals will initially be put forward by TVBC officers. There will then be public consultation.
- Concern about the capacity of the pumping station should be fed into the Basingstoke and Deane core strategy. Similarly the school admissions policy was a matter for HCC
- TVBC needs to have a consistent approach which is sufficiently flexible to take account of the different forms and needs of the villages concerned

In discussion parishioners expressed the following views

- Problem over suspicion – the aim is not clear - need to be convinced that there is no pressure to develop extra houses.
- Complete/changing footprint of village, how big is envelope?
- Methodology – fear over officials acting without Parish Councillors being present.
- Methodology must be agreed in advance.
- Concern that safeguards are not adequately explained.
- Worried about “envelope”, are we going to have areas that could be developed?
- Suspicion of the envelope – what is in and what is out?
- Borough Councillor, Jim Neal, thought that the effect on Longparish would be very limited

The Chairman thanked parishioners and Mr Smith and said that the Council would consider its response in the formal part of the meeting.

Tony Humphrey/16.09.09

APPENDIX B NOTES OF OPEN FORUM

Subject: Footpath 11
Date: 14 September 2009
Speaker: Peter Watson, Footpath Ranger (HCC) – Right of Way

The main points which emerged from a discussion lasting about an hour are as follows.

Mr Woodhouse has fenced part of Footpath 11 at a width of 1.5 metres with posts and barbed wire as he intends to put cattle in the field. The fenced area does not include the whole of the width of the causeway where people normally walk. Mr Barber had met him soon after the work began and asked him to widen the fenced area. However he did not wish to do so. Mr Barber was not sure of the legal position so he had agreed with Mr Woodhouse that he would report the facts to the HCC Rights of Way team and seek their advice.

Rights of way including footpaths are the responsibility of HCC as the Highway Authority. They, not the landowner, are responsible for the surface of paths. The Parish Council assists with maintenance by volunteers as HCC resources are limited. Landowners must not obstruct paths and are responsible for vegetation which comes in from outside.

Mr Barber introduced Peter Watson who had also met Mr Woodhouse. He reported that

- Mr. Woodhouse was advised by insurers that he needed a fence.
- Landowners are entitled to fence paths
- He had suggested 2 metres (or more if there was barbed wire) but Mr Woodhouse was not prepared to accept it
- Mr Woodhouse has promised to maintain the surface of the footpath – this in writing.
- He had also said that he would raise the surface to the level of the causeway across the whole width of the fenced area if experience showed that to be necessary
- Barbed wire must not cause a nuisance to users of footpaths. What constitutes a nuisance is not defined. It would depend on the width of the path and the placing of the wire. In this case the wire is on the side away from the footpath on the new fence and would be moved to the outside on the old fence
- A strand of plain wire on the inside at the height of the barbed wire would help reduce risk
- All footpaths are defined by statements and lines on maps. The definitive statement was unhelpful on the question of width. It merely referred to, "..."... undefined path veering eastwards across pasture .."
- The definitive map does not show the causeway
- HCC have limited resources. Mr Watson has two men and a budget of £10,000 to deal with paths in 59 parishes. As a result work must be prioritised. This issue is not high priority because the path is passable.
- His current view was that he would not be taking enforcement action now. He would wait and see how things worked out. That would not prevent enforcement action later if it was considered necessary
- He was not expert on the law about the width of paths and acted in accordance with internal guidance from HCC. He had access to expert advice if he needed it.
- He was not sure whether it was open to members of the public to instigate action or whether that was the sole responsibility of the Highway Authority.

Mr Barber reported that Alex Lewis, HCC expert, had advised that afternoon that "fencing should not encroach on any part of a path that the public has been using for in excess of 20 years". On a show of hands over 10 of those present indicated that they were prepared to give evidence that they had used a greater width for over 20 years. She had also advised that it was difficult and expensive to change definitive statements.

Comments from the floor showed that many of those present

- were angry, saddened or disappointed that the path had been enclosed in a way which prevented them from using the width they had long enjoyed
- considered that the fenced area was too narrow and that the surface was too uneven. It made walking side by side or with a family or dogs inconvenient and uncomfortable. There was particular concern at dog walkers having to pass confined by the wire
- considered the barbed wire to be dangerous
- felt that another 18 inches or so width would have made a huge difference

Phil Wood of Andover Ramblers considered that there had been loss of amenity but that the path would be acceptable to his members. There are other examples of footpaths with barbed wire and he was not aware of any accidents.

Paul Knipe welcomed the improvements Mr Woodhouse had made to the field and considered using it for cattle to be in accordance with good practice for water meadows. He and others considered that further tree planting between the path and the river would be inappropriate.

Mr Watson said that he would

- contact Mr Woodhouse again to ask him to make the enclosed area wider for the part that had not yet been enclosed
- look again at the new fence to consider whether the barbed wire was dangerous
- seek advice on whether individuals could take legal action because they considered the width to be inadequate or the barbed wire to be a hazard
- clarify whether it is possible to change the definitive statement in this case or, failing that, for a record of concerns to be included with it for future reference.
- report back to the parish council

Open Forum closed at 9.30 p.m.

Tony Humphrey/16.09.09

APPENDIX C REPORT ON PREVIOUS PLANNING APPLICATIONS

Serial	Property Reference Number & Date	Description	Status
1	Testwood Trout Farm 08/00196/FULLN	Temporary Use of Mobile Home as Agricultural Workers Dwelling	Sep 09 - Inspectors Decision awaited
2	Longparish House Fishing Huts 09/00651/FULLN	Erection of Fishing hut and replacement of two existing huts	PC 8Jun 09 – No objection TVBC 13 Jul 09 – Permission subject to Conditions and Notes
3	61 North Acre 09/00968/FULLN [Amended Scheme]	Erection of two storey rear extension to provide enlarged kitchen/diner and wc/utility room with bedroom and ensuite over (amended scheme). Further amended drawing - Advised TVBC 23 Jun 09 no further comment	PC 8Jun 09 – No objection TVBC 31 Jul 09 – Permission subject to Conditions and Notes
4	Woodstock 09/00943/FULLN	Erection of two-storey side and rear extension to provide playroom, utility room and enlarged kitchen with a master bedroom/dressing area/ensuite bathroom, an additional bedroom and extended bedroom over on site of existing garage together with the erection of a double garage	PC 8Jun 09 – No objection TVBC 16 Jul 09 – Refused by NAPC
5	Rowan House, Mill Lane 09/01128/FULLN	Erection of single storey extension to provide orangery on site of existing conservatory [for continued additional living and leisure space – to rear of house].	PC 13 Jul 09 – no objection TVBC - Permission subject to Conditions and Notes
6	Owls Lodge Shooting Ground 09/00821/FULLN	Erection of 2 'scorer' huts, surfacing of access road and car park together with retention of clubhouse	PC 13 Jul 09 – No objection TVBC 5 Aug 09 - Permission subject to Conditions and Notes
7	Riverside Cottage, Forton 09/00991/LBWN	Re-thatching of roof using wheat reed/straw [FRONT]	PC 13 Jul 09 – No objection TVBC 12 Aug 09 – Consent subject to Conditions and Notes
8	Owls Lodge Farm, Nuns Walk 09/01057/AGNN	Erection of Barn for storage of chemical fertilizer	PC 13 Jul 09 – No objection TVBC 31 Jul 09 – Prior approval not required
9	The Bungalow, Mill Lane, 09/01264/FULLN	Erection of replacement dwelling and detached garage together with alterations to and construction of new access and entrance gates and replacement sewage treatment plant.	PC 13 Jul 09 – No objection TVBC 20 Aug 09 – Permission subject to Conditions and Notes
10	The Orchards, Forton 09/01435/TREEN	T1) Yew tree re-shape/reduce by 30% remove ivy. 2 Sycamore (T2, T3), 3 Yew trees (T4, T5, T6), 1 Elm tree (T7), 1 Ash tree (T8) and group of hollies (T9) - remove	PC 4 Aug 09 – No objection TVBC 27 Aug 09 – No objection
11	8 The Mount, Forton Lane, Forton,	Apple tree (T1), Plum tree (T2), Cherry tree (T3), Pear tree (T4) and Ornamental Crab Apple - prune by up to 20%	PC 12 Aug 09 – No objection TVBC 26 Aug 09 – No

Approved at Parish Council Meeting held on 12 October 2009

	09/01464/TREEN		objection
12	Longparish C of E Primary School, Longparish, Andover, Hampshire SP11 6PB 09/01331/HCC3N Hampshire County Council	Staff room/toilet single storey extension	PC 12 Aug 09 – No objection HCC - Pending
13	A303 Recycling Facility (Adjacent Owls Lodge Shooting School PLAN/JD/TV231	Permanent facility for recycling construction and demolition waste and extension of existing site including construction of screening bund. Erection of recycling building and waste recycling plant, importation of aggregates for re-sale including the erection of storage bays.	PC 12 Aug 09 – No objection, but see covering letter HCC - Pending

APPENDIX D

CHEQUES SIGNED

DATE	PV	CH.NO.	WHO TO	WHAT FOR	£
22-Jul-09	36	939	HALC	Internal Audit	150.00
12-Aug-09	37	940	Alan Rogers Property Maintenance	Property maintenance	930.00
12-Aug-09	38	941	HALC	Clerk's training course	20.00
12-Aug-09	39	942	AA Wolfenden	Grounds Maintenance	69.00
12-Aug-09	40	943	Clive Kent	Cut and strim cemetery	180.00
14-Sept-09	41	944	SLCC	Book- Local Council Administration	55.60
14-Sept-09	42	945	AA Wolfenden	Grounds Maintenance	69.00
14-Sept-09	43	946	Hill & Valley	Quarterly Payment	93.75
14-Sept-09	44	947	Eclipse Pest Control	Mole Control – football field	139.50
14-Sept-09	45	948	David Scott Cabinetmaker	Maintenance of Ashburn Rest	90.00
14-Sept-09	46/47	949	Mr J Barber	Hardware for repair of Skate Park	64.65
14-Sep-09	48	950	Clive Kent	Cut and strim cemetery	180.00

APPENDIX E

Longparish Parish Council Financial Report
Period from 14-Jul-09 to 14-Sep-09

Income	Previous years		Year to 31 March 10		
	Year to 31/3/08	Year to 31/3/09	Budget	Total so far	Total for period
Precept	15,000	15,000	15,000	15000.00	7500.00
Transfer from HCC Investment	0	0	0	0.00	0.00
Cemetery fees	472	707	400	84.00	60.00
Handbook sales	0	0	50	0.00	0.00
Grants	0	0		0.00	0.00
Donations	1,266	580		0.00	0.00
Allotment rents received	30	36	36	34.00	0.00
Parish Paths Partnership	526	0	400	382.06	0.00
VAT refund	604	0	1,824	1823.88	0.00
Other	450	0		0.00	0.00
TOTAL	18,348	16,323	17,710	17323.94	7560.00

Expenditure

Clerks Pay/Expenses	1,376	0	3,000	0.00	0.00
General Admin	2,195	1,919	3,000	1476.62	225.60
Elections	28	0	0	0.00	0.00
Open spaces	4,420	4,227	12,330	3793.80	1515.70
Communications	691	615	1,850	421.85	93.75
Paths	976	34	1,100	638.00	0.00
Capital Expenditure	0	0	0	0.00	0.00
Village Hall	2,766	1,080	500	0.00	0.00
Community Association	1,440	1,740	1,740	0.00	0.00
Village Plan (implementation)	2,046	1,642	1,500	0.00	0.00
Transfer to HCC investment	0	6,000	0	0.00	0.00
Other	0	100	500	0.00	0.00
VAT	1,067	757		209.17	26.45
TOTAL	17,005	18,115	25,520	6539.44	1861.50

Transfer from HCC investment			0	
Closing Bank Balance	8293.57	6501.54	484	17286.04

Invested with HCC				
At start	44,377	46,824	54,591	54590.95
Add Interest	2,447	1,767	1,200	0.00
Transfers from (- to) bank	0	6,000	0	0.00
At finish	46,824	54,591	55,791	54590.95

APPENDIX F CORRESPONDENCE LIST

	Date	Who from	Subject
1.	14.07.09	HCC (Martin Leeds)	Planning Application – Longparish School
2.	15.07.09	TVBC (Steve Lees)	Review of TVBC's Statement of Community Involvement
3.	15.07.09	HCC (Caroline Mekky)	Test Valley Passenger Transport Forum
4.	15.07.09	HCC (Melissa Spriggs)	Hampshire Minerals & Waste Development Framework
5.	15.07.09	Earth Anchors Ltd	Signpost promotional leaflets
6.	20.07.09	Lt Col A Westcott Defence Est	Restrictive covenant on the shooting ground
7.	20.07.09	Alan Ward	Settlement of air traffic dispute
8.	21.07.09	TVBC (Rachel Cooke)	Trees at The Orchards, Forton
9.	21.07.09	Mr & Mrs T Tarchi	Response to JB's letter regarding river levels
10.	24.07.09	TVBC (Rachel Cooke)	Trees at 8 The Mount, Forton
11.	25.07.09	Attlewells Solicitors	Testwood Trout Farm
12.	25.07.09	Britwell Priors	Owls Lodge Shooting Ground
13.	28.07.09	TVBC (Emma Jones)	Planning Committee date, Rowan House
14.	29.07.09	HCC (Charlotte Tilling)	HCC subsidy for driver plus test for teens
15.	31.07.09	HM Revenue	PAYE contributions
16.	10.08.09	Hampshire Playing Fields Assoc	Summer 2009 newsletter
17.	20.08.09	Longparish Estate	River levels
18.	10.09.09	CRPE Hampshire	"Enhance the Countryside"
19.	11.09.09	CE of E Longparish	Lease of Longparish Village Hall
20.	13.09.09	Mr P Taylor (Andover FC)	Signed contract for use of football field
21.			

Correspondence sent

Date	Who to	Subject
15.07.09	Mr J Clark (TVBC)	Potholes on Southside Road
15.07.09	Mr G Carter/Mr P Bayliss	(HCC) Extension of 30mph limits
20.07.09	Mr J Mariner	Review of supported local bus services
13.08.09	Mr M Leeds (HCC)	Response to school planning application
13.08.09	Julia Davey (HCC)	Response to A303 Recycling Facility
06.09.09	Mr P Taylor (Andover FC)	Contract for use of football field
14.09.09	Mr S Bushell (HCC)	Street light PFI