

From: Peter Lewis
Sent: 24 June 2015 07:32
To: 'Hadyn Wood'
Subject: RE: Questions for PC - Open Letter

Dear Hadyn,

Further to your detailed email below, please find my responses herewith. As I mentioned on Monday, I had hoped that a number of adjustments to the Parish Council (PC) website that were agreed at May's PC meeting would have been fully implemented, which I believe will go some way to addressing a number of your concerns. Unfortunately, due to an unexpected and demanding set of work commitments, my spare time to complete these has been dramatically reduced, however where they are not already available, they will be imminently.

I'm sure that you will agree with me that all parishioners have a right to know of meetings of the Council, its sub-committees and, separately, the AGM of the Millennium Green Trust. Additionally, there are legal obligations that relate to announcing Council meetings, that we must adhere to. I do not believe it to be correct for me to discriminate between parishioners in terms of the way in which they are notified of meetings, nor receive agendas and minutes. I do however agree that steps can be taken to further enhance this communication process. To that effect:

- When the PC website underwent its last major update, we added the facility to highlight upcoming meetings, albeit this was by a manual process and so could at times remain slightly out of date. I am in the final stages of arranging an alternative calendar facility within the PC website, which will automatically present details of the next "regular" meeting. As a rule of thumb, those regular meetings usually occur on the first Wednesday of every alternate month. In addition to those regular meetings, there remains the possibility that an additional meeting may be called, either due to the volume of business that the PC needs to transact, or in order to comply with consultation deadlines on matters such as Planning, which would be added to the calendar at the earliest opportunity after it has been arranged. We also advertise upcoming meetings using the diary facility of the community website, which ensures that they are included in the weekly "upcoming events" email that many parishioners subscribe to. Finally, meetings will continue to be advertised via the PC Notice Boards.
- Minutes, reports and correspondence: historically, approved minutes were published (in line with government guidelines) via the PC website where they could be both searched and downloaded as required. Recent changes to legislation mean that it is now recommended that draft minutes are published (identified as draft) until such time as the full minutes are agreed. We are currently taking steps to ensure that we are compliant with this as well, and these will also be available via the PC website in the same manner. I have been investigating a facility that would automatically email a list of subscribers once a new document was added to the site, but unfortunately, to date I have been unable to locate a suitable add-on to achieve this functionality.
Reports – are published within the Minutes, where appropriate, available as detailed above
Correspondence – We do not currently publish *all* correspondence, and I don't believe it would be appropriate to do so given the volume of items that are received on a wide range of matters. It is frequently the case that many of these items are general information bulletins that may not be of any relevance to the Parish Council. However, where the Clerk identifies that the correspondence received is relevant to Council business, it may be circulated for councillors' information, or it may be brought forward as an agenda item at the subsequent PC meeting (in which case it will also be noted in the minutes).
On this basis, I would expect the relevant information to be available to all parishioners through the published Minutes.

1. **Re-arranging agenda:** Prior to any meeting I, and I believe anyone acting as Chair will have given careful consideration to all matters on the agenda. This will commonly include an assessment of the item's urgency, and the amount of time I *estimate* that Council will require to allow for sufficient

debate to occur, prior to any decision being taken. Where appropriate, advice may have been sought from Councillors or Officers of District/County Councils or partner organisations, such as OALC. In addition to this, there may be additional considerations, such as where members, District or County Councillors may be delayed but their input on a particular agenda item is considered to be important for Council to consider. However, essentially I do not believe this to be a matter for Standing Orders. I agree that, where possible, it is preferable to bring items of particular interest to members of the public up the agenda, and furthermore, it is my opinion that we have done this in the past and will continue to do so where possible.

You will be aware that during the last year we altered the format of Council meetings, so that questions from members of the public are now an integral, specific agenda item, occurring after reports from County & District councillors, in line with new recommendations. This enables everyone the opportunity to ask questions of Parish, District or County Councils as appropriate.

- b. **Allowing members of the public to speak on any agenda item at the time of discussion:** I note that this is a request that you have made previously, but the position regarding this has not, and indeed *cannot* change under current legislation. Of utmost importance to the undertakings of the Parish Council is that the meetings, discussion and therefore resolutions taken are lawful, something that the Chair, assisted by the Clerk aims to ensure. The law (Local Government Act) does not permit members of the public to speak during a debate by Council, this is not something that we are empowered to amend. I would (and indeed do) encourage everyone that I discuss matters of concern with to put those into writing ahead of any meeting, to ensure that Councillors have the opportunity to fully inform themselves of any concerns, where they exist, ahead of the meeting. In general terms, I would consider it very rare for a Councillor to attend a meeting, without having reviewed items on the Agenda in detail, which may include researching the matter independently, sharing information amongst Council, or bringing points of view from neighbours/concerned parishioners forward for consideration at the meeting, and as part of the discussion. Furthermore, I am careful to ensure that at each meeting it is made very clear that the time to mention any concerns, or items that members of the public would like Council to consider are made clear during the period of public questions. In *exceptional* circumstances, the chair may consider closing the meeting in order to hear specific information from a member of the public, but this is by far the least preferential route since Council simply does not have the opportunity to either verify the information offered or consider in sufficient detail.
2. I fully appreciate that members of the Neighbourhood Plan Steering Committee (NPSC) are volunteers, who give up their time in a very similar manner to members of the Parish Council. I have taken the opportunity to thank the NPSC as a whole, for their dedicated efforts on a number of occasions, both verbally and in writing. Whilst I agree that co-operation between the NPSC and the Parish Council is essential, in my opinion, both members of Council and NPSC are all "people on the ground". The Parish Council undertook to make a Neighbourhood Plan at the village meeting that we organised in late 2013, which I believe you attended. At that time, we outlined that creating a Neighbourhood Plan required a tremendous amount work, and it was probably not ideal to conduct this within the formal "constraints" that the Parish Council is subject to, and hence the creation of the NPSC. I have encouraged members of the previous Council to attend NPSC meetings where possible (and indeed a number of them, including myself, have attended where other commitments permit), and will continue to do so with the current Council. I am of the firm belief that the best way of ensuring a smooth flow of information between both the NPSC and the Parish Council is through the "crossover" members - i.e. those Councillors who regularly attend NPSC meetings should be well versed with both matters being discussed by the PC as well as the NPSC and can thus inform both parties of relevant information. With regards to the sites that you list, with the exception of two, the Parish Council has not undertaken any resolutions in the recent past:
- Bow Farm - PC has objected to the most recent application, and I believe that this is in line with the emerging Neighbourhood Plan's aims not to extend the village "envelope" unnecessarily.
- QEII Field - As has been widely reported, discussions are ongoing with Oxfordshire County Council with regards the exchanging of contracts for a long term lease to release land to the village for recreational/leisure purposes. Again, I do not believe this to be in any way at odds with the emerging Neighbourhood Plan.

3. To be clear, the point I wished to raise at the last NPSC meeting that I attended before my holiday, was that where the NPSC was to consult with the parish on *any* item, then I believe it to be relevant and proper to provide a summary of the options that the NPSC believe are available to the parish. You are correct, that I believe it to be necessary to provide a costed summary as well as an indication as to how those costs might be met. It is also relevant to consider whether the sums involved in any such option would be due to (or from) the Parish, District or County council(s), another body or private individual, which would generally be defined by the nature of the proposed site usage and ownership thereof. For clarity, I would also highlight the necessity for any options where the Parish is not the sole authority to be clearly identified (e.g. the final decision for any considerations relating to the school rest with Oxfordshire County Council). I note your request and it will be discussed at the next Parish Council meeting.
4. Firstly, with regards to the split of the proposed QEII Recreation Field, per the lease terms: As you will be aware, discussions relating to the release of this site to the parish have taken several years, with a number of delays within Oxfordshire County Council (OCC). Recently, it was established that one of the issues for OCC Officer's surrounded giving the entire site to the Parish at a peppercorn rent, since recent legislative changes mean that all councils are required to make the best use of their assets. This was overcome, by "splitting" the lease into two parts - the part covering 14 acres at a peppercorn rent, whilst the remaining 5 acres be leased to the Parish as a commercial rent. I believe I addressed your concerns regarding allotments at the Annual Parish Meeting, but to recap: the Parish Council is *required* to provide allotments, on request. There is currently a waiting list for the provision of allotments, and therefore, the PC believes that part of the proposed site may be used to accommodate allotments (which in turn, may well cover the costs of the commercial rent). I have already indicated a willingness to discuss with the NPSC possible alternative sites that may be better suited, of course, acquiring such sites may have financial implications that the PC must also consider.
 - a. The proposed use of the QEII field is for recreation and leisure, as we are only able to obtain the site from OCC due to the long standing shortage of recreational space within the parish. However, we have always maintained that, once a lease has been agreed, a village meeting would be conducted in order to ensure that ideas from across the community were gathered, and used to inform any proposals. I believe that it would be appropriate to conduct a formal consultation exercise after this, once a high level design/layout had been drawn up in line with the information gathered from the village meeting (& I suspect additional information, from existing NPSC consultations).
 - b. The PC has never suggested that siting allotments on the proposed site is sufficient evidence to allay fears over contamination, and specialist tests have been conducted for these purposes. A copy of the most recently available report from OCC's monitoring was provided to the NPSC team conducting the site assessments previously. I'm pleased to confirm that all of the results/information confirming that the risks to human health are negligible are now available on the PC website, and available for all. I note your views regarding the "visual amenity" of allotments, although I firmly believe it is possible to provide allotments which are generally appealing to the eye, or naturally screened. However, we do not yet have an adopted Neighbourhood Plan, and whilst sites may have been identified as suitable for allotments, the deliverability of those sites is still subject to the Plan being adopted and those sites coming forward. As I previously pointed out, the Parish Council has a *duty* to provide allotments, and it would be short-sighted to remove these as an option in the lease, and later to find that the sites you are referring to were not made available.

You are correct that Cllr Isaacs referred to an option whereby, in exceptional circumstances of severe contamination (only), OCC would have the right to terminate the lease early. This clause is necessary as OCC officers were not prepared to recommend that their councillors accept a potential multi-million clean-up bill, in exchange for a peppercorn rent, no matter how low the risk. The Parish Council has considered these concerns carefully, and investigated matters such as insurance for contamination, but these are unviable. We believe, given the very low risks associated with possible future contamination that the clause in the lease provides sufficient protection to OCC, whilst also ensuring that we have the *option* to remediate severe contamination of the site, in the unlikely event that it does occur and OCC are unwilling to pay for this.
 - c. It will not be possible, nor should it be necessary, to have an option to purchase the site. The site in question was promised to the village in exchange for the location of the landfill site within the parish

decades ago, and was also linked to loss of recreation land for the creation of the Pre-school. We are in the process of agreeing a 125 year lease, with a 125 year extension - any local authority attempting to regain the site after 250 years would face public outrage.

d. *Missing reference*

- e. The lease is being prepared in accordance with the Heads of Terms, which has been reviewed by Council and our solicitors. The Heads of Terms is currently available on the PC website, and the draft lease will be published there as well
5. All Councillors are trustees of the Millennium Green Trust, however the business of the Millennium Green Trust is carried out entirely separately to that of the Parish Council. It is not therefore a matter of council resolution, however any decisions would of course have to be taken by a quorum of the trustees. The Millennium Green trustees have previously agreed that children and parents should have access to the school across the Millennium Green. At the time, trustees were of the opinion that this would lead to increased usage of the Millennium Green, which we believed would be beneficial to both the Millennium Green and the school. In my personal opinion, increasing use of the Millennium Green even further is desirable, and given that recreation space is a potential issue for the school it does make sense that the use of this space is explored. I have made no secret of this point of view, however it would be premature for the trust to formally consider any such use until such time as OCC complete their investigations. Whilst I note that, in your opinion, this would involve the Millennium Green being fenced off, in my opinion shared usage could be achieved by a variety of means, and if OCC do have a requirement to consider the use of the Millennium Green then I am sure that both they and the trustees will give the matter serious attention.
- b. It is my understanding that the Millennium Green Trust holds the land in perpetuity, and is not therefore in a position to even consider disposing of the site.
- c. Unfortunately, I was unable to attend the Millennium Green AGM in 2014, however, I believe that Cllr Williams-Kuss reported on these at the 2015 AGM. From memory, I believe she reported having looked into the idea of a circular path and picnic tables, but that Natural England felt that the installation of these additional "fixtures" would be undesirable. Again, from a personal perspective, I believe that measures to encourage flora and fauna would be in keeping with the trust's aims and will recommend to the current chair that these are investigated/implemented at the earliest opportunity.

I trust that clarifies all of the items that you have raised satisfactorily for you, if not, I would be more than happy to discuss in order to better understand your concerns.

Yours sincerely,

Peter Lewis

Chairman – Stanford in the Vale Parish Council

Mob: 0794 1500442. Home: 01367 710166.

<http://uk.linkedin.com/in/peterclewis1>

From: Hadyn Wood

Sent: 14 May 2015 14:33

To: Peter Lewis;

Subject: Questions for PC - Open Letter

Dear Peter

I'm writing to you formally, in your elected position as Chair of the Parish Council, with the following questions and would appreciate a reply at your earliest convenience.

I also ask this correspondence be read out in full at the next Parish Council Meeting and be Published together with the Minutes and on the PC website.

I would also appreciate being formally notified by email of the dates of ALL future Parish Council Meetings, PC Committee Meetings and Millennium Green Trustee Meetings and request hard copies of all future Agendas, Minutes, relevant Reports and Correspondence be posted to my home address please, at least 3 days in advance of any and all such Meetings.

1. PC Constitution

Please would you consider the following;

A) At all Parish Council and PC Committee Meetings, the Chair to ask members of the Public if they are in attendance for a particular agenda item and consider moving that item up the agenda so those members of the Public do not have to suffer waiting the whole evening to hear that agenda item. Janet kindly agreed to do this last night, so that item 28 on the Agenda on NP was moved to accommodate me and this is the courteous thing to do. This may also help to boost Public interest and attendance numbers, as I was the only member of the Public in attendance last night.

B) Allow members of the Public to speak or ask questions on a particular agenda item 'at the time it is being discussed', especially before any formal Resolution is made. This would ensure the PC have all relevant facts and evidence 'before' they make a Resolution and may avoid the 'wrong' decision being made – e.g. Bow Farm, where PC failed to appreciate the implications of the original Planning Application in respect of the Field Gate and Horsecroft Footpath. I was refused an opportunity to speak when this matter was being discussed, until after the meeting, and crucially 'after' a Resolution had been made without the PC having all the facts. The result was a further application for another 20 homes and the PC failing to secure a Public Right of Way from Horsecroft.

2. Support for NP

The NPSC are working hard to deliver an NP which the PC will need to 'sign off' before it goes into the Vale and Inspection. It has come to my notice that several recent decisions have been made which will impact on the NP, without the NPSC being consulted.

Please can you ensure that the NPSC are formally consulted on 'all' matters which may affect our work, particularly in respect of decisions made in relation to 'Sites' subject to NPSC Site Assessments, including but not limited to Bow Farm, Old Mill Nursery, QEII Field, Football Club/Rec, Millennium Green, School, etc.....

Working on the NP as volunteers is a thankless task and we would appreciate your support and consultation in the interests of transparency and cooperation. We are the people 'on the ground' who have a wealth of information and evidence and would appreciate being consulted 'before' any formal Resolutions are made which may affect the NP and the work we are undertaking on behalf of the PC and the wider community.

3. Football Field Valuation

At the last NPSC Meeting you attended, you suggested the NPSC come up with several Options for the next Public Consultation, particularly in respect of the Expansion or Relocation of the School. You also suggested Options should, where possible, be properly costed. The PC have been approached by a number of Developers interested in acquiring the Rec for possible Housing and, if sold, this would potentially realise significant income for the Parish, which in turn could address up to 90% of the Issues, Amenities and Facilities your Parishioners are concerned about. 84% of respondents support the NP Vision and 81%, or more, showed support for ALL the published Objectives.

VoWH DC have advised the NPSC that the Rec could be worth in the region of £4.5 Million but Mike Dew has suggested this is lower than previous valuations.

Please can you invite 'informal' proposals, from developers and agents, so we can get a clear indication as to what this Parish asset could actually be worth.

With this information, the NP can then 'cost' all the Issues and Requirements raised by your Parishioners and give a clear indication as to how these may be achieved, with or without developer contributions (S106, CILs) and possible grants or matched funding.

This would be an Open and Transparent way for the Parish to be properly consulted, with all the evidence and all the Options. If, when presented with this information, Parishioners decide the Issues and Requirements do not warrant disposal of such Parish Assets, then at least we have given them the opportunity to make a properly informed decision about the future of their Village and Parish.

4. QEII Field

I was concerned to hear that the proposed QEII Lease between PC and OCC (19 Acres), suggests an arrangement where the land is to be split into 2 areas of 14 Acres and 5 Acres respectively. Please can you explain the implications of this, as 5 Acres is potentially large enough for several new Homes or a new 2FE School.

The Vale's own Landscape Capacity Study (submitted with the Local Plan Part 1), suggests up to 25 new homes could be built on part of the QEII Field and, if this were to occur, this would set a precedent for new Houses to be built in the adjacent fields, along the length of Cottage Road. These fields are recognised, in the LCS, as some of the most valuable land we have in the Parish, due to views to across these fields to and from The Folly, Hatford Church and Manor House and Stanford Village. **This Landscape Value was the sole reason we didn't get a Strategic Site proposal for 510 homes in this location.**

Another concern is that, at the last NPSC Meeting you attended, you suggested Allotments could be accommodated on QEII Field. As you are aware, the NPSC have been conducting extensive Assessments of sites around Stanford over recent months, to try and establish possible locations for ALL future land uses, including but not limited to Allotments, Burial Grounds, Housing, Recreation and Education. Allotments are not the most attractive feature on any landscape and careful consideration should be given as to where these may go, so they do not detract from the Public Visual Amenity Value of the land we are trying to enhance and or protect against inappropriate Housing development.

We should not be doing anything that reduces the Public Visual Amenity Value of land or important views.

A) Would you please confirm that, before any formal Resolution is made regarding the proposed use of the QEII, a full public consultation exercise will be conducted inviting Parishioners to make suggestions as to how this Parish asset may best be used.

B) Please can you Publish a summary of the results of recent Contamination Test, to allay any fears that the QEII Field may be contaminated. The fact the PC are even entertaining the idea of Allotments on land rumoured to be contaminated, is not in itself satisfactory reassurance.

At a previous PC Meeting, Mr Isaacs suggested the OCC may have an Option to regain control of the QEII Field if anything were to occur on the land which the PC were unable to rectify to the satisfaction of the OCC. This is very concerning, especially if significant investment is made in new Recreation Facilities on the QEII Field, whether that be from Parish funds, Grants or Developer Contributions.

C) Would the PC please ensure we have an 'Option to Purchase' the QEII Field, especially if we are going to consider spending significant funds improving the land and investing in new Recreation Facilities on it.

E) In the interests of transparency, please can you Publish the proposed Lease to the Parish, before it is signed, to allow comments from Parishioners and ensure we are fully aware of all the implications and restrictions which may apply, if the PC were to enter into a 125 year Lease and which could have implications for future generations for years to come.

5. Millennium Green & School

In June 2014, the NPSC were informed by OCC they were conducting a feasibility study in respect of the school. The email states, ***“Our feasibility study is looking into options for expanding the school on its current site, including adjacent land acquisition. We do not have the resources to explore the viability of completely new sites, unless it is confirmed that expansion is not possible.”***

As you are aware, Desk Top Studies were submitted with the Local Plan and indicated (in relation to a 1.5FE school), ***“Expansion potential subject to purchase of 0.75ha of adjacent land. This would provide a total size area of 1.48ha – 81% of OCC standard but above BB103 minimum level”***. A 2 FE school would be 66% of ideal standard and below BB103 level.

Adjacent land is a private field which is NOT for sale, and currently used for sheep grazing, or Millennium Green, a protected Local Green Space. Compulsory Purchase would be required for acquisition of land which land owners did not wish to sell but at the recent Annual Parish Meeting, Cllr Tilley stated OCC would be unlikely to consider CP in these circumstances.

Last week I requested an update from OCC regarding their feasibility studies and was informed that the Parish Council had indicated to the OCC Education Department that Millennium Green may be available for use by the school.

If this were the case, Millennium Green would have to be fenced off and the Public would have to be excluded, whenever school children had access to the area.

The aims of Millennium Greens, as stated in their trust deeds, are as follows:

- *Make a substantial contribution to the life of **the whole community***
- *Be able to be enjoyed by people of **all ages and physical abilities**.*
- ***Be open and evident to visitors** to the Locality as well as inhabitants.*
- *Be an attractive place for people to take air and exercise, meet others and pursue leisure activities and pastimes consistent with the **shared enjoyment of the whole of the land**.*
- *Include an area suitable for community events and celebrations.*
- ***Include significant "natural" areas**, where people can enjoy Nature and wildlife at first hand.*
- *Make a positive contribution to the local environment and **respect the established character of the area**.*
- ***Remain safely and conveniently accessible from Inhabitants' homes**.*

A) Can you please advise who from the Parish Council has been communicating with OCC in this way or advise why OCC are of this belief, when no formal Resolution has been made by the PC to this end.

B) Can you give your assurance that the Parish Council, being the Millennium Green Trustees, will NOT agree to disposal of Millennium Green, or offer it for 3rd party use, without firstly conducting a full, open and transparent Public Consultation.

C) The MG Trustees asked the Public to suggest ideas at their AGM last year. What action has been taken to ensure these suggestions are taken seriously and implemented? Suggestions included a circular path to ensure access to all ages and abilities, picnic tables, trees, wild flower area, etc....

I appreciate there are a lot of questions here but as the PC do not meet very frequently it is difficult to address these at Public Meetings within any meaningful or useful timetable and many of the issues raised are current and, in some cases, urgent action would be required.

I would therefore appreciate a reply to all of the above at your earliest opportunity.

Kindest regards

H

Hadyn R Wood (SITVNP - Land Use and Development)