

FINMERE PARISH COUNCIL

Minutes of meeting held on 5th April 2016 in Finmere Village Hall

Present:- Councillors, Mike Kerford-Byrnes (MKB) (Chairman), Katherine Grimston (KG) (Vice Chairman), Steve Trice (ST), Mike Kirby (MK), Kevin Ochel (KO) and Joanne Brooks (JB)

In attendance:- Sharron Chalcraft (Parish Clerk and RFO) and five members of the public

1. Apologies:- Apologies were received from County Councillor Catherine Fulljames (CF) and Councillor Amanda Hodgkins (AH)

2. MINUTES

The minutes of the meeting of 8th of March 2016 were approved with corrections.

3. COUNTY COUNCILLOR'S REPORT

This was postponed as the County Councillor was unable to attend.

4. WELCOME TO REVD GOODALL

Revd Goodall expressed thanks for being invited to the meeting and for the welcome she has received in the village and said that she hoped to be able to work with the PC on village issues in the future. MKB welcomed the Revd and explained that Finmere is a lovely community, that there is now an annual Festival, that only recently 19 villagers turned out to help with the spring clean and that the PC is always keen to foster community spirit and looks forward to such cooperation in the future.

5. BUS SUBSIDIES

The latest news from OCC is that the cutting of all subsidies has been confirmed and will take place on 20th July 2016. This is in order for the school year to be completed before any service changes take place. Although the implications are that many routes will be lost nothing has been decided yet. OCC is encouraging the bus operators to consider route changes and timetable adjustments in order to maintain delivery of services. They are also encouraging PC's to meet with operators directly. Extra usage data has now become available but this does not affect the decision made. OCC will post news of any future route/timetable changes on the transport pages of their website.

Revd Goodall is asked to comment at this point and explains that she hopes to arrange a Shelswell benefice meeting regarding this issue. The villages of the benefice lie along the route to Bicester and it may be that suggestions can be made to operators as a group. There is

also the possibility of arranging a benefice wide volunteer driver scheme. This would not involve long driving distances but would give a larger pool of drivers to choose from. MKB confirms that Steeple Aston has such a scheme in place which seems to work. Mr Dayer, villager, points out that he was once a League of Friends driver for his local hospital and that if journeys other than those for medical purposes are taken then there are insurance implications.

It is felt that before proceeding a survey should be carried out as the PC has no idea how many in the village need and use the bus service. Revd Goodall has sourced a form from ORCC offering help with transport surveys. SC is to contact ORCC (Now Community First) and obtain this information.

KG points out that another possibility is the X5 service which passes the village every half an hour on its journey between Oxford and Cambridge. District Councillor Barry Wood (BW) has been trying for some time to get this bus to serve Finmere but Stagecoach have always refused on the grounds that express services only stop at main bus stations. This argument has been somewhat diluted now as the X5 stops in at least five places in Bicester!

SC has received an email from OCC regarding minutes of the bus operator meetings. These are not available but there is an offer of contact information both of other PC's who are concerned about the same route and also bus operator managers. SC is to find out the info on any other PC's and also the bus operator manager of the X5 service.

Mr and Mrs Walker, villagers, point out that the X5 service would be useful for them as they work in towns covered by the service. It is felt that it would be a good idea to ask people on the transport survey if they would use the X5 service if it was available, even if they do not use the bus now. The convenience of direct travel to both Milton Keynes and Oxford every 30 minutes may interest more people and provide evidence of potential for Stagecoach.

Revd Goodall is to arrange a benefice meeting regarding bus services with representatives from all PC's involved. KG is to represent the PC at this meeting. SC is to liaise with Revd Goodall on the matter.

6. MATTERS ARISING

- 6.01 **Chinalls Close Paving Slabs** MKB has counted the slabs, there are 185, three are broken and a further one is missing altogether, leaving a gap. MKB talked to the local landscaper who explained that he would have been happy to donate a day's work to the village but that this job would take a week. He also explained that they may well need re-laying in 10 to 12 years. Slabs look nice but are expensive to maintain. His advice was that the best option would be removal and reseeding. MKB asked what work would be involved if some of the slabs were removed and just a path of two slabs width re-laid. This would still take more than a day and would need to be charged for.

The annual risk assessment has been carried out on the area and reads as follows: 'Paved area requires re-laying to avoid uneven areas, missing slab to be replaced and regular inspection and maintenance to control weed growth between slabs and sweeping/cleaning to reduce slippery surfaces and trip hazard. Alternatively, remove paving and replace with grass.'

SC has contacted Aon, the PC insurance company, who confirm that slabs on a grassy area have less strict criteria than those on a main path or at a building entrance, they are also not required to be non-slip. There is no legal measurement constituting a breach of insurance conditions. ST points out that if anyone falls and sues then it will be measurements used in legal precedents that will be used and the paving slabs do not meet those requirements. Phillip Rushforth, resident, points out that residents have been working on the area, removing weeds and clearing edging.

The PC is to cost three options, retaining all the slabs and re-laying them, removing some of the slabs and re-laying the rest, removing all the slabs and seeding with grass. The fourth option is that the PC leaves the slabs as they are and the residents agree to maintain them at least twice yearly. MKB is to obtain quotes from the landscaper he spoke to as a guide and the whole village is then to be consulted as they also use the slabs when walking through Chinalls Close. c/f

- 6.02 **Village Notice Boards** The rail is still to be replaced. c/f
- 6.03 **List of assets (the pond)** c/f
- 6.04 **Public Protection and Development letter** c/f
- 6.05 **Carol Service/Christmas Lights** The lights are still to be mended or replaced. c/f
- 6.06 **Audit** SC is still to hear a date for the internal audit from Phil Hood. c/f
- 6.07 **Letter from Little Tingewick resident about Mere Lane** SC has heard nothing from the resident or Tingewick PC. c/f
- 6.08 **Playing Field Spinney** MKB has been in touch with Hugh Smith of Mixbury Trust and Hugh is to check the spinney and the boundaries. The new process for acquiring land from a charity has now been confirmed. The old system required the charity to get a valuation of the land, thus satisfying the Charities Commission that they had obtained the best price for their asset. The new procedure is that any prospective buyer commissions and bears the cost of the valuation. This will need to be costed as it may be quite expensive. JB is currently using a land agent on her farm and is to approach him for a quote. This will give some idea of whether the PC can afford to proceed at the moment, in which case two more quotes will be obtained. c/f
- 6.09 **Road Repairs** SC asked Katie Walther, OCC Highways, to check the Algarth pothole and Katie could not find it. Algarth is on the Old Banbury Road, not Fulwell Rd as SC had reported. The pothole is to be reported again to fix my street. ST points out that the pothole outside Arosfa which was repaired last year has opened up again. SC is to report this also. c/f
- 6.10 **Spring Clean** SC has written to Tingewick PC regarding the blue plastic container with dog waste bags in it and the possibility of fitting a dog bin. This is to be considered at their next meeting.
- 6.11 **Risk Assessment Forms** ST returns his sheets. SC has priced up grit bins with only the very small 400 ltr capacity bins from other sources being able to match the OCC price for their much larger bin. SC is to order a bin from OCC, proposed MKB, seconded KO, carried unanimously. KG suggests that we should try to obtain a green

bin if any of the old stock is still available, SC is to ask. JB will empty the damaged bin and SC will liaise with her about the timing of delivery of the new one. c/f

- 6.12 **Memberships/Invoice** These have been paid.
- 6.13 **VAT Repayment** This has been received.
- 6.14 **Transparency** MKB is to provide the additional details on acreage/usage etc to SC by July when the Annual Return will be published and the PC will then be fully compliant. c/f
- 6.15 **Local Heritage Assets Register** ST has handed all the paperwork to Anita Bilbo, villager, who has agreed to take the task on.
- 6.16 **Cherwell Community Infrastructure Levy Consultation** MKB checked available information and none needed to be circulated.
- 6.17 **Parish Remuneration Panel's Report** SC posted this on the notice boards.
- 6.18 **Bicester Neighbourhood Meeting** SC has requested minutes.
- 6.19 **Play Area Bark** This has been obtained, the invoice received and agreed under urgent business and paid by SC.
- 6.20 **Governance Review Schedule** SC has written and circulated a timetable for governance and this is agreed. Proposed MKB, seconded ST, carried unanimously.

7. FINANCIAL REPORT

The quarterly financial report was presented, this being for the year end.

It was reported that there was £1,530.57 in the Treasurer Account and £5,300.29 in the Business Money Manager Account.

January and February receipts had been previously reported. In March the following had been paid in:

£284.20 from HMRC – VAT repayment

January and February expenditure had been previously reported. In March the following had been paid out:

£40.00 to OPFA (general admin – subscriptions)
£210.00 to First Class Service for play area bark (S137 – village benefit)
£144.14 to CDC for dog bin emptying (running costs – dog bins)
£88.00 to SLCC for Clerk's membership (running costs – subscriptions)
£133.07 to OALC (general admin – subscriptions)
£55.00 to Community First (formerly ORCC) (general admin – subscriptions)
£284.75 to SC (general admin – for Clerk and RFO duties, internet costs)

(Note the subscription to SLCC is a running cost rather than admin as it is a membership for the Clerk not the PC itself).

8. S19/S137

No requests have been received.

9. URGENT BUSINESS

The payment of the play area bark invoice by bacs in the sum of £210.00 was agreed under urgent business this month, this was urgent as the invoice needed to be paid before the year end and the PC agreed to settle this during March at the last meeting.

10. FINMERE LANDFILL SITE UPDATE

MKB spoke to Neil Whitton, CDC Environmental Health Officer, (NW) who confirmed that the fire was deemed safe, the small amount of smoke generated was dissipating over distance and posed no threat. CDC has no monitoring equipment of its own. NW had talked to both the Fire Service and the Environment Agency and they had confirmed there were no problems, though this did happen six days after the start of the fire. The fire is still burning at the moment and engineers can still not enter the building to check safety and authorise entry. It is hoped they will be able to check next week.

The site is currently in administration. There are to be fortnightly updates from the EA. The administrators are to get the site into satisfactory financial shape for it to carry on if possible. If this cannot be done then the site will be sold to pay creditors. JB asks if this situation is the result of the fire or simply lack of funds. MKB explains that it is a bit of both, the fire was the last straw but the MRF was already more than a year late in becoming operational. If no buyer can be found then liquidators will be appointed and if they cannot sell the site then CDC will become responsible as this will become what is termed an 'orphan site.' If the ground is deemed contaminated, which it almost certainly will be, then EA take responsibility, though they will resist this. Whoever winds up the site will be able to use the operating bond, a sum of money set aside for such contingencies, but this will almost certainly not be enough to cover all costs. Either the taxpayer (EA) or the council taxpayer (CDC) will pay.

The flares are still operating, these belong to another company, and a limited amount of inert waste is still going in to fill the open cells.

11. PLAYING FIELD PROGRESS AND CONDITION

No further progress with the restructuring of the committees has been made yet. ST has filled in the rabbit holes. MK has walked the field this month and confirms that its condition is satisfactory.

12. NEW RESIDENTS NOTIFICATIONS

MKB delivered the note. SC forwarded the note to JB. There are no new residents this month.

13. PARISH CLERK HOURS DIARY

The total for the quarter was 86 hours. This is higher than average due to a lot of new legislation but overall the figures are just about right.

14. REVIEW OF PROCEDURES

The review was circulated for consideration before the meeting. The full review of procedures and risk assessment is agreed. Proposed MKB, seconded KO, carried unanimously.

15. CHANGES TO FINANCIAL REGULATIONS AND DATA PROTECTION

The MFR (Model Financial Regulations) produced by OALC have been amended. These amendments will need to be voted on in the review of Financial Regulations, Item 17 below. Two minor changes are as a result of consultations and feedback:

MFR 1.6 formerly read ‘A breach of these Regulations by an employee is gross misconduct.’

It now reads ‘Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.’

MFR 6.4 formerly read ‘Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by one member of council and countersigned by the Clerk, in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and/or permissible to be a signatory to the transaction in question.’

It now reads ‘Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by (one) two member(s) of council (and countersigned by the Clerk,) in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.’

MFR 11 concerns Contracts and will be totally replaced due to new legislation in 2015. This new wording has to be adopted.

A briefing from OALC gives details of several changes which will be brought in to data protection policy. These include the reduction of 8 principles to 6, more stringent requirements for what constitutes consent, more protection for children, new rights including the 'right to be forgotten', building in data protection, notifications changes, increased fines and a new statutory role for the Data Protection Officer. These changes will be introduced through a new Data Protection Act 2018 and the PC need to be aware and prepared.

16. ADOPTION OF DATA PROTECTION POLICY AND EQUALITY AND DIVERSITY POLICY

As part of an ongoing review SC has found that many other PC's have adopted these model policies and published them on their websites. The policies were circulated last month so that councillors could read through them.

Finmere PC adopts the Data Protection Policy, proposed MKB, seconded JB, carried unanimously. SC is to be the designated person with responsibility for data protection in the organisation.

Finmere PC adopts the Equality and Diversity Policy, proposed MKB, seconded KO, carried unanimously.

SC is to send these for posting on the web.

17. REVIEW OF FINANCIAL REGULATIONS AND STANDING ORDERS

As part of their governance schedule Finmere PC will review Financial Regulations and Standing Orders annually in April.

The changes to the Fin Regs detailed in Section 15 above are to be incorporated into FPC Fin Regs, proposed MKB, seconded JB, carried unanimously.

An amendment to NALC Model Standing Orders has also been received. This is due to a change in legislation.

Section 3.m. currently reads 'Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's (prior written) consent.'

This section will now read 'A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may: a) film, photograph or make an audio recording of a meeting; b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.'

The changes to Standing Orders are to be incorporated into FPC Standing Orders, proposed MKB, seconded KO, carried unanimously.

SC is to amend these regulations and have them placed on the website.

18. SETTING OF AGENDA FOR APM

As there has been so much talk about reform of local government and different styles of unitary authority being established SC is to ask CF and BW if they will say something about the issue in their reports to the APM.

It is suggested that the administrators could be asked to the meeting so that they can give a report of the situation but this is likely to be confidential and they would probably refuse to come anyway. Similarly the EA is unlikely to commit to making a full report. The decision is to ask the Fire Service to come along and explain major incident procedures in general and their response to the Finmere situation in particular. SC is to approach them, write the agenda and circulate with invites to the village organisations.

19. PETITION FOR PARISH COUNCIL PLANNING POWERS

NALC is campaigning for the government to introduce a limited third party right of appeal for town and parish councils to the planning inspectorate against planning decisions as this will bring more balance to the planning process. It is felt that even though it would rarely be necessary to use this power it would be nice to have it as an option if needed. FPC is to sign the petition, proposed ST, seconded KO, carried unanimously. SC is also to circulate the link so that individual councillors can sign if they wish.

20. QUEEN'S 90TH BIRTHDAY CELEBRATIONS

A meeting was arranged at the village hall and a newsletter circulated including an article on the birthday celebrations. Unfortunately beside the organisers, MKB and his wife Sandra, only one person turned up. It is possible that the meeting was overlooked among all the other articles in the newsletter. MKB has arranged another meeting for Monday 11th at 8pm in the village hall and has produced a dedicated newsletter advertising only the meeting. If nobody turns up to this one then it may be necessary to combine any celebration with the Finmere Festival. Revd Goodall offers to put an announcement of the meeting in the Parish News.

21. OXFORDSHIRE TOGETHER SCHEME

SC emailed CF for further information but CF knows little of the details of the scheme and forwarded the request to `corporate services. Andreea Anastasiu, OCC Corporate Services, emailed an update which was the same as that given in the OALC update last month. The responses from PC's, charted in the update, seem less than universal with mostly grass cutting and salt bins being the main responses. There is no deadline for the scheme but only grass cutting attracts any funding. JB points out that the PC already buys its own bins and

stores the salt, paying for anything more than one bag each year. SC is not sure if the council would continue to provide salt at all if the PC took responsibility and privately sourcing salt could be more expensive.

Two emails have been received from OCC, one explaining that the grass cutting grant will continue at the reduced price this year, a pleasant surprise as the strong hint had been given that this would disappear in 2016/17. The other email gives details of the metreage of rural grass cutting that the PC could take on and the amount of grant available. Currently the PC receives £750 for two cuts per year on 7,422 sqm of urban grass. The amount would rise to £1,050.26 if two cuts per year on 11,580 sqm of rural grass were taken on also.

There is insufficient information to make a decision. SC has requested a map showing the location of this rural grass so that ST can at least show it to John Donaldson, grass cutting contractor, and get a rough cost estimate. SC is to contact OCC and ask whether, if the PC does opt in, they can then opt back out if necessary. Alternatively could the PC take on just a portion of the rural cut? SC is to find this out and also ask if the rural cut will be made at all if the PC do not take responsibility. Grass cutting is to be an agenda item in May.

22. PLANNING APPLICATIONS

15/02361/LB – Repair to stone boundary wall adjoining property (existing unauthorised) – listed building consent subject to conditions

23. CORRESPONDENCE

Correspondence for meeting –

16/00172/F – 1 Chinalls Close – single storey rear extension – permission subject to conditions – this arrived too late to be on the agenda and will be on the agenda for May.

16/00463/F – Well End, Mere Road – erection of detached double garage with a room in the roof space and an external staircase – this arrived too late to be on the agenda, SC is to obtain an extension if possible or it can be dealt with under urgent business. The PC looks at the plans and can see no problems but MKB will consult with the neighbours. This is to be an agenda item for May.

HS2 news of amendments – clause 48 dealing with compulsory acquisition has been altered and clause 65 dealing with the reporting of vocational qualifications obtained by workers has been added. There is another box of material with SC that is to be delivered to MKB's house.

News of government reform consultations with details from the OALC update has been received. It is hoped that CF and BW can make the situation clearer and more relevant when they speak at the APM.

Emails printed –

Email from Business Support regarding lack of minutes of bus operator meeting – see item 5 above.

Community and Emergency Plans questionnaire and templates – templates taken by JB, SC is to liaise with her and fill in the questionnaire.

Confirmation of precept amendment acceptance and agreement

Parish Path Warden request letter from the Oxfordshire Area PPW Network Coordinator – SC is to forward to Rosemary Fiander, villager, and see if she would be interested.

Confirmation of the adoption of the North West Bicester Supplementary Planning Document

Email from Tingewick PC regarding dog bin – see Item 6.10 above.

Email from Tingewick PC regarding land opposite the Red Lion pub – see Item 24 below.

Email from OALC confirming that S137 will be £7.42 for the 2016/17 financial year. MKB points out that this is a large rise but SC explains that apparently there had been a previous rise that had not been notified.

Email from Need not Greed concerning the Oxfordshire SEP, this was felt to be too political.

Emails forwarded –

Consultations on the Kidlington framework master plan – no action required

Notification of free public open day at John Radcliffe Hospital – no one able to attend

OALC March update – referred to in several items above.

Usual reports

24. ANY OTHER BUSINESS

Cross Tree Turf MK raises the matter of the turf which has been dug up and piled near the Cross Tree. This was apparently done during an attempt to clear the drain and allow water to drain away but was unsuccessful as the drain is blocked. ST raises the problem of flooding which occurred in the village on March 9th. Fulwell Rd was impassable at one point and many gullies and drains appeared blocked. MKB confirms that it was probably a resident of Valley Road who removed the turf as the houses there are at risk if the system does not function at that point. MK will re-lay the turf. SC is to contact OCC Highways and ask for the gully wagon to come out and for the drains to be unblocked, with special emphasis on the drain at the Cross Tree corner as it is hidden and will be easily missed by the workmen. The request is to be for all drains and gullies in Fulwell Road from the field just outside the village beyond the pond where the ditches have been dug, to the corner of Valley Road and also Valley road itself to be checked and cleaned. Many of these areas were blocked before

the flood and have not been cleaned despite the PC raising the issue previously, and much new debris was washed down the drainage system as a result of the flood.

Land opposite the Red Lion Several councillors and also SC received calls before and during Easter about the land opposite the Red Lion, which is for sale, having been sold to gypsies. SC directed the caller to Tingewick PC as the land is within their parish. SC also contacted Tingewick PC who have no knowledge of the land sale and have received no calls themselves. Now several notices 'warning' of gypsies have been posted around the village, some on the PC notice boards. It is not certain who is behind these notices or whether there is an ulterior motive in their appearance but their presence on a PC notice board is unacceptable. ST is to remove them forthwith.

25. DATE OF NEXT MEETING

The date of the next meeting is Tuesday 3rd of May 2016.

Meeting closed at 10.40 p.m.

CORRESPONDENCE CIRCULATED

No correspondence was circulated this month