



# North Hinksey Parish Council



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APRIL 2020

## **MINUTES OF VIRTUAL PARISH COUNCIL HELD ON WEDNESDAY 23RD APRIL 2020, AT 7.00 PM**

Present: Councillor D Kay (Chair) and Councillors, Fairclough, Blase, Bastin, Dowie, Rankin, Dykes, Allen, MacKeith, Potter, Church, Bolder, and Berrett.

In Attendance: C A Ryde, Clerk and 5 members of the public.

**19/167: APOLOGIES FOR ABSENCE.** District Councillor Smith.

**19/168: DECLARATIONS OF INTEREST:** Councillors who were members of the Seacourt Management Committee declared a non-pecuniary interest in item 19/178 .4 and would therefore not vote on this item.

**19/169: APPROVAL/RECEIPT OF MINUTES:** The minutes of the previous PC meeting were AGREED subject to the additions suggested by Councillor Dowie.

**19/170: APPROVAL/CONSIDERATION OF OTHER COMMITTEE MINUTES:** None.

**19/171: URGENT BUSINESS APPROVED BY THE CHAIRMAN OF THE PARISH COUNCIL** Councillor Kay PROPOSED, Councillor Dykes SECONDED and AGREED by 9 votes for (Councillors Dowie and Allen voting against and Councillors Bastin and Fairclough abstaining) to consider paper 5, the advice from NHPC Solicitors and further action; under the confidential section of the agenda.

**19/172 MATTER RAISED BY MEMBER OF THE PUBLIC:** Councillors received and noted the following questions and answers provided by respective Councillors.

Two questions from Andrew Pritchard:

(1) On how many days since its opening at the beginning of February 2019 have parishioners and their children been able to take advantage of the zip wire installed on the Upper Louie Memorial Field, and does the Parish Council think that this was a good use of £11,400?

(2) Considering that the Botley Green Day did not have to pay any hire fee for the use of the Seacourt Hall, how was the £1322 recorded as item 4203 in the Budget Report 31/03/2020 spent on this event, and who were the recipients of the monies?

### **Written answer to question 1 provided by Councillor Potter:**

The zip wire was open for approximately 8 months / 34 weeks / 238 days before it had to be temporarily put out of action (seat removed) because of a failure in the stopping mechanism. NHPC acted immediately to get the equipment repaired by HAGS and received written confirmation in November that such repair was forthcoming. We have been very frustrated at the poor post-installation service by HAGS, which has led to considerable delay in the necessary repair. Nonetheless the zip wire is part of a longer-term investment in improving parish leisure facilities,

and prior to the unanticipated damage NHPC had received consistent positive feedback from young people and adults that the new play equipment was valued and appreciated. The zip wire's value will continue once repaired, so yes it was a good use of funds to provide it -- particularly as these were time-limited S106 funds that could only be used for the provision of leisure equipment (i.e. they were developers' contributions towards parish infrastructure, not general council funds that could have been used for any other purpose).

**Written answer to question 2 provided by Councillor Church :**

A sum of £1500 was allocated to this event by Council to the Environmental and Wellbeing Committee as part of the NHPC's work following the declaration of climate emergency. The intention was to engage local people in environmental activities and to make people aware of potential ways to become more active.

The event therefore came in under budget. The expenditure is as listed. Broadly speaking the costs covered:

- Payments to groups / charities running activities e.g. Children's scrap play (Orinoco), Nature activities (Hill End center), Bring and Take event (Low Carbon West Oxford) etc.
- Publicity - posters, leaflets, Facebook
- Church Hall hire

The day was popular with over 600 people engaged at different times, and stall holders reported new interest in their activities.

**19/173: QUESTIONS RAISED BY COUNCILLORS.** None.

**19/174: REPORTS FROM COUNTY AND DISTRICT COUNCILLORS.** Councillors received and noted a report from Councillor Roberts.

**19/175: REVIEW OF ACTIONS.**

19/49	<i>LM Field Zip wire repairs</i>	<i>CARRY OVER</i>
19/70	<i>Pavilion Planning Application – phase 2 tender</i>	<i>CARRY OVER</i>
19/98	<i>Burial facilities</i>	<i>CARRY OVER</i>
19/113	<i>Key Objectives</i>	<i>CARRY OVER</i>
19/157	<i>COUNCIL MOTIONS – waiving allotment fees,</i>	<i>ACTIONED</i>

**19/158 COUNCIL MATTERS:**

**1. Measures to counteract the impact of the Coronavirus covid-19:**

Resolution (a) Zoom account *TO BE ACTIONED*

Resolution (d) cheque *TO BE ACTIONED*

**3. Replacement Parish Clerk and RFO** *AGENDA ITEM*

**7. Neighbourhood Plan letters to Vale & Government** *CARRY OVER*

**19/176: CLERK'S REPORT:** The Clerk informed Council of the following:

- **CIL money** update
- **Vandalism** to the Fen manhole drain cover
- **Complaint to Police** ref use of MUGA, Councillors AGREEING to posting additional signs referencing closure and need for social distancing.
- **Clearance of rubbish** from community orchard and nature reserve.

- **The need to cut grass** soon because if the grass got too long the contractors would not be able to deploy gang mowers. Councillors discussed this and AGREED that the contractor be asked to mow the upper and Lower LM fields in accordance with the management plan that allowed for wilding at the margins in the lower LM Field.
- Councillors AGREED to leave mowing the North Hinksey Village Green and Church Yard for the time being so Parishioners could enjoy the flourishing wild flowers.

**19/177: COUNCIL MOTIONS** None.

## **19/178: COUNCIL MATTERS**

### **1) Annual Parish Meeting and NHPC AGM:**

Councillors CONSIDERED the current plans for holding both the Annual Parish Meeting and the AGM on the 21<sup>st</sup> May in light of the current situation regarding the Coronavirus pandemic, and the legislation now in place.

Councillors AGREED to postpone the Annual Parish meeting until such time as face to face meetings were possible but to hold the Annual General Meeting as normal on the 21<sup>st</sup> May, starting at 7pm in view of the Clerks comments about the possible financial workload required for financial yearend sign off.

### **2) Replacement Clerk & RFO:**

Councillors Kay, Potter, Fairclough and Rankin updated Council on plans for recruiting a replacement Clerk.

*Councillor Church left the meeting before the following resolution was put to the vote.*

Councillor Kay PROPOSED, councillor Fairclough SECONDED and Council AGREED unanimously to:

- a budget of £1000 to fund this activity.
- to appoint a locum for up to 3 months as this would give Council an opportunity to assess the numbers of hours needed to fulfil the duties and whether some of the finance duties could be outsourced

### **3) Neighbourhood Plan:**

Councillor Kay updated Council on the current position. Councillor Kay PROPOSED, Councillor Allen SECONDED and Council AGREED an extension to the 22<sup>nd</sup> May for the current phase as requested by the Vale Planning Department.

### **4) Communications Committee Report:**

#### **Paper 1**

Councillor Berrett reported on the Communications Committee meeting held on the 15<sup>th</sup> April including progress on the community support programme. Council CONSIDERED the following requests and AGREED subject to obtaining a copy of the Botley Community Fridge accounts and constitution to:

- (a) A request from the Botley Community Fridge to submit a grant application to SSEN on their behalf to help fund deliveries during the current crisis. See Paper 1 and.
- (b) A request from SHMC for NHPC to cover the costs of toilet rolls being purchased by them for the Botley Community Fridge to deliver, to come from the Emergency Earmarked funds.

## **5) Allotments Committee Report:**

Councillor MacKeith reported on the Allotments Committee meeting held on the 16<sup>th</sup> April. Allotment Committee members considered a request to ELECT a Vice Chair for their committee. Councillor Dowie was Nominated by Councillor MacKeith but said he did not wish to stand. Councillor MacKeith nominated Councillor Bolder, SECONDED by Councillor Fairclough. Councillor Bolder AGREED to stand as vice chair and was duly elected by 3 votes for (1 abstention).

## **6) Scout Hut lease:**

### **Papers 2, 3, 4, & 5**

Council considered the three letters (Papers 2, 3, and 4) sent by the 4<sup>th</sup> Oxford Scouts to NHPC, individual NHPC Councillors, and Knights Solicitors respectively,

Councillors discussed at length the issues raised by the 4<sup>th</sup> Oxford Scout Group, and the majority of the Councillors approved corrections to several statements including the following:

### **ACCESS**

The 4<sup>th</sup> Oxford Scout Group had never been restricted to 2 nights a week. A letter from NHPC working group members to 4<sup>th</sup> Oxford Scout Group in November 2018 had suggested a maximum of 4 nights a week, in line with previous discussions and the Scout Group's current usage pattern.

### **LEAVING THE SCOUT HUT IN PLACE**

It was not a minor change to leave the scout hut where it was, because the planning application had been approved on green belt land on the understanding that the total footprint would be marginally larger than the combined footprint of the 2 buildings currently on the site. A planning application to leave the scout hut in place would increase the footprint significantly, would be a significant planning change requiring further public consultation, would cost additional time and money, and might not be successful on the basis of green belt considerations.

The Vale of White Horse Planning Committee unanimously approved the planning application on the basis that they considered the new Pavilion to be suitable alternative accommodation for the 4<sup>th</sup> Oxford Scout Group.

### **COST OF USING NEW FACILITY**

NHPC had engaged positively with the 4<sup>th</sup> Oxford Scout Group stressing during consultations with a working group that they were priority users who could expect a discount. NHPC planning consultants had costed a sum of less than £2k per year for 4 nights per week use (£1937) in the 2018 draft business plan assessing financial feasibility of the new building. Councillors further understood that:

- the 4<sup>th</sup> Oxford Scout group had never produced detailed costs of running the group after request from NHPC working group members and
- had broken off engagement with NHPC working group members without agreeing the issues of access and costs.

## **7) Proposal from SDC for a sign to thank NHS workers:**

Council CONSIDERED a proposal received from SDC that they place a large sign on the hoarding of Block B in the Botley Centre Redevelopment showing support for the NHS and possibly other key workers as well. SDC suggested wording along the lines of 'Thank you NHS from Botley Community' or 'Thank you NHS and other key workers from Botley Community', using the NHS logo.

Councillors AGREED to proceed subject to a brief consultation with the community not producing significant levels of negative feedback and provided there was no SDC logo in place. The Communications Committee to carry out the consultation and assess the results before SDC being informed of the final decision.

**8) Request from Citizens Advice North Hinksey for financial support:**

Council CONSIDERED the request from Citizens Advice North Hinksey for ongoing financial support.

Council AGREED to request that this body complete an NHPC grant application form and submit this along with copies of their constitution and most recent accounts.

**19/179: ACCOUNTS FOR PAYMENT.** The Clerk reported that there had been 2 invoices from BIFFA to clear rubbish from the Community Orchard and from Oxfordshire County Council for newsletter printing.

**19/180: OTHER DOCUMENTS AND LETTERS RECEIVED.** None to report at time of meeting.

**19/181: DATE OF FUTURE MEETING:** Full Council 21<sup>st</sup> May 2020.

**END OF OPEN MEETING.**

**Council is required to pass the resolution under the Public Bodies (Admission to Meetings) Act 1960 Section 1, extended by the Local Government Act 1972, Section 100, that the following items are confidential as they involve – a report on a complaint against a parish councillor, and as such the press and public are excluded from this part of the meeting.**

# PART TWO - CONFIDENTIAL MEETING

Councillors are reminded that papers/discussions under this heading are and must remain confidential, unless the Parish Council agrees to release them in to the public domain. Any disclosure of confidential papers or discussions without the express permission of Council is a breach of the Parish Council's Code of Conduct and its Standing Orders.

CONFIDENTIAL.

*Councillor Bolder left before the Confidential meeting commenced, and Councillor Church re-joined the meeting.*

## **MINUTES OF THE CONFIDENTIAL MEETING OF THE PARISH COUNCIL ON THURSDAY 23<sup>rd</sup> APRIL 2020.**

**19/182: APOLOGIES FOR ABSENCE.** None

**19/183: DECLARATIONS OF INTEREST.** None

**19/184: Code of conduct complaint against an NHPC Councillor.**

The Clerk advised Council that a Councillor had made a complaint to the monitoring officer about the way NHPC had dealt with an issue concerning unauthorised contact by Councillors with an outside body.

**19/185 SCOUT HUT LEASE:**

1) Councillors considered the need to authorise Knights plc to act on behalf of NHPC in this matter, and to respond in that capacity to the letter dated 16<sup>th</sup> April 2020 sent to Knights plc by the 4<sup>th</sup> Oxford Scout Group-

Councillor Kay PROPOSED and Councillor Dowie SECONDED that the Clerk should write to Knights plc asking them to respond to the letter sent to them by the 4<sup>th</sup> Oxford Scout Group, to do the following:

- Acknowledge receipt of the letter.
- State that the additional documents that are referred to in the letter have not been received because the link supplied in the letter did not work and only resulted in an error message.
- Confirm that Knights plc have been authorised to act on behalf of NHPC in this matter.
- Query the Scout Group's assertion that they would be the body who had the right to initiate legal proceedings against NHPC if they wished to. The Scout Association signed the lease, and are described there as the lessees, and it is the Scout Association to whom the Section 25 Notice was sent. NHPC's understanding is that the Scout Association would be in a position to potentially initiate legal proceedings, but not the 4<sup>th</sup> Oxford Scout Group.

Councillors AGREED to this proposal unanimously.

2) Councillors then considered in detail the letter sent by the Scout Group to Knights plc, and the advice provided by Knights.

Councillors noted issues relating to the failure of the 4<sup>th</sup> Oxford Scout Group to adhere fully to the terms of the current lease, which would need to be resolved should the Group remain in the current Scout Hut after the expiration of the current lease.

A series of options for solutions to the dispute then arose from discussions, and these were narrowed down by a series of indicative votes, the majority indicating they would not support:

- doing nothing, and offering no alternative solutions, so that the lease simply ran out on 1<sup>st</sup> July 2020, and
- the 2 options put forward by the 4<sup>th</sup> Oxford Scout Group; the Scouts having ruled out their own proposal 1 by indicating that it was highly unlikely they could action it within the required timescale.

This left 2 options to consider being put forward by NHPC to the 4<sup>th</sup> Oxford Scout Group as alternative proposals to achieve resolution of the issue and avoid the need for litigation. Further indicative votes narrowed the preferred length of a lease to 12 months from 1<sup>st</sup> July 2020, and a wish to offer both options rather than a single one.

Councillor Kay **PROPOSED** and Councillor Fairclough **SECONDED** that both the remaining options be put to the Scouts Group via NHPC's solicitor (with a copy also to be sent by them to the National Scout Association and the Scout Association District Commissioner), and Councillors **AGREED** by 10 votes in favour (Councillors Dowie and Allen against) to request NHPC Solicitors to offer as alternative proposals either:

- A 12-month new, contracted out lease with a 3-month period of notice at the end; or
- An extension of the current lease for a period of 12 months subject to a separate legal agreement including restrictions advised by NHPC's solicitors.

Either of these options could include provision for a further extension beyond the 12-month period depending on the timescale of development works for the new building.

2) Councillors then considered a proposal from Councillor Kay, seconded by Councillor Fairclough and **AGREED** by 9 votes for (Councillors Potter, Dowie and Allen voting against) that should the 4<sup>th</sup> Oxford Scout Group accept either of the NHPC proposals then NHPC would pay the £450 cost of the lease renewal fee (this being a charge that the 4<sup>th</sup> Oxford Scout Group would have to pay to the Scout Association), as a gesture of goodwill.

The meeting ended at 11.15 PM.