

## PRESTON CANDOVER AND NUTLEY PARISH COUNCIL

### MINUTES OF PARISH MEETING OF THE COUNCIL

**Date:** Monday 19<sup>th</sup> October 2015. **Time:** 7:30pm  
**Venue:** Preston Candover Village Hall

**Present:** Alex Taylor Chairman  
Charles Bradshaw Vice-Chairman  
Ruth Chattell  
Tish Owencroft  
Adam Alexander  
Daphne Prosser  
Arnout Van Der Veer  
Rob Marks  
Wendy Simson Clerk  
PC Reid  
14 members of the Community

**Apologies:** None

#### **560 Apologies**

There were no apologies for absence.

#### **561 Minutes of previous meeting**

The minutes of the last meeting dated 14<sup>th</sup> September 2015 were discussed. Councillor Prosser did not agree with the minutes as a true record of the meeting. The Vice Chairman asked about the items about which Councillor Prosser had concerns and Councillor Prosser explained that it was item 545 about the Community Store and the actions leading up to Councillors Marks and Van Der Veer leaving the meeting. The Vice Chairman asked what actions Councillor Prosser was requiring and Councillor Prosser explained that while some councillors had received an apology that this had not been communicated to the whole Council. Councillor Marks informed the Council that he believed that the Parish Council should be a democratic group and that this spirit had not been adhered to at the last meeting. It was for this reason that he had felt the need to leave the meeting and he was happy to apologise to all the Council for the language used, however he would not apologise for the actions leading up to this point.

Given this addition, the Chairman signed the minutes as a true record of the meeting.

#### **562 Public Forum**

The Chairman then opened the meeting up to the members of the public for 15 minutes to raise any items for the Parish Council.

There were a number of issues raised by the members of the community that were all centred on the Community Store, the concerns were that:-

- Those people, who didn't attend the exhibition in September at Preston Candover Village Hall, were not expected to be canvassed but to get a form to complete and return.

- Some people had been asked for feedback twice, both at the exhibition and at their home.
- The exhibition data included residents from outside of Preston Candover, Axford and Nutley.
- The neutrality of the data, as the report had been constructed by the Community Store Group.
- Was the report of the Exhibition in the public domain and if not why had the Parish Council been given a copy.
- Members of the Community Store Group were from outside of the Preston Candover, Axford and Nutley villages which constitute the Parish Council area and that they were making decisions about an amenity in Preston Candover.
- Community events such as the fete and bonfire would not be able to continue if the shop was located on the field next to the village hall as the emergency services would not be able to attend and get onto the field.
- The lease the Parish Council holds on the Field next to the Village Hall should be for “recreational use and activities primarily by residents of Preston Candover”.
- The lease on the land could not be varied until November 2016 with notice given 6 months prior to the land owner.
- If the planned orientation of the building had been changed.

The Council looked to answer as many of the questions raised as possible but did explain to the members of the public that the Community Store Group were a separate entity and that a copy of the report had been given to the Parish Council in advance of its publication as the Parish Council holds the lease on the land where the proposed building would stand.

The Vice Chairman had met the member of the Community Store Group who was delivering the feedback sheets and her remit was to knock and confirm that residents were given the form so it wasn't thrown away as junk mail and offer support to complete it if required. The Vice Chairman's opinion was that the work done by the Community Store Group was very comprehensive and that the data from those who are resident in Preston Candover, Axford and Nutley had been drawn away from the rest of the feedback to ensure that those who lived locally were the only ones included in the data used to speak to the Landowner.

The Vice Chairman raised the issue of the Chairman visiting the Landowner the day of the September meeting, without first speaking to the other Councillors. He quoted the minutes from the December 2014 and January 2015 meetings where the Parish Council had agreed that “their role would be to ensure that wherever the Community view is that this would be acted upon.” The Vice Chairman challenged the Chairman about his motivation for visiting the Landowner and suggested that it was to influence him about not making any changes to the lease. The Chairman responded by saying that his visit had been a fact finding exercise in order that he could understand if the Landowner was prepared to make any amendment to the lease, and to bring his findings to the meeting that evening. The Vice Chairman felt that the Chairman's actions had broken the Code of Conduct under which the Councillors should all work. The Chairman stated that he had not broken these rules and had acted in the best interests of the Parish Council and the Community.

The Clerk had invited Ron Darley to the meeting. As a very experienced Clerk Mr Darley was asked to comment on the point of the neutrality of the data and the opportunity for a Poll to be organised for all residents of the Parish, allowing them to vote on an agreed question or questions. A Parish Meeting may be convened by the Chairman of the Council, or by any two councillors or by six electors of the parish for which it is to be held. It is this meeting which may call for a poll to be undertaken on any question arising at that meeting; but no poll shall be undertaken unless EITHER (i) the person presiding at the meeting consents OR (ii) not less than ten or one third of the local government electors present at the meeting, whichever is the less.

The Poll would then need to be agreed by Basingstoke & Deane Borough Council and the question(s) asked shown to be valid. The Poll would be conducted in the same way as an election with all members of the Community eligible to vote sent a card and a Polling Day agreed. Votes would be independently counted and verified by Basingstoke & Deane Borough Council's Election Team.

David Wilson, who was a Councillor until May 2015, suggested that one of the reasons for the survey carried out in 2013 was to identify the public opinion about the shop. At the time the Parish Council wanted to ensure that independent feedback had been collected to avoid the current situation.

Michael Maxwell was asked to comment about changes to the plans, as the Councillors were not aware that these had been suggested. Mr Maxwell explained that his understanding was that as the store needed its own parking that by turning the plans through ninety degrees that parking could be used to the right of the building through the existing gates.

### **563 Police update**

PC Reid gave an update of the incidents since his last report in September, these were:-

- 21/9 – a child was seen on B3046 without any shoes in Preston Candover
- 21/9 – a single vehicle road traffic incident in Nutley on the B3046, the driver made off
- 27/9 – a Basingstoke man known for criminality was seen in suspicious circumstances at Moundsmere Manor.

There have been no reported crimes in the Parish since the last meeting.

The Chairman asked about the rural policing changes. PC Reid informed the Council that the Police Commissioner would not accept any funding from the Community and so the planned policing for the area would be implemented.

The Chairman thanked PC Reid for his ongoing hard work and support in the Community.

### **564 Matter arising from previous meeting**

**Data Protection Issues** – Following the September meeting the Parish Council were made aware that a copy of the survey data conducted in 2013, had been put onto the Community website and included was a file containing contact details for a number of residents. The file was immediately removed from the website and HALC (Hampshire Association of Local Councils) and Data Protection was both consulted for guidance about what actions should be completed. The advice was to write to all those affected by the breach to explain what had happened and apologise. The Chairman drafted a letter which he circulated to all the Councillors for agreement and this letter was then sent. The Chairman reported that he had had a response from all the residents, who were content that the matter had been dealt with.

Councillor Chattell explained that she was one of those affected but had not got the letter. The Chairman said that as Councillor Chattell had been sent the original draft that he had not sent the letter again. Councillor Chattell had asked at the time of the issue who had posted the file on the website and suggested that the Parish Council should ensure that the breach had been sealed to prevent further issues. The Chairman asked David Wilson, who as a Councillor had helped set up and maintain the website, to explain how it was set up and who had access. Mr Wilson talked through Basingstoke & Deane no longer hosting the websites and giving a grant to each Parish Council to set up their own site. Preston Candover & Nutley Parish Council had had a website created by the previous Chairman's Son, in

conjunction with Candovers Parish Council. Keith Irons, the previous Chairman, then confirmed that he had put the file on the website at the request of the Chairman. He apologised for the mistake in putting up the wrong file and has since asked to be removed from the list of those with access. Mr Wilson confirmed that the file had been removed from the library of the website to prevent the same mistake happening again.

The Parish Council have an obligation to publish the minutes of all meetings and the Community Website has a section for both Parish Councils to do this. The website domain is owned by the previous Chairman's Son and the current hosts are David Wilson for Preston Candover and Councillor Peisley at Candovers Parish Council. Mr Wilson suggested that the Clerk was also able to post information but the Clerk was not aware of this. Mr Wilson confirmed he is happy to continue to maintain the website for the Parish Council if required. Councillors Marks and Van Der Veer agreed to write a protocol for the website before the next meeting and also to investigate setting up an independent site for the Parish Council. Councillor Chattell asked that all items to be posted on the site be first discussed and agreed by the Parish Council.

**Action:** Councillors Marks and Van Der Veer to bring suggested protocol to the November meeting.

**Prices for tree felling work** – Councillor Prosser had not done any further work on this project.

**Un-cashed cheque for Mr Kimber** – The Clerk wrote to Mr Kimber who confirmed that the cheque for £396.00 dated 15/12/14 (no 812) had not been received. The Clerk had written a new cheque for signing by the Parish Council.

#### **565 Minute items and their status**

Councillor Chattell had requested, prior to the meeting, that the Clerk include this item on the agenda in order that the Parish Council could review all the minutes about the shop and the status of these minutes as agreed points for the future actions of the Parish Council. The Clerk had collated all the minute items into one document which was circulated to all Councillors prior to the meeting.

In the minutes of the January 2015 meeting, the Parish Council agreed “their role would be to ensure that wherever the Community view is that this would be acted upon”. The Vice Chairman again challenged the Chairman about the reason for his visit to the Landowner prior to the last meeting and his view that this broke the Parish Council's agreed course of action. The Chairman again explained that he had visited the Landowner on a fact finding mission and as the Parish Council had received no formal application from the Community Shop Group to site the store on the land leased to the Parish Council or correspondence from the Community Shop Group that he was merely going to understand the view of the Landowner of the situation.

The Vice Chairman stated that the Community Shop Group had sent a number of emails to the Chairman prior to the exhibition in September and that he was able to forward these onto all the Councillors. Councillor Marks also reminded the Parish Council that he had been asked to provide updates on the Community Store as part of his duties which he had done to the best of his ability.

Councillor Owencroft asked the Vice Chairman what is was that he wanted to be done about the situation in order that the Parish Council could move on. The Vice Chairman responded

that he wanted to understand if the minutes had been contravened and if so for the Chairman to admit that what he had done was against the agreed actions of the Council. The Chairman stated that he had not done anything outside of his jurisdiction as the meeting with the Landowner was a fact finding visit with no agenda.

#### **566 Code of Conduct**

Councillor Chattell contacted HALC after the last meeting to get some advice about being a new Councillor and rules within which a Parish Councillor should operate. It was suggested that Councillor Chattell should have a copy of HALCs New Councillor Guide, which was ordered and Councillor Chattell informed the Council had been very useful. The Clerk had subsequently order a copy for both Councillor Alexander and Van Der Veer.

The Vice Chairman said that the minutes the Chairman had produced of the meeting he had with the Landowner clearly showed that the Chairman had an agenda for the meeting. The Chairman asked Mr Maxwell, who was also present at the meeting between the Landowner and the Chairman, his version of what had been said at the meeting. Mr Maxwell said that he felt that the Chairman had misled the Landowner and that he expected the Chairman to write and apologise to the Landowner. The Chairman said that he had not mislead or acted inappropriately and was not going to apologise.

Mr Maxwell then explained that on Thursday 15<sup>th</sup> October that the Landowner had instructed him to write to the Parish Council informing them that he intends to terminate the lease on the field next to the Village Hall at the earliest opportunity.

The Vice Chairman requested that the Clerk contact HALC to ask for advice on if the Code of Conduct had been broken by the Chairman's actions.

**Action:** Clerk to speak to HALC and report back via email to all Councillors

The Vice Chairman suggested that an extraordinary meeting (of the Council), with the press & public excluded should be called to allow the Parish Council to discuss these matters. Mr Darley commented that in few cases is there any good reason for excluding the press and public from meetings. Mr Darley pointed out that there are only 4 types of business where, as a rule, it is desirable to treat the discussion of the business as confidential. The Vice Chairman listed those four items in detail and was suggesting that "the early stages of any dispute" was the section under which the discussion should be held in private.

**Action:** Clerk to speak to HALC about if the Parish Council's current situation falls into this category.

#### **567 Financial statement**

The Clerk Presented the following payment for approval:-

- £432.00 – grass cutting
- £3.00 – New Councillor Guide
- £396.00 – RE-issued cheque as discussed in Matter Arising
- £90.17 – Refreshments at Community Relations Meeting

A total of 57p had been received as interest into the account and the final payment from Basingstoke & Deane of the remaining 50% of the precept was paid on 25<sup>th</sup> September as £3,500.

**The Parish Council agreed that as the meeting had significantly over run that they would discuss the Planning matters and Flooding only.**

**568 Planning**

**Nutley Manor** – construction of a pond (No objections)

**Cherry Tree Cottage** – Replacement windows and doors (No objections)

Councillor Prosser had not seen the plans prior to the meeting as she had been on holiday and so took the hard copy home to look at. Any comments were to sent to all Councillors and be included before the Clerk gives feedback to Basingstoke & Deane

**569 Flooding**

Councillor Van Der Veer informed the Parish Council that another meeting was planned with Basingstoke & Deane and Hampshire County Council for an update on the plans. Councillor Marks asked if Councillor Van Der Veer would be prepared to talk the Parish Council through the work done to protect the White Cottage at the next meeting, Councillor Van Der Veer agreed.

**570 Children's play areas**

The new piece of play equipment has been well received by the local children.

Councillor Owencroft reported that she hadn't yet received the invoice for the work.

**571 Community Liaison meetings**

The Community Relations Meeting went very well and there were some very positive comments about the evening.

**572 Date of next meeting**

Monday 16<sup>th</sup> November 2015, at Preston Candover Village Hall at 7:30pm.