

**TICHBORNE PARISH COUNCIL**  
**Minutes of the Meeting of the Parish Council commencing at 6.50pm**  
**on Tuesday 24<sup>th</sup> May 2016 at Alresford Golf Club.**

**17/8) Apologies.**

Mr N Kinder	Councillor
Mr A McWhirter	Councillor
Mrs A Thacker	District Councillor

**Present.**

Mr P Kilmister	Chairman
Mr J Curtis	Councillor
Mr R Foot	Councillor
Mrs G Hugh	Councillor
Mr R Raimes	Councillor
Mr L Ruffell	District Councillor
Mr R Huxstep	County Councillor
Mr B Gibbs	Clerk

One member of the General Public

Cllr Kilmister asked for it to be recorded that the Parish Council congratulated Cllr Ruffell and Cllr Thacker on being elected as Winchester City Councillors in the Upper Meon Valley Ward. Cllr Ruffell replied that both he and Cllr Thacker looked forward to working closely with the Parish Council over the next few years.

**17/9) Declarations of Interest.**

Cllr Raimes recorded an interest regarding agenda item 8 (Planning & Licensing) and indicated that he saw this as a Disclosable Pecuniary Interest.

Cllr Kilmister thanked Cllr Raimes for this declaration and said that when it came to discussing agenda item 8 that Cllr Raimes would be asked to leave the meeting whilst the discussion and any subsequent vote took place.

**17/10) To approve the minutes of the last Ordinary Meeting of Tichborne Parish Council held on 7<sup>th</sup> March 2016 and the Extra-Ordinary Meeting held on 27<sup>th</sup> April 2016 (Previously circulated).**

Cllr Hugh proposed and Cllr Raimes seconded the proposal that the minutes of the last Ordinary Meeting of Tichborne Parish Council held on the 7<sup>th</sup> March 2016 and the Extra-Ordinary Meeting held on the 27<sup>th</sup> April 2016 be approved.

It was **resolved** that these minutes be accepted as an accurate record and they were both duly signed by the Chairman.

**17/11) Public Session.**

Andy Joyce informed the meeting that the Tichborne Park Cricket Club has begun to receive money from the S106 Adult Sport pot set aside by Winchester City Council and as resolved by the Parish Council.

The initial draw-down of money was to reimburse the Club for some professional fees incurred. Mr Joyce said that the lease discussions had still not been completed and the lease was not in a position to be signed.

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He re-iterated that the Club had agreed to surrender a rolling one year renewable lease in favour of a twenty-five year non-renewable one in order to advance their aspiration to build a new pavilion at Tichborne Park.

Although this lease was not protected by the 1954 Landlord and Tenant Act it provided the club with far more opportunities seek funds from grant bodies as well as securing the long term future of the club's home ground and premises. These grant bodies include 'Sport England' where a significant application is being prepared for submission for their attention. Meanwhile other funding streams are being explored.

### **17/12) Reports by the County and District Councillors.**

After congratulating Cllr Kilmister on being re-elected Chairman of the Council for the forthcoming year, Cllr Huxstep spoke about the following matters.

Firstly, he asked if all people had completed the consultation on the Hampshire Waste Re-Cycling Centres as this was one of the most important consultations that the County had undertaken in recent years.

Speaking about the proposals for 'devolution' in Hampshire, the Leader of Hampshire County Council, Councillor Roy Perry has announced to the County Council at its meeting of the 13th May, that before there are any changes in local government structure across Hampshire, whether it be for combined authorities, an elected Mayor or a unitary council, there must be a full and genuine public consultation.

The County Council has been encouraged to support a bid by Portsmouth and Southampton and some of the Hampshire districts to create a Solent combined authority based on: Southampton, Portsmouth, Eastleigh, Fareham, Gosport, Havant and East Hampshire, and the Isle of Wight, whilst other Districts are proposing a Heart of Hampshire combined authority to cover: Basingstoke and Deane, Hart, Rushmoor, Winchester, Test Valley and the New Forest.

Both of those proposals are based on an elected Mayor with all the expense of elections, and a new layer of administration that would entail.

Cllr Huxstep then answered questions from Cllrs Curtis and Kilmister regarding the state of Riverside Farm Lane concerning the number of potholes in the road and the state of the highway grips at the side of the road nearest the River.

After congratulating Cllr Kilmister on being re-elected Chairman of the Council for the forthcoming year, Cllr Ruffell spoke about the following matters.

He began by saying that the new City Council comprised 45 Conservative members and 40 Liberal Democrats with no other political parties or independents were represented.

Cllr Ruffell said that he had been re-appointed the chair of the Local Development Control Committee of Winchester City Council as well as the Chair of the Joint West of Waterlooville Major Development Area Planning Committee.

Cllr Thacker now had positions on the Standards and the Overview and Scrutiny Committees of Winchester City Council as well as an appointment with the South Downs National Park Authority's Planning Committee.

### **17/13) Finance and Orders for Payment.**

#### **a) Grants 2015-16 & 2016-17**

Although the Parish Council had set aside money to cover the grant applications for the year 2015-16 at its budget meeting in November 2014, none of these grants were actually paid across.

This was due to the fact that the cheque book containing the draft cheques was stolen prior to these being signed and despatched. This meeting was now being asked to formally approve the actual grant payment for the years 2015-16 & 2016-17 for the avoidance of doubt.

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i) Tichborne Park Cricket Club. The Parish Council of Tichborne noted that the statutory basis for this item is the Local Government (Miscellaneous Provisions) Act 1976 Section 19.

Tichborne Parish Council having previously considered and approved the grant applications for the years 2015-16 & 2016-17 from the Tichborne Park Cricket Club approved the payment of a grant of £400.00p

ii) St Andrew's Parochial Church Council. The Parish Council of Tichborne noted that the statutory basis for this item is the Local Government Act 1972, Section 137.

Tichborne Parish Council having previously considered and approved the grant applications from the St Andrew's Parochial Church Council for the years 2015-16 & 2016-17 approved the payment of a grant of £500.00p

iii) Winchester Citizens Advice Bureau. The Parish Council of Tichborne noted that the statutory basis for this item is the Local Government Act 1972, Section 145.

Tichborne Parish Council having previously considered and approved the grant application from the Winchester Citizens Advice Bureau Tichborne for the years 2015-16 & 2016-17 approved the payment of a grant of £200.00p

Cllr Kilmister proposed , Cllr Curtis seconded and it was unanimously **resolved** to approve these grant payments.

b) The Clerk proposed the following orders for payment as follows:

V470 Alresford Golf Club Room Hire 24<sup>th</sup> May 2016. £20.00p

V471 Tichborne Park Cricket Club Grant Payment 2015-16 & 2016-17. £400.00p

V472 Zurich Municipal Insurance Company Annual Insurance Premium June 2016. £214.07p

V473 Winchester & District Citizens Advice Grant Payment 2015-16 & 2016-17. £200.00p

V474 St Andrew's (Tichborne) Parochial Church Council Grant Payment 2015-16 & 2016-17. £500.00p

It was unanimously **resolved** to approve these orders for payment.

c) The Clerk informed the meeting that he would not be engaging Lightatouch Ltd to undertake the Internal Audit for 2016-17. This is to ensure that the relationship between Clerk and any Internal Auditor is seen to remain at 'arms length'. As a result, he would therefore be seeking quotes from other Internal Audit organisations.

d) The Clerk presented a report from Lightatouch Ltd regarding the internal audit for 2015-16. The report listed a number of items to pay attention to including the suggestion to review the Clerk's hours and remuneration, a proposal to undertake a full risk assessment and insurance risk assessment and to record the results of the auto-enrolment process via a minute reference when this is reported to a future meeting.

The draft accounts for 2015-16 were reviewed by the Parish Council at this time. Apart from a few questions from Cllr Raimes regarding some items on the accounts there were no comments from councillors.

The report and accounts will be formally presented for approval at the next ordinary meeting of the Parish Council.

e) It was noted that a financial risk assessment would be available for review at a future meeting.

f) The Clerk mentioned that he was proposing to do a review of bank accounts offering a better rate of interest than that of the Lloyds Treasurers Account. Cllr Hugh and others questioned the need for this given the prevailing economic climate and also with the amount of time this will take the Clerk to complete.

## **17/14) Planning & Licensing.**

### **a) Winchester City Council Planning Applications:**

There were not applications to receive.

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## b) The South Downs National Park Authority Planning Applications:

SDNP/15/06486/FUL

Applicant: The Matterley Estate.

Address: Matterley Alresford Road Ovington Hampshire SO24 0HU

Proposal: Change of use of land from agriculture to temporary mixed agricultural and summer festivals and endurance running events use, including retention of wooden structures within woodland associated with festival use.

The Parish Council **approved** the following further comments for submission to the SDNPA.

In addition, we add here another objection to the application which is how the music festivals that continue through the night are consistent with the SDNP's newly won 'International Dark Sky Reserve Status'.

The lasers and other lights that are projected into the sky during the night in the course of these music festivals are directly contrary to the maintenance of 'Dark Skies'.

What is the planning authority proposing to do to avoid these overnight music festivals damaging the 'Dark Sky' of the SDNP?

We have seen the letter of Mr Richard Goodall of Advoco Planning dated 25 April, 2016 proposing a 'matrix' in order to permit the landowner to host a variety of events on his land during the course of the year and suggesting that the matrix will enable the planning authority to exercise the requisite control over the events at Matterley so that the SDNPA will not be prevented from discharging its duties and responsibilities to conserve, protect and enhance the very special area that has been designated as the South Downs National Park.

We object to the concept of the 'matrix'. The area comprising the South Downs National Park is an area that has been considered sufficiently important in its natural beauty and diversity to be worth safeguarding through being designated as one of the country's national parks. It is not intended to be some form of 'Events Park intended to host multiple events of whatever kind a landowner can devise.

If these events could be shown to be for the purpose of enabling those attending to enjoy, appreciate and learn about the natural wildlife, flora and fauna in the SDNP (and which the SDNPA is obliged to nurture), the position would be different. But these events do not in any way promote the enjoyment of the richness of the nature of the national park and indeed would seem to damage it and the species found within it. For example, the loud noise during the day and night, the bright lights and lasers at night, and the large crowds of people going to, from and attending these events seems certain to adversely affect the wildlife, flora and fauna in the national park.

We consider that the planning authority should not be seeking ways to enable and encourage the landowner to seek to hold as many events in the SDNP of as many different kinds as he considers he is able to do within a 'matrix'. That might be a suitable approach in an area that was set aside for public festivals and large events (like the O2 arena). But for events in the SDNP, we consider the landlord should simply apply for planning permission for each event that he wishes to hold. That enables the planning authority properly to consider whether it is desirable for the proposed event to be held within the SDNP at the time and in the circumstances proposed, and to consider what safeguards should be applied to each particular event to protect the natural beauty of, and the wildlife, flora and fauna in, SDNP and those living within it.

Since the 'matrix' proposal has been put forward for consideration, although we object to it in concept, we have the following particular objections to it:

1. We understand that the planning authority has no means of assessing the number of people that attend any event. If that is the case, it will be impossible for the planning authority to apply the rules in the 'matrix'. Whilst the organisers of these events may keep a record of the number of tickets sold, we do not know if this is a reliable way to calculate the number of those attending.

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In any event, we consider that the planning authority must be able to verify the numbers attending independently of figures supplied by or on behalf of the applicant, otherwise there is no verification being applied. If the planning authority has no means of checking how many people attend an event, the matrix is simply unworkable in practice.

2. We do not consider that up to 60,000 people should attend a 'major music festival'. This is far too large a number for the local infrastructure to support and will give rise to very considerable traffic disruption, increased crime and pollution levels, increases in health and safety issues, and increases in other nuisances such as litter etc. This will all increase the nuisance and inconvenience caused to the local community living within the SDNP.

3. We do not consider that there is a need to distinguish between the 'small music festival' and the 'major music festival'. We consider there should just be one category of 'music festival' because the noise and light pollution is the same for each as it does not depend on the numbers of those attending. Therefore, local communities are adversely affected to the same extent by each.

Although there may be less traffic, there is still likely to be a considerable traffic problem if 20-25,000 people go to and leave a 'small' music event. There should only be one music festival in a year as was (apparently) the case in 2015. We do not consider that the landowner should develop this part of the SDNP as a 'hotspot' for numerous music festivals. For example, under the current suggested 'matrix' there could be four 'small' music festivals a year. If those were successful, no doubt the applicant would seek to vary the 'matrix' to permit more and/or larger music festivals to be held on his land.

We also do not consider that there should be a separate category of 'music concert' which seems to be simply a one day music festival and should be deleted. The SDNP (as a national park) should not be hosting numerous music festivals. If this category of 'music concert' is to be retained, there should be size limit on this category, which should be very small.

4. We object to the number of moto-cross events that could be held in a year and to the fact that there is no limit on their size. These events can cause a large amount of noise and pollution as well as large volumes of traffic. Moto cross is an activity that is in all respects contrary to the concept of a national park because they create a lot of noise, a lot of pollution and scar the countryside. Driving motorbikes at high speed across the national park does nothing to preserve and enhance the natural beauty and wildlife in the national park or promote its appreciation. We consider that these should not be permitted at all in the SDNP. If that suggestion is not accepted, and these are to be allowed at all in the SDNP, we consider there should not be more than one event a year with a size limit of 10,000 people.

5. We do not see why there needs to be a category of 'Other day events'. If the applicant cannot even think of what event he might wish to hold, he should not be applying for planning permission for it. Once he decides on an event that falls outside the existing categories, he should then approach the SDNPA to discuss how it would fit into the matrix. How can the planning authority exercise control over events if it does not even know what they are? If this category is to be retained, it needs to be made clear that an event can only fall within this category if it falls outside each of the other categories (i.e. it must not be an event involving music, motorbikes, or sports).

6. The events in the 'matrix' should be all that the applicant is permitted to hold in a year. There should be no 'non-qualifying events' permitted. Again, how can the SDNP control these events if it does not even know what they are?

7. What controls does the planning authority exercise over the events if the 'matrix' proposal is adopted? For example, will the applicant have to prepare suitable and detailed plans for each of these events detailing how traffic, noise, pollution, litter, crime prevention, crowd and participant safety etc are to be properly controlled and managed, and how the numbers attending are to be monitored, controlled and reported?

Are those plans to be required to be submitted to the planning authority a sufficient time in advance of the event to enable them to be properly considered by the planning authority and for any concerns raised by the planning authority to be properly addressed? This seems to us to be a very important requirement to try to minimise the risk of injury and death and inconvenience to the local community. If this occurs, does the planning authority have the personnel available who will be able properly to scrutinise and comment on any proposed event?

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8. We consider that these events should also be structured in such a way to encourage those attending to use public transport or non-polluting means of transport. This will reduce traffic and pollution issues and reduce the damage to the SDNP and the surrounding area.

**b) Boomtown Festival (UK) Ltd. Premises Licence application.**

The Parish Council of Tichborne would like to make a further representation regarding the application by Boomtown Festival UK Ltd for a new premises licence to replace PREM655.

As has been noted by other correspondents the Parish Council considered this new application as too similar (indeed almost identical) to the application for a 'minor variation' of PREM655 (by increasing the attendance limit to 59,999) which the Licensing Authority refused on 6th April.

The Licensing Authority commented at the time:

'As Licensing Authority the Council is of the view that an increase of 10,000 people calls into question whether such a variation can be considered 'minor'.

Concerns were expressed during pre-application discussions over the potential for public nuisance arising from the additional congestion presented by additional vehicles that could arise from increased attendance.

In assessing the variation of an increase in capacity to 59,999, both the police and highways authority are of the view that it could have an adverse impact on crime and disorder and public nuisance respectively.

For these reasons the Licensing Authority has refused the minor variation application.'

The Parish Council asks that the application for a new licence to replace PREM655 should also be refused.

The application does not comply with several parts of the Revised Licensing Policy of Winchester City Council which was adopted at the full Council meeting on 13th April 2016:

The revised policy makes reference to the protection of dark skies, tranquillity and the overall aims of the South Downs National Park.

The Revised Policy (Paragraph 1.4) expects applicants to ensure that appropriate Planning Permission exists before making a premises Licence application. As the current planning application is not yet determined and permission does NOT exist The Parish Council is of the view that the premises licence application should be refused.

With regard to the core licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm there is no recognition in the application that the site is within the South Downs National Park nor that the recent changes to the Licensing Policy (see below) are applicable to this application.

If the Licensing Sub-committee is minded to grant the application then the following requests are made:

a) In relation to Noise Controls (Page 25, paragraph C4), the terminal hour for live and recorded music on ALL nights should be Midnight (00.00Hrs) and the maximum noise levels should be reduced by at least one third (to reduce public nuisance and to enhance tranquillity).

b) In relation to Light Pollution (Page 47, paragraph 7), there should be no lasers and no lighting on any perimeter fencing (to reduce public nuisance and to enhance dark night skies).

Licensing Condition A3 requires 6 months' notice of the date of the proposed event to be given to the Licensing Authority and Hampshire Constabulary so the earliest date on which a Boomtown event with 59,999 attendees could start would be six months after the proposed date for your Sub-committee meeting even if the application were approved.

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Condition A4 requires the licence holder to give the initial Event Management Plan (EMP) to the Licensing Authority at least 120 days before the start of the event so, taking all that into consideration, even if a new licence were granted by the Sub-committee, the new licence could not be used for the event advertised as taking place in August 2016.

**c) SD Events Limited. Premises Licence application.**

The Parish Council made no comment about this licensing application.

Cllr Raimes having declared a Disclosable Pecuniary Interest at the start of the meeting left the conference room when agenda item 8 (Planning & Licensing) began and took no part in the discussion or vote on any of the three sub-headings listed in the agenda.

d) Documentation has now been received from Croudace Homes and Winchester City Council confirming that the new owners of the open areas at Bakeland Gardens are the Spring Gardens (Alresford) Residents Association.

e) A short discussion took place regarding the S106 Adult Sport provision for the Tichborne Park Cricket Club. There was a concern that the money drawn down from Winchester City Council should not be allocated to paying legal costs resulting from the new lease negotiations.

**17/15) Correspondence.**

There was no correspondence to receive.

**17/16) Environment, Highways & Transport.**

**a) Parish Lengthsman.**

Cllr Curtis said that the Lengthsman had visited recently and would visit again in early July. The Clerk informed the meeting that it was essential at some point to identify some improvements to the rights of way network as well as a continuation of the work the Lengthsman did the with the highways margins.

**b) Parish Council notice boards.**

Cllr Raimes said that the new notice board at the Old Post Office will hopefully be ready for installation by the end of the summer. Cllr Curtis said the repairs and installation of the notice board at Ladycroft was in hand and the Clerk said he would be writing to the Spring Gardens (Alresford) Residents Association asking their permission to install a community notice board at Bakeland Gardens.

**c) Bus Shelters at the Ladycroft crossroads.**

The Clerk said he would be presenting further information about the viability of installing a new shelter to the next meeting of the Parish Council.

**17/17) The General Power of Competence.**

The Clerk read the following statement as an introduction to 'the general power of competence' and invited the Parish Council to consider adopting this new power.

*Under the Local Government Act 2000, councils have a general power to 'promote economic, social and environmental well-being' of their area. However, like all public bodies, they were limited by the doctrine of ultra vires, and could only do things that common law or an Act of Parliament specifically or generally allowed for.*

*The Localism Act 2011 introduced a new 'general power of competence' for local authorities, extending the 'well-being' power with the power to 'do anything that individuals generally may do'. This means, in effect, that nothing otherwise lawful that a local authority may wish to do can be ultra vires. As of 2013 these powers are available to all principle local authorities and some parish councils.*

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*The two main qualifying criteria for this power are to have a qualified Clerk and for the Council to have been duly elected and for it not to have majority of councillors through the co-option procedure.*

After a short discussion, Cllr Kilmister asked the Clerk to produce a paper fully explaining the benefits and detriments of adopting the 'the general power of competence' for a consideration at a future meeting.

**17/18) Community Safety.**

There was no report to receive.

As there was no further business the meeting closed at 7.53pm

Members of the Tichborne Parish Council are summoned to the next Meeting of the Parish Council to be held on Tuesday 12th July 2016 at the Alresford Golf Club beginning at 6.30pm.

**Brendan Gibbs,  
Clerk to the Parish Council of Tichborne.**

Chairman's signature .....

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