HANNINGTON PARISH COUNCIL

[DRAFT] Minutes of the Parish Council meeting held at the Village hall, Hannington
Tuesday 8th September 2015 at 7pm

Present: Chairman Councillor Simon Taylor  Councillor Janusz Hertz  Councillor Clare Kinnear (co-opted as first item on agenda) Chris Pottinger (Clerk)

Councillor Donald Sherlock attended on behalf of BDBC.

1. Co-option of Clare Kinnear to fill one of the two vacant positions on the Council
Clare Kinnear had been nominated by Cllr Karin Jardine-Brown by email prior to the meeting. The nomination was seconded by Cllr Janusz Hertz. Clare Kinnear was duly appointed as a parish councillor. Clare gave completed and signed Declarations of Interest and Declaration of Acceptance of Office forms to the Clerk, and was therefore able to undertake the role of parish councillor with immediate effect. Action: Clerk to forward the two completed forms to BDBC.

Note: The completed “Register of Members’ Interests, General Notice of Disclosable Pecuniary and Other Registerable Interests maintained under Section 29 of the Localism Act 2011” is available for public inspection, by contacting the parish Clerk and by access to the BDBC Council website.

Robert Finlayson had advised the Chairman in advance of the meeting that he would like his co-option to be deferred to the next meeting in December.

2. Apologies for absence & declaration of interest
Apologies were received from Cllr Karin Jardine-Brown, County Cllr Keith Chapman and from Borough Cllr Cathy Osselton.

There were no declarations of interest regarding items on the Agenda.

Nine members of the public attended the meeting. Their main items of interest centred on:- 10.b Ownership of Hannington Green and 10.c Removal of hedge at Waterman’s Cottage.

The Council agreed the Minutes were complete and accurate, and were signed by the Chairman.

4. Matters Arising (not covered elsewhere on the agenda)
a. Review of actions sheet from May meeting
The meeting agreed the ‘status’ of the items on the Action List, including those shown as being ‘Completed’ that could therefore be removed by the Clerk.
ACTION: Clerk to circulate updated Actions List to Cllrs.

The key Updates and ‘Actions’ were:-

i. Margaret Nicholl legacy: the meeting was informed that MFMC had received amended quotes for a more limited schedule of work that would still address the key concerns regarding the fabric of the building etc., and that the revised costs could be covered by the application of the legacy and by match-funding. Action: MFMC to provide formal notification to HPC once match-funding had been obtained

ii. Bridleways: Cllr Hertz informed the meeting that the bridleway BW 7110 repaired by HPC and HCC last year still had a 4-5 large muddy holes. Discussions with HCC ROW Team had concluded that it would require approximately 40 tons of filler. The work was in abeyance pending a decision on who would meet these costs.
5. Broadband

a HCC Broadband Summit

Cllr Hertz provided an update of the issues raised and discussed at the meeting. A briefing note had been circulated by HPC to residents following the meeting. Cllr Hertz confirmed BDUK had 'no immediate solution' for the hard-to-reach rural areas other than the provision of 'satellite' broadband, and that the Hampshire Broadband Team had suggested that residents with speeds of 2Mbps or less would be able to apply for the interim 'BDUK national satellite' solution – prior to the planned Wave 2 fibre solution being implemented by the end 2017 within Hannington village. Attendees of the Summit were informed there should be further information ‘by the end of September’.

The fibre solution would NOT benefit properties in the three outlying areas of North Oakley, Ibworth, and White Lane. A ‘National Satellite Broadband’ solution had been decided upon by BDUK for those that are not in the Wave 2 programme and have speeds of 2Mbps or less. Those people who qualify may elect to have satellite broadband installed at a subsidised initial installation cost. The associated process and procedure supporting this option is to be piloted and published later in the year.

BDUK are piloting a number of Wave 3 solutions in early 2016 for those last 5% of broadband users with sub 2Mbps download speeds. The outcomes of those pilots and final decisions by BDUK will be circulated when the information becomes available.

b. Community Infrastructure Levy (CIL)

Cllr Hertz informed the meeting that when the legislation comes into force in April 2016 to replace Section 106 with CIL, local parish councils will have access to 15% for infrastructure (25% if they have a Neighbourhood Plan). CIL must be spent in accordance with the definition of infrastructure in Section 216(2) of the Planning Act 2008. At present the definition of infrastructure does not specifically include Broadband Infrastructure making it difficult for BDBC to include it in its Regulation 123 List. Cllr Hertz and Borough Cllr Donald Sherlock have lobbied Kit Malthouse MP to have these changes in the Housing Bill being laid before Parliament later this year. ACTION: Cllr Hertz and the Clerk to draft a document lobbying our neighbouring PC’s to put pressure on HALC to construct a policy statement with regard to the change of CIL regulations via our local MPs.

6. Correspondence

a HALC e-updates: the Clerk confirmed that all relevant items received since the last meeting of the Parish Council in May had been circulated and acted upon where necessary.

b Parish Council’s Bill: E-survey : the Clerk had reviewed the contents of the E-survey especially the issues/topics and the options being presented for prioritisation, and concluded that of the 42 policy areas identified the majority were of little direct relevance to issues being addressed by HPC. However, seven had been flagged up and would be reported back to NALC. Action: Clerk

c Consultation on Affiliation to NALC: The minute from the May meeting recorded "Clerk to wait for further guidance from HALC”. Correction to previous report by Clerk to the Parish Council in May where he advised the meeting that HALC had advised "NO subscription or fee should be paid to NALC". Upon further clarification, what HALC had meant was that the annual subscription to HALC 2015 (which includes a contribution to NALC) would be continued for 2015, but that the element to NALC might be excluded from 2016.

7. Public Observations:
The Clerk informed the meeting there were no items from the public that were not dealt with on the Agenda.

8. **County Councillors Report:** None.

9. **Borough Councillors Report:** Cllr Sherlock advised that the resources had been allocated by BDBC to fund the continued employment of CPSOs in the Borough. He also advised that under Government proposals for further devolution there could be a Mayor of Hampshire from 2017.

10. **Planning Applications**

   a. **Decisions/Actions taken since meeting 21st May**

      It was agreed at the September 2014 meeting that the public (residents) should be informed of all decisions made by the Parish Council that fell between full Council meetings, with the Clerk to minute all such decisions at the next full Council Meeting. There were no decisions that were formally notified to BDBC Planning Department during this period.

   b. **Ownership of Hannington Village Green**

      The meeting was informed that investigation by the Parish Council, following a question by the internal auditor’s regarding ownership of the village green, has identified that the village green was registered by the Commons Commissioner in 1978 to Kingsclere Parish Council. At that time, Hannington Parish Council did not exist – Hannington was a Ward of Kingsclere. Hampshire County Council’s Register of Town and Village Greens records the village green and registers it as VG60.

      The Clerk informed Kingsclere PC of this situation on 20th August and asked if they had any objections to HPC seeking formal transfer of the registration of the village green from KPC to HPC. KPC were not aware that it was registered to them and would discuss the matter at their next Council meeting. No reply had been formally received from KPC as at 8th September. **Action: Clerk to contact KPC for reaction/decision.**

      Cllr Hertz has informed HCC Legal Services of the issue and asked how they might help with resolving the issue and transferring registration/ownership. Legal Services advised in an email reply dated 8 Sept to Cllr Hertz that: “for a routine transfer we [HCC Legal Services] would charge a flat fee of £750 (plus disbursement such as land registry fees. There will be no VAT payable on our costs. ... should our costs amount to less than £750, then you [HPC] will only be charged the lesser amount. If the matter proves more complicated than anticipated, we will review the situation on an on-going basis and keep you informed as to the costs position so that you are kept fully appraised.”

      **Action: The Parish Council agreed the Clerk:**

      i. informs HCC Legal Services the Council wishes to employ them to lead on the transfer, and agrees the terms of costs as laid out in their email dated 8 Sept, and

      ii. earmarks an initial £750 in the Budget 2015-16 to cover costs.

      Whilst the investigation by HPC has identified registration/ownership of the village green, what is still unclear is exactly what area was/is considered to be the village green. Is it the current grassed area, the area including the non-adopted road, the area up to the boundaries of neighbouring properties or something else? HCC/HPC correspondence in March 2000 clearly states “The green comprises an area of approximately 1970.06m² or 0.197006 hectares, bounded by, but excluding, tracks on all sides.” The green is approximately 0.4868 acres. **Action: HPC to seek to establish the correct boundaries.**

   c. **Removal of hedge at Waterman’s Cottage**

      Complaints had been received by the Chairman prior to the meeting concerning the removal of a section of hedge that bordered the village green. Copies of emails between the owners and BDBBC,
obtained by Parish Council would indicate that the owners had made every effort to comply with planning permissions having filed a planning permission enquiry, spoken with officers from HCC Highways Department and a Senior Tree officer before they started the work (email from owners to BDBC Planning Dept 14 August). This advice would appear to have been based on the interpretation of Condition 2 to the original planning consent. Condition 2 refers to “other planting which was required on the site....”

However, more specific and later clarification dated 25 August has since been provided by the Planning Department to the owners with regards to Condition 21 “the new hedgerow on the Eastern and Northern boundary of plot 5 shall be maintained at a height of 1.8m. REASON: In the interests of visual amenity and to protect the amenity of the adjoining occupiers”.

The latest correspondence from BDBC Planning Dept also advised the owners that they may submit a planning application/retrospective planning application. [Any application would be subject to public observation/comment in the usual way.]

The owners were also advised of a time limit of 14 days from the date of the email to advise BDBC on the course of action they wished to undertake. BDBC advised in the same email that if the owners did not wish to undertake either of these options, BDBC would have to assess the expediency of taking enforcement action; this would be in the form of a breach of condition notice.

**Decision: the Parish Council concluded that, at this stage, the issue was between the owners of the property and Planning Dept, BDBC, and that no action was required or appropriate from the Parish Council other than to keep abreast of developments.**

d. Oakley and Deane Neighbourhood Plan: formal consultation

The Parish Council noted Cllr Sherlock’s comments regarding the views of BDBC, and decided that they had no observations to make on the contents of the Plan.

e. Planning Applications considered at the September meeting

**Location:** Rose Cottage Summer Down Lane Hannington Hampshire RG26 5TX

**Proposal:** Erection of two bedroom dwelling with garage and store on land adjacent to Rose Cottage using existing access

**BDBC Ref:** 15/02902/FUL

The Parish Council decided that this latest application adequately addressed the three objections they had previously raised in May concerning planning application 15/01329/FUL, and therefore had **NO OBJECTIONS** to 15/02902/FUL.

**Action:** Clerk to inform BDBC accordingly

11. Roads, Footpaths & Bridleways Officer’s report

a. North Oakley: stiles to gates incl. bid to HCC Small Grants Scheme

Cllr Hertz reported on the successful conclusion to the discussions he has had with HCC ROW Team, BDBC Small Grants Unit, North Hampshire ramblers Association and the two relevant land owners that has resulted in a plan of work to replace the stiles at North Oakley with metal gates. The original funding by SGS was a 50% contribution on basic costs. Subsequent discussions with HCC required the gates to be fitted with Radlock catches at an extra cost of £248 excl VAT, which SGS have agreed to fund in full. The costings and funding are shown below in full.

<table>
<thead>
<tr>
<th>North Oakley:</th>
<th>Total cost (£)</th>
<th>VAT (£)</th>
<th>plus (£)</th>
<th>amended (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ramblers volunteer time</td>
<td>180.90</td>
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**Costings and Funding:**

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<th>Total cost (£)</th>
<th>VAT (£)</th>
<th>plus (£)</th>
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<td></td>
<td>885.60</td>
<td>180.90</td>
<td>297.60</td>
<td>1183.20</td>
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### Table of Costs and Funding

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<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Total cost</td>
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<td>VAT</td>
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<td>£297.60</td>
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<tr>
<td>Amended</td>
<td>£1183.20</td>
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</table>
SGS 50% contribution is £456.50 plus full cont’n of £248.00 for Radlock catches making a total £704.50, based on costs excl VAT.

NET cash payment to be made by HPC is £478.70 (being cash costs of £1183.20 less SGS contribution £704.50. However, HPC can claim back VAT of £197.20 leaving a net cost to HPC of £281.50.

**ACTION: The Council approved the above and**
- authorised the Chairman to sign the appropriate Contract Terms and Conditions
- agreed the provision in the Budget 2015-16 for the expenditure of £478.70 (payment of £1183.20 to McVeigh Parker &Co Ltd less SGS contributions of £456.50 (50%) and £248 (radlock latches); noting that £197.20 VAT will be reclaimable in 2016-17.
- authorised the Clerk to draw the cheque for £1183.20.

**b. Cottington’s Hill stiles in need of repair/replacement**

Following on from Cllr Hertz’s success with the North Oakley stiles to gates project, he expanded his interest to the stiles at Cottington’s Hill that were also in need of repair/replacement. In addition to the various parties referred to above, he also needed the engagement of Kingsclere Parish Council in the solution as some of the stiles were in their Parish. There was clearly limited benefit in making the stile in our Parish ‘accessible’ for the public for the public to then move on a little way and find the two stiles in Kingsclere were still ‘inaccessible’.

Agreement was obtained from Kingsclere PC for Cllr Hertz to take the lead on a joint project with the costs being shared. This produced a financial statement as follows:

**Cottington’s Hill:**

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<th>Description</th>
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<tr>
<td>Total costs</td>
<td><strong>£1,300.20</strong></td>
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SGS 50% contribution is £565.20, based on costs excl VAT.

Cash payment to be made by the PC’s is £453.60 (being cash payments of £1018.80 less £565.20 SGS). However, PCs claim back VAT element £169.80, leaving net cost of £283.80, split 50:50 between Hannington PC and Kingsclere PC ie net cost to each of £141.90

[However, immediately following the Council meeting in September, Cllr Hertz was informed by the North Hampshire Countryside Team Manager that they had four gates in stock and would be prepared to release them for this project at no cost. Subject to gaining the landowners permission which has been confirmed.]

**Decision: the Council approved the above and authorised Cllr Hertz to proceed with the project, accordingly... [subsequently with NO COST falling on either Parish Council.]**

**c. Circular to residents 23 August re ‘any other known problems’... responses**

A resident has drawn attention to the lack of a waymark post and any sign of a footway at the junction of FP 7118 and Hannington Road.

**Action: Parish Council to follow up**
Cllrs Hertz, Jardine-Brown and Kinnear have since checked many of the paths in the parish and have identified that one further stile at the junction of Ibworth Lane and FP 7113 requires conversion to gate. This would leave just one stile at junction of FP 96 and FP 97 (unfortunately metal) in the parish; otherwise we would be ‘stile free’.

d. Meeting with HCC Highways Dept;
   The Clerk informed the meeting that he had still not received any reply from HCC Highways Department with regards a date for a meeting with the Parish Council
   **ACTION:** Clerk to attempt to arrange a meeting with HCC Highways Dept before the December Council meeting.

Potholes: It was noted that HCC Highways had carried out substantial repairs to potholes and passing bays on the road out from Hannington to the A339. However, the nature of potholes is that there are still roads in the Parish incl Ibworth and White Lane that have large potholes that could cause damage to cars.

‘Unsuitable for HGV’ signs; The meeting was informed that one of the ‘Unsuitable for HGV’ signs was still in the incorrect position. This is despite HCC letter 27 November 2014, “Thank you for the information [provided by HPC regarding owners approval to the siting of the sign on their land] We have amended our contractor instruction so the sign will be placed at the junction of Kingsclere Road with Meadham Lane.”
   **ACTION:** Clerk to contact HCC Highways Department and press for the sign to be re-positioned.

12. **Finance & Audit**
   a. **Final Accounts 2014/15**
      The Clerk had received a copy of the Internal Auditor’s Report on 20th May and had circulated it immediately to Cllrs in advance of the Council meeting on 21st May. Due to the short time available to the Cllrs, the Clerk had highlighted the ‘positive’ elements and also those ‘areas of improvement’ identified within the report.
      **The Auditor concluded:** "**We are pleased to record that no issues have arisen from our review of the Accounts or Annual Return. Consequently, we have "signed off" the Internal Audit Report at Section 4 of the Annual Return assigning positive assurances in each relevant area.”**

      The Auditor then stated:
      "R1: In order to further strengthen controls, the two cheque signatories should also initial the invoices and cheque counterfoils in order to confirm their review of the documents and prevent any potential resubmission possibly resulting in a duplicated payment.
      R2: All payments should be formally recorded as approved for payment in the minutes of the Council’s meetings
      R: The Council should ensure that the risk register is reviewed with minutes confirming the adoption at least once annually in line with mandatory requirements."
      The Clerk reported that no questions have been raised by Cllrs following the circulation of the Internal Auditor’s Report in May.

      The second audit scrutiny, this time by the ‘external auditor’, raised the question of the ownership of the village green. This issue was initially in the context of the parish council incurring expenditure on the ‘hounds teeth’. This point was was satisfactorily resolved with the auditors and excluded
from the final report. However, the fundamental issue concerning ‘ownership’ remains, and has been reported in full elsewhere on the agenda at 10.b above.

b. Revised Budget 2015-16
A detailed Financial Statement with explanatory Cover Note as at Tuesday 8th September was circulated to members in advance of the meeting. In summary, the statement explained that, due to continuing problems with the bank’s adherence to strict processes, the Clerk had still been unable to activate new signatories to the Bank Account nor remove those of the ex Cllrs, and therefore no payments had been made during the year. Where they were either urgent or essential payments had been made personally by the Clerk totalling £264.34. In accordance with Financial Regulations and advice from the internal auditors all of these payments had been agreed in advance by the Council; though the best practice of counter-signing invoices and cheque stubs, would have to follow when the Clerk was reimbursed by the Council.

At the May meeting, the Council was informed the predicted outturn as at 31 March 2016 would be £4,926. The Financial Statement circulated in Sept (supported by a detailed analysis) projected a reduction from £4,926 to £4040. This was mostly due to the anticipated net costs of £835 for the two projects to replace stiles with gates at North Oakley and at Cottington’s Hill. However, as reported in paragraphs replacing 11(a) and 11(b) above, the payments for these two projects in 2015-16 are now expected to be only £478, thereby increasing the year end cash balance to £4,400.

Two further decisions were taken at the September meeting with financial implications:
- to budget £750 (non VATable) for the potential legal costs of transferring the registration/ownership of the village green from KPC to HPC, partially offset by
- to remove the £500 budget provision (plus £100 VATable element) for traffic calming allowance.

Allowing for these two decisions, the predicted cash balance as at 31 March 2016 is approximately £4,250.

The actual cash balance as at 27 August was £13,288.44 being the cash balance as per the Final Accounts 31 March 2015 £5,202 plus £3,086 first payment from BDBC making £8,288.44 plus £5,000 the Council is still holding of the Margaret Nicholl. This is excessively high as the Council has been unable to make any payments in the first half of the year, as explained above!

c. Invoices for approval
At the last Council meeting in May, it approved in principle to the following payments that will fall due. These are still outstanding:
- Clerk’s salary (outstanding and current),
- payment to tax specialist,
- reimbursement of Clerk’s expenses,
- annual subscriptions to HALC ,
- annual CPRE subscription,
- audit fees

These payments will be processed once notification is received from Lloyds Bank that the change in signatories has been completed by them.
In the interim, and with the approval of Cllrs, the Clerk has paid a number of invoices from his personal account. These are the payments to:

- HALC: annual subscription £175 paid 13th July 2015;
- S. Butler: payment to tax specialist: £54.00 paid 5th June 2015;
- Hannington Village Hall: hire of hall 21st May £11.00 paid 16 July 2015; and

The total reimbursement due to Clerk for the above is £264.34. In addition a further sum of £45.12 (incl £6.58 VAT – reclaimable) is due to the Clerk as a reimbursement of expenses incurred making a total of £309.46 [cheque nos 319; 20th October 2015].

Because of the nature and/or size of the payments, the Clerk has NOT made the payments to the previous Clerk £294.50 (two months salary), to the Auditors (Auditing Solutions Ltd) £228 (incl £38.00 VAT – reclaimable) [Auditing Solutions Ltd £190.00 plus £38.00 VAT; cheque nos 320, 20 October 2105] nor to CPRE £36.00 cheque nos 321, 20th October 2105]. In all these cases, the Clerk has contacted the creditors and explained the reason for the delay in payment.

**Update on HMRC**

Nil payment monthly on-line returns for Clerk’s employment have been submitted to HMRC since the last meeting. The Clerk had previously emailed the Council informing them that the potential charges from HMRC for the non-submission of the monthly on-line tax liability had been successfully resolved and there was no longer any ‘liability’ shown against the HPC Employer Tax Account. This ‘correction’ had been delivered through the employment of an on-line tax specialist, who had not only retrospectively inserted the necessary monthly entries but had also set up the mechanisms for the current Clerk to submit the entries himself. The cost of this was £54. Payment was authorised by the Council. Once the bank has authorised the signatories, the Clerk will initiate the payment of the outstanding salary for the previous Clerk and draw up a payment schedule for the current clerk, for approval by the Council.

**ACTION:** Once cheques can be drawn, the Clerk is to liaise with our ‘tax specialist’ on how to notify HMRC of a payment, remove an employee and insert a new employee. This may incur a cost.

13. **Dates of Next Meetings 2015/6**

    Tuesday December 8th 7.00pm
    Tuesday February 9th 7.00pm.

The meeting ended at 8.45pm