

**HORNTON PARISH COUNCIL  
MINUTES OF PARISH COUNCIL MEETING HELD ONLINE  
ON MONDAY 9<sup>TH</sup> NOVEMBER 2020 AT 7.30pm**

**Present:** Councillors Mckenzie, Offord, Tilling, Overton, Woodcock, Burden, Hewlett and Wain

**Also in attendance:** Clerk & RFO Cindy Koberl

**1. APOLOGIES**

There were no apologies.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. PUBLIC PARTICIPATION SESSION**

Mr. Peter Frampton of Frampton Planning, Mr Steve Nelson of Certas, Mr. Julian Philcox of JP Planning, Mr.& Mrs. Vint and an anonymous login as "Certas" -, with respect to item 8 on the agenda.

**4. MINUTES AND MATTERS ARISING - TO CONFIRM THE MINUTES OF THE PREVIOUS MEETING HELD ON 14<sup>TH</sup> SEPTEMBER 2020 AND EXTRAORDINARY MEETING HELD ON 18<sup>TH</sup> OCTOBER 2020 AND ANY MATTERS ARISING FROM THOSE MINUTES.**

Chairman informed the council of connectivity issues. Vice Chairman started the meeting.

4.1. The minutes were **approved** as an accurate record of the meeting.

4.2. Matters arising:

Minutes 4.2 -17 Footpath between Jumpa and Pavilion –

Cllr. Woodcock reported that the work by Oxfordshire County Council Countryside Access of removing the unsafe bridge on the footpath between Jumpa /Pavilion and making the area safe was completed to a satisfactory standard. The council **agreed** to sell the existing metal gate.

Minutes 4.2 -16.2 Lime trees in the green –

Planning has been approved for work to reduce lime trees in the green, this will be carried out by Acreman's Arboriculture at £1670 + VAT which is **approved**.

Minutes 16.2 Keep Britain Tidy –

Cllr. Wain organised the "Autumn Clean" on Saturday 26<sup>th</sup> September which was successful. Cllr. Wain thanked everyone who helped and Mr. Gilkes for removing all rubbish collected.

Minutes 16.3 Snow Warden –

The clerk informed Oxfordshire County Council that Cllr. Mckenzie to be our snow warden and ordered extra winter salt bags. Cllr. Mckenzie confirmed all was good to go,

Cllr. Offord signed in the meeting at 7.40pm and vice Chairman handed chairing back to Chairman.

4.3. The chair signed the approved minutes and moved agenda item 8 forward for the public participation session.

**8. FUEL DEPOT**

Public members were present to participate in this agenda item – planning reference no. 20/02453/F. Hornton Parish Council (HPC) submitted an objection to the planning on 14<sup>th</sup> October 2020. The Chairman invited Mr. Frampton – the applicant's planning agent - and Mr. Nelson - property manager for the applicant, Certas - to speak.

Mr. Frampton told the council that Hornton Grounds Quarry was a brownfield and committed employment site. There was a permanent planning permission for a Class B2 development and consent for existing adjoining stone processing plant plus a range of farm buildings already in place. Certas planned to relocate its existing operation, which delivers fuel oils to home and businesses in rural areas and farms, from the leased land at Tramway due to the landowner pursuing redevelopment for housing consistent with Canalside policy. Certas was already delivering to customers in Wroxton and Hornton so the delivery tankers were already on local roads.

Certas was to inform Cherwell District Council (CDC) that a revised maximum of 10 customer delivery tankers a day (5 lorries in each direction) will operate from the site – these could be controlled by planning conditions. This was without accounting for the 3 to 4 Certas vehicles already passing through. In Mr. Frampton's opinion, the increase of 1-2 vehicles in a 10 hour day would not be significant. It would not be a 24 hours operation, the operating hours for customer delivery were 07:00 – 17:00 on Monday to Friday, 07:00 – 14:00 on Saturday and 06:00-24:00 for replenishment tankers at a maximum of 4 lorries a day in a period of peak winter demand. Certas would propose a Route Management Plan to regulate route of these vehicles. This would be via J14/15 of M40 then A429 and then A422. All journeys would be managed by tracking.

There would be no petrol or aviation fuel stored on site - only heating oil, gazol diesel - so references to Buncefield would not be comparable. The Environmental Agency (EA) and Environmental Health Officers did not object to this application. The application was accompanied by ecological, air quality, noise, lighting and flood risk assessment reports – none of which revealed significant adverse impact from this operation. The yard had sufficient space for the tankers to leave and enter with forward gears so there would be no reversing beepers. The owner would plant Yew trees at access road and hedges along the road site. The proposed structures would be low in height so they would not be prominent in the landscape.

With the amendments that Certas was committed to, the parish council was asked to reconsider the planning should a re-consultation take place. Questions were welcomed.

Cllr. Offord said that petrol was mentioned in the planning application. Mr. Frampton responded that there would be no petrol. Mr. Nelson further confirmed petrol would not be stored on the site.

Cllr. Woodcock questioned the height of the bunding because it was mentioned in Griffin's updated lighting report that "Lighting is fixed at a height of 5m below the height of the bunds..." Mr. Frampton explained that the quarry was 3 meters below the ground level, the plants would be 4 meters and therefore light should be 2 meters above the ground. After being questioned, Mr. Frampton admitted the information in updated lighting report was incorrect and he would submit the correction to CDC with HPC copied in.

Cllr. Hewlett raised road safety concerns on the location of this operation. Firstly, this stretch of A422 was not on Oxfordshire County Council's designated Lorry Route. There was no justification to have an operation on a non-HGV transit route which was the same feature that undermined the Sugarswell application. The second concern was to do with speed. He was worried that the lorries and oncoming traffic would not have 250 meters clear sight on either side of the entrance on the A422. He knew the entrance intimately; that stretch of road had only 150 and 180 metres visibility on each side of the entrance with an "average speed" of 60mph. We knew from personal experiences that many vehicles were speeding around this junction, and an emergency stop would not stop in time in slippery, foggy conditions. Mr. Frampton replied that there had been no accident data suggesting the operation of this junction was dangerous, apart from a motorcycle accident caused by ice.

The chairman invited Mr. Philcox, the planning agent of a neighbouring resident of the site, to speak. Mr. Philcox pointed out, firstly, that 24 hour operations were mentioned in 4.1.2 of the Transport Statement and throughout the application. Secondly, gasoline is petrol. Thirdly, two outline permissions were exclusive. Finally, Certas could expand its current operation and could apply this under section 73. Mr. Frampton replied that Certas was prepared to reduce to 10 tanker movements in response to the concern raised and these could be controlled by planning condition. There were two outline permissions for two sites to be looked at the same time; the reserved one had been approved and the development one had been commenced which had CDC's consent and were operating lawfully.

Cllr. Overton asked what would happen in the event of a catastrophic spill? There were water courses in this area. He was very concerned there could be threat as a result of water pollution. Mr. Nelson explained the storage tanks were double skinned so there would not be spillage unless there was an explosion and tanks were totally destroyed. If there was spillage from the tank, the interceptor would direct the fuel and hold the fuel in a container chamber until other tankers arrive to extract the fuel from the interceptor. The system was 99.999 percent safe from spillage from the site.

Cllr. Tilling continued by stating that he was interested to know what would happen in the event of the 0.001 percent accident occurrence. He also mentioned Oxfordshire County Council (OCC)'s "Mineral and Waste Sites Assessment (2020)" which showed that amongst the reasons for a proposed inert waste site at Wroxton Fields, nearby on the A422, being rejected was the fact that it was not on a designated lorry route, was too rural and very importantly, lay above an aquifer and threatened local water supplies. This was supported by the EA. It was surprising, therefore, that EA had raised no objections in this application because the site appeared (on DEFRA maps) to overly a secondary aquifer and a high groundwater risk area. There was clearly a potential groundwater issue because the site lay adjacent to a major watershed, in the centre of a number of springs which feed into a radiating network of streams. If there was a spillage, there would be a great risk of pollutants draining eastwards into the Sor brook and eventually the Cherwell. The streams to the NE and SE are Conservation Target Areas. It seemed to be illogical to choose a site could cause a major water pollution incident if an accident should happen. And there were no obvious mitigation measures, not least because the site seems to have a permanent spring which means it sits on or very close to the water table. Cllr. Tilling asked if Certas had conducted any hydrological assessment and if it had any modelling for the event of a major leak? Mr. Nelson responded the site did not overly an aquifer because EA had no objection, however, he agreed if it did, it would be a concern. He also agreed if a hydrological assessment was required by the CDC planning, it should be supplied with the application.

Cllr. Woodcock said given the site's very close proximity to AONB, it was odd the lighting and many other environmental issues did not cause concern in consideration. He also pointed out Hornton was a category 3 rural village in Cherwell Local Plan (CLP). CLP 2040 stated the site was located in an area of tranquillity. Although it would not be 24 hours operation, the majority of employees would be driving to the site at 5.30AM, there would be disruption. A lot of the evidence against the previous application of Sugarswell site was equally applicable to this site. The site would be an alien intrusion to Hornton, a category C settlement in a very rural area. The applicant would have seen numerous objection letters, one of which was by Sir David Gilmour of Campaign to Protect Rural England (CPRE) stating that this was one of the only two areas with dark sky and value for recreation in CDC's recent review of its Local Plan up to 2040. Cllr. Woodcock asked why would the applicant be considering to relocate an operation with such an industrial scale to this area? This was not in keeping of CLP2040. Had the applicant considered better sites anywhere else? Mr. Frampton

responded that Policy SLE1 stated this was a committed employment site and Sugarswell site was Greenfield .

Cllr. Offord followed up with the question “where else had Certas considered prior to applying for this site?”. Mr. Nelson responded that Certas had considered every industrial area in Banbury and they were all rejected. Mr. Philcox identified that when the site search survey was carried out for the application of Sugarswell, there was no mention of Hornton as a consideration.

Cllr. Offord concluded that the applicant/agent should appreciate that Hornton Parish Council clearly had massive concerns about the application but thanked the applicant/agent for attending the meeting to give the presentation.

The public participation session ended at 8.28pm and all public sign-ins were logged out. At this stage it was noted that another anonymous Certas participant appeared to have been listening to the meeting.

## 5. FINANCE REPORT

5.1. The following payment was **approved**.

Details	Account	Payment
Castle Water	Pavilion	£ 7.94
BT	Pavilion	£ 35.99
C. Koberl Zoom Pro online meeting subscription	PC	£ 14.39
Microrenewable Solution Ltd. Pavilion Heating Pump Emergency Repair	Pavilion	£ 1,972.05
OALC CiCLA Mentoring Sessions	PC	£ 275.00
OALC Planning training	PC	£ 120.00
J. Silva Pavilion Window inv. 195	Pavilion	£ 75.00
Moore External Audit 2019/20	PC	£ 360.00

5.2. Payments made since the last meeting:

Date	Details	Method	Account	Payment
08/09/2020	BT	DD	Pavilion	£ 34.34
17/09/2020	C. Koberl Printer Cartridges	Online	PC	£ 21.79
17/09/2020	P. Burden Playground Maintenance	Online	Playground	£ 24.00
21/09/2020	Campaign to Protect Rural England Subscription	DD	PC	£ 36.00
23/09/2020	P. Burden Playground Maintenance	Online	Playground	£ 19.95
23/09/2020	P. Burden Allotments 8 x 1000 ltr IBC Water Containers	Online	PC	£ 240.00
28/09/2020	C. Koberl Salary	SO	PC	£ 309.00
28/09/2020	C. Koberl Allowance	SO	PC	£ 9.00
29/09/2020	Annual Contribution to Church Mowing	Online	PC	£ 500.00
02/10/2020	SSE Southern Electric	DD	Pavilion	£ 302.92
02/10/2020	CDC Dog bins emptying	Online	PC	£ 180.18
05/10/2020	Castle Water	DD	Pavilion	£ 7.94
08/10/2020	FR Jones and Son Playground Strimmer	Online	Playground	£ 479.57
09/10/2020	BT	DD	Pavilion	£ 36.25

15/10/2020	Zurich Insurance Annual Premium	Online	PC	£	1,338.10
15/10/2020	P. Burden Allotment minutes of meeting 08.10.20 item 8	Online	PC	£	27.50
21/10/2020	Playground Annual Inspection Report	Online	Playground	£	103.20
28/10/2020	C. Koberl Allowance	SO	PC	£	9.00
28/10/2020	C. Koberl Salary	SO	PC	£	309.00
02/11/2020	AED Locator Ltd replacement HeartSine adult pad pak	Online	PC	£	130.68
02/11/2020	S. Walther Pavilion key cutting and cleaning product	Online	Pavilion	£	11.47

### 5.3. Bank balances as of 2<sup>nd</sup> November 2020

#### Bank Statements

PC Main	£37,885.99
PC Business	£26,216.51
Total	£64,102.50

#### Committee Balances

	HPC	Jumpa	Pavilion	Playground	Grand Total
Balance B/F (as of 07/09/20)	£17,786.77	£5,415.66	£5,511.27	£33,774.11	£62,487.81
Total Payment	£3,110.25	£0.00	£392.92	£626.72	£4,129.89
Total Receipt	£5,618.58	£0.00	£126.00	0	£5,744.58
<b>Balance (as of 02/11/20)</b>	<b>£20,295.10</b>	<b>£5,415.66</b>	<b>£5,244.35</b>	<b>£33,147.39</b>	<b>£64,102.50</b>

- 5.4. Financial Regulation reviewed and **approved**.
- 5.5. Internal Control reviewed and **approved**.
- 5.6. Budget reviewed and **approved**.
- 5.7. Precept reviewed and **approved** to remain at the same level of £10,000.
- 5.8. Risk Assessments reviewed and **approved**.
- 5.9. Bank statements reviewed as part of internal control and signed by the chair.
- 5.10. Staff work hours and pay revision - the clerk presented the council with work hour sheet showing an increasing working hours in the past months. The council **agreed** to increase clerk's contract hours to 8 hours per week.
- 5.11. Western Power Wayleaves - £413.12 received on 13/10/2020 to cover the arrears due from 01/10/2015 – 01/10/2021. The current rate is £71.34 per annum.
- 5.12. External Audit Report reviewed and **approved**.  
External Audit report was received on 05/11/20. Hornton Parish Council's Annual Governance and Accountability Return 2019/20 was in accordance with the Proper Practices and relevant legislation and regulatory requirements had been met.

## 6. PLANNING REPORT

### 6.1. The Parish Council was considering:

Reference No.	Location	Proposal/ Description	Validated	Status
20/03063/TCA	The Gables Millers Lane Hornton OX15 6BS	T1 x Portuguese Laurel - Fell as the tree overhangs a public footpath, the neighbouring roof and a stone wall. A large branch is split and on closer inspection the entire trunk is split. The tree is in a dangerous condition.	28/10/20	Case Officer Assigned
20/02850/F	Foxgloves Millers Lane Hornton Banbury OX15 6BS	Widening of the means of access, formation of additional hardstanding to provide increased parking area, felling of two trees and rebuilding of natural stone faced retaining wall	12/10/20	Case Officer Assigned

### 6.2. Under Consultation - Cherwell District Council:

Reference No.	Location	Proposal/ Description	Validated	Status
20/02453/F	Hornton Grounds Quarry Hornton	A fuel depot including ancillary offices, the installation of plant and hardstanding	08/09/20	HPC objected on 14/10/20

### 6.3. Application Permitted:

Reference No.	Location	Proposal/ Description	Validated	Status
20/02608/TCA	Horton Village Green The Green Hornton	T1-T3 x Lime - Re pollard to upper framework structure as previous trees have been maintained in this fashion.	29/09/20	Application Permitted

### 6.4. Application Withdrawn:

Reference No.	Location	Proposal/ Description	Validated	Status
20/02126/CLUE	Wroxton Motorcross Track Land Used For Motorcross Stratford Road A422 Wroxton OX15 6HH	Certificate of Lawfulness of Existing Use for the use of the land for a mixed use of agriculture and as a motorcross track with race meetings for up to 24 days a year (excluding set up, preparation, clear up and private practice sessions)	05/08/20	HPC objected on 24/09/20  Application Withdrawn

## 7. MOTOCROSS

A Letter Before Claim was sent to Cherwell District Council (CDC) to respond on their planning enforcement action of Wroxton Motocross by 4<sup>th</sup> November or Hornton Parish Council (HPC) would instruct judicial review. CDC had not responded up to this date. HPC would contact its ward

councillors and head of CDC to encourage a response to avoid judicial review taking place, Cllr. Woodcock would draft a letter. Cllr. Offord would contact parishioners who had funded the legal advice so far regarding the next stage of legal action. The council **agreed** to contribute £2000 under Local Government Act Section 137 to the research that had gone into this.

**Action: SW/JO**

#### **9. COMMUNICATION PROCEDURE**

The clerk suggested to have subcommittees making decisions on releasing urgent communications to the electorate. Alternatively, a single councillor could send out communications in his/her name (not on the behalf of the whole council) without being reviewed by the whole council. The council thought it would be better to adhere to the what was previously agreed and that communications should be reviewed by the whole council and only go out when at least half of the council (4 councillors) approving the proposed details – providing there was no strong objection. The clerk advised there was practical difficulty to achieve four positive responses in time allowance for some urgent matters. The council agreed that the clerk was to set up a group chat to raise awareness of the need for urgent responses required.

**Action: CK**

#### **10. COMMUNITY SUPPORT – BUDDY SYSTEM**

With the second national lockdown, Cllr. Woodcock said it would be a good timing to make a public announcement that the Buddy system is still up and running so if anyone requires assistance could contact the council. Also the public should be made aware that Jumba was closed due to the restrictions. Clerk to send out the communication.

**Action: CK**

#### **11. INTERNAL AUDITOR APPOINTMENT**

The clerk emailed the villagers to see if anyone would be happy to provide auditing service to the parish council but had not received any response up to this date. The clerk also obtained a list of internal auditors from Oxfordshire Association of Local Councils, from which, 7 different firms and individuals were contacted and 3 positive responses were received. A report was presented to the council on their costs and locality. The council required further information on the competence of the candidates, the clerk would provide the information to the council.

**Action: CK**

#### **12. PAVILION ELECTRICITY AND HEATING**

A report was presented to both pavilion committee and the council with the electricity quotes from both Scottish and Southern Energy plc (SSE) and Lumina Energy for 1 and 3 years contracts. The council **agreed** to have contract with SSE directly for a 3 years contract. Clerk to arrange the contract.

**Action: CK**

Cllr. Overton explained that the heating maintenance was very costly because of two pumps required replacement and the solar panel was not working properly. Although it was not ideal to pay for the high electricity bill to keep the heating running, the longer the system was left idle, the more likely it would go wrong. The committee secretary Mr. Lemon was committed to keep the system run as efficiently as it could.

#### **13. PAVILION CAR PARK DRIVEWAY RESURFACING CONSTRUCTOR APPOINTMENT**

Cllr. Hewlett, Cllr. Overton and the clerk attended a meeting with Mrs. Rachael Followell-Mattin (Customer and Stakeholder Manager of Thames Water) to discuss obligation to maintain the access road to the sewage treatment work (STW) on 22<sup>nd</sup> September 2020.

Thames Water confirmed that they have carried out an upgrade to the STW in 2015 and made a small car park while the work was being carried out. After completion, the potholes were made good with type 1 (gravel) – the same surface before the work started. The clerk to HPC was unable to find any concern raised in minutes of council meetings in 2015.

Thames Water denied obligation of maintenance as the access road was owned by the parish council and there was no maintenance agreement in place. However, Mrs. Followell-Mattin agreed to endeavour to request funding to contribute to the work due to their usage of the road.

The clerk presented a report to the council containing the information of the three construction companies. The third one, although had a Banbury contact, was operating from Manchester and was unable to provide quotes due to its Covid tier 3 status at the time so only two quotes available.

Cllr. Hewlett volunteered either himself or Cllr. Overton could take this up further.

**Action: TH/AO**

#### **14. PAVILION REPORT**

The pavilion was closed under Covid lockdown restrictions apart from the school use. The cleaning was carried out by Mr. Walther, Cllr. Overton and Mr. Lemon at the moment. Cllr. Wain confirmed the cleaner would happy to resume her work when instructed to do so.

#### **15. ALLOTMENTS REPORT**

Cllr. Burden reported that he went around the allotments today and each (half) allotment had access to at least 1000 ltr. of water. Cllr. Burden thanked the anonymous donor to the containers purchasing and s/he was very happy with the use of the money. There was car parking problem last season which had been resolved for the time being, he would flag it up to arrange something else if the parking became a issue again. He would also like to thank Mr. Hemmings for the mowing the allotments all year around and he had never asked compensation on the fuel used. The council **agreed** to purchase a gift as a token to show appreciation to Mr. Hemmings' hard work.

**Action: PB**

Cllr. Burden also advised the council that a Christmas tree was ordered.

#### **16. ROADS & HIGHWAYS REPORT**

Cllr. Hewlett was focusing his attention on the area just outside the village down in the chicane to south, this was a good time to report any issue due to the end of the financial year.

#### **17. JUMPA REPORT**

Cllr. Woodcock reported that sadly, Jumpa was closed due to the lockdown restriction. Hopefully, it would be reopened soon. He would like to thank the team's hard work keeping Jumpa tidy and clean. Cllr. Burden offered a petrol strimmer on behalf of the playground committee to Jumpa.

#### **18. PLAYGROUND REPORT**

Cllr. Wain advised that the playground remained open. The pub was still supplying hand sanitiser. He would update all the signs. We had replaced the strimmer with the old one going to Jumpa.

Cllr. Burden reported that there was no major concern in this year's ROSPA report. He continued to make weekly inspections and empty the bin twice a week.

The council thanked the pub to provide hand sanitiser as well as many other thing they did for the village.



## 19. MEETING DATES 2021

The following meeting dates for 2021 were proposed and **agreed**.

8<sup>th</sup> February 2021

15<sup>th</sup> March 2021

26<sup>th</sup> April 2021 – Annual Parish Meeting

17<sup>th</sup> May 2021 – Annual General Meeting

12<sup>th</sup> July 2021

13<sup>th</sup> September 2021

8<sup>th</sup> November 2021

## 20. AOB

### 20.1. Further recycling

Mrs. Offord proposed to the council to provide facility for the parish to recycle items which were not currently accepted by the district council. The council appreciated Mrs. Offord's offer to lead the project.

### 20.2. Bottle recycling

The clerk had reported to the district council that the green bottle recycling bank was full while liaising with them on the funds raised on the bottle recycled.

### 20.3. No parking on the bend outside of the chapel

Cllr. Overton proposed and council **agreed** to have a "no parking" sign up on the wall by the bend outside of the chapel. Cllr. Hewlett and the clerk would look for the contacts that the council used to use for the signs. The council also agreed that the villagers should be informed, preferably by the newsletter - Gossip, before putting the sign up.

**Action: CK/TH**

## FUTURE MEETING DATES

The next meeting will take place on 8<sup>th</sup> February 2021 7.30pm online.

The meeting closed at 9.40pm

Signed .....