

**HORNTON PARISH COUNCIL
MINUTES OF PARISH COUNCIL EXTRAORDINARY MEETING HELD ONLINE
ON WEDNESDAY 9TH DECEMBER 2020 AT 7.00pm**

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

Also in attendance: Clerk & RFO Cindy Koberl

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

None.

3. PUBLIC PARTICIPATION SESSION

None.

4. MOTOCROSS

The Chairman thanked everyone for attending the meeting at very short notice, and summarised progress to date, and the reasons for further fundraising :

The progress to date:

- It was the parish council (PC)'s responsibility to act for the majority of the parishioners, and in this case, it was clear that most of people would like to see the Motocross operating as how it was previously.
- Communication, both within the council and the community, had not been as good and clear as it could have been which had resulted in some misunderstandings.
- We were fortunate that a donation from an anonymous parishioner had funded the work completed to date, including the recruitment and costs for a Planning Consultant, Solicitor and Barrister who had already carried out a considerable amount of work.
- Up to now, this expenditure had been kept separate from PC accounts.
- Cherwell District Council (CDC) had now asked the landowner and the operator to put in a planning application, to be submitted by 6th January 2021.
- Should the planning be permitted, it would be to the detriment of the village and very unpopular.
- Additional funds – potentially a substantial amount if a planning application is submitted - are now needed to create a fighting fund which will a) show the benefactor that the PC, and village as a whole, were willing to fund future costs, and b) pay for future legal costs, including those needed to prepare legal arguments etc. by the closing date for objections to a planning application.
- There would be a meeting arranged between the chair and the benefactor to discuss future plans.

The issue to be decided at the meeting

Should the PC be a) directly responsible for future fundraising, and b) the management of the budget and accounts, including future legal costs?

Arguments were raised both in favour and against this:

In favour of PC fundraising

- It showed leadership by the PC to the village, which had shown clear support with the number of objections submitted to CDC, and the willingness of some villagers to make

significant contributions. More than 40 households wrote to CDC to object to the planning. Considering there would be more people who did not get to write to CDC but would offer their financial support, this was a very strong mandate for the action being proposed.

- It would show solidarity with the benefactor who should not be expected to shoulder all the expenditure.
- This was a planning issue which the PC had responsibility for.
- This was a similar case to the quarry issue the PC had dealt with before when the villagers put their faith in the PC which had done all it could to resolve the issue.
- It would enable the present activity to be sustained at the pace needed, and allow the 'campaign' to be ready for action in January 2021, helped by the fact that the legal team presently involved could step up to mount the challenge to a planning application.
- There was also no legal reason why the council could not receive donations, and a sub account could be set up within the PC's account.

Against PC fundraising

- Active fundraising, at the scale envisaged, would have to conform to financial regulations and standing orders, for example including gathering three quotes for future legal costs.
- The PC would be committing itself to open-ended fundraising, for costs which are indeterminate but could vary significantly.
- Apart from agreeing that the PC would be unlikely to be able to fund a Judicial Review, there was no exit strategy.
- There was potential for 'donor fatigue' which could affect other fundraising initiatives, such as for the pavilion and churches.
- Alternatives could be considered including setting up a fundraising group – recruited from committed individuals in the village who could take on the fundraising, ideally with a member(s) of the PC sitting as members/observers.
- There was no proven mandate from the village for the PC to embark on a project of this size – raising several times the size of the precept.
- The funds raised may run out before the fight is won. In that case, the PC would be in the awkward position of being unable to fund further action.

Several concerns were raised by councillors:

- Setting up another fundraising group (see below) would send the wrong message to the village.
- The PC should never be in the position liable for the funds we do not have.
- The PC should approach the current barrister and consultant for an estimate before raising funds, to meet the current requirements of the financial regulations.
- The "PC" was not the same body as the "village" while the PC recognise that it would be nice to see village's broad support, the PC might not be equipped with this kind of open-ended project.
- The legal action so far had developed beyond PC's control and we were entering into unchartered territory.
- A subcommittee could be a way for the PC to retain the control while more strident and active in fundraising is carried out. This could be formed relatively quickly to gain support from the village, not just financially but also for their time.

- The lack of transparency of money spent so far. Had the funding come from the PC, the communication would be more open and effective with less confidentiality issues involved – many more villagers would be more generous in offering donations if they were made aware of the scale of funds required.

Conclusion:

It was a majority decision that the PC should be the body to raise funds and approach legal firms to oppose any threat of planning being permitted. Success would not be guaranteed but the PC had a responsibility for planning issues in the village. It should be made clear to the villagers that in the event of costs exceeding the funds raised, the PC would not be in the position to fund further action.

There would be a clear policy and strategy, a formal link to people involved, and transparency on the development. A letter based on today's discussion would be sent across the whole village.

FUTURE MEETING DATES

The next meeting will take place on 8th February 2021 7.30pm online.

The meeting closed at 8.23pm

Signed