

MICHELMERSH & TIMSBURY PARISH COUNCIL

Minutes of an Extra-Ordinary Meeting of the Parish Council held on Wednesday 12th January 2005 at 7.30 p.m. in the Jubilee Hall, Timsbury.

Present: Parish Councillors Dr. W. A. Lees (Chairman), Mr. D. Cowling, Mrs. C. Evans, Dr. J. Glasspool, Mr. P. Pritchett-Brown, Dr. M. Subramanyam, Mr. R. Vie, TVBC Cllr. David Bidwell, six members of the public and Parish Clerk Mr. P. Buist.

Action

1. Apologies

There were none.

2. Open Period

Roger Wilson spoke about the planning application for Oak Tree House. He opposed the planned building on the grounds that the Conservation Plan and the Borough Plan precluded any development on the site.

John Hunt spoke about the planning application for Oak Tree House. He suggested that if any build was allowed then a condition should be that Oak Tree House was connected to mains drainage.

On the agreement of the Council, the Chairman read a letter of opposition to the Oak Tree House application from Mrs. Ruth Cowling.

James Cleary of Pro-Vision, representing Brookwood Developments spoke in support of the planning application for Alveston and reviewed the changes in the design since the previous application had been refused.

On the agreement of the Council, the Chairman read a letter of opposition to the Alveston application from Mr. & Mrs. Bennett.

3. Declarations of Interest

Donald Cowling declared an interest in the planning application for Oak Tree House, as he was a neighbour of the applicant.

4. Planning Applications

TVS. 08825/6, erection of outbuilding for use with vineyard, Oak Tree House, Michelmersh. *Donald Cowling had declared an interest in this item. He remained in the room, but took no part in the discussion and did not vote on the matter.* The contents of the design statement were read by the Clerk and noted by the Council. Following discussion, it was **proposed** by John Glasspool and seconded by Peter Pritchett-Brown that the Council object to the application on the grounds that it contravened both the Test Valley Borough Local Plan Review, Revised Deposit Draft 2004, in particular Set 03 and Set 09, and the Conservation Plan. This was **agreed** unanimously. It was further **agreed** that the Council supported the objections expressed by the local residents.

PBu

TVS.06451/2, erection of detached oak framed garage, Pear Tree Cottage, Hill View Road. Following discussion, it was **proposed** by Dr. Subramanyam and seconded by Peter Pritchett-Brown that the Council made no objection in principle to the application. However, the Council noted that there was no height dimension given on the plans and were concerned that the height of the garage should not exceed the height of the house on the site. The proposal was **agreed** unanimously.

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TVS.02461/8, outline for erection of letting accommodation, Bear & Ragged Staff. Following discussion, it was **proposed** by Peter Pritchett-Brown and seconded by John Glasspool that the Council made no objection to the application. However, the Council wished to draw the applicant's attention to the Village Design Statement and suggested that before the final design was completed that the applicant should view "The Millburns" as a design concept. This proposal was **agreed**

PBu

unanimously.

TVS.09368/2, demolition of existing dwelling and erection of two dwellings, Alveston, Manor Farm Lane, Michelmersh. The presentation by Pro-Vision and the letter of objection were **noted** by the Council. Following discussion, it was **proposed** by Peter Pritchett-Brown and seconded by Dr. Subramanyam that the Council should object to the application on the grounds of over development of the site. This was **agreed** unanimously. It was further **agreed** that the paper produced by the Chairman reviewing the arguments for rejecting the proposal to develop the Alveston site and revised in the light of this application, should be submitted to Test Valley Borough Council as a supplement to the letter of objection.

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All the members of the public left the meeting.

5. Invoices for Payment

It was agreed to pay the following invoices:

L. K. Ninnim Engineering Ltd.	Fit new swing seats	£138.65
The Studio	Parish Newsletter	£139.05
ADT Fire & Security	Replacement batteries	£18.80
P. Buist	Salary & Expenses	£555.76

6. Sports Club: Progress Update & consideration and implications of the use of a mediator.

The Chairman reported on his enquiries with the insurance company with regard to public liability cover. Allianz Cornhill put the responsibility onto the Sports Club to ensure that public liability cover was in place for any group or person using the ground leased to them. The Chairman **sought permission** to write to the Sports Club with this information. This was **agreed** unanimously.

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Richard Vie joined the meeting during the above discussion.

It was proposed by Richard Vie and seconded by Peter Pritchett-Brown that, as the next item to be discussed was a matter of dispute and subject to legal proceedings, it was confidential and the meeting should therefore be closed. This was agreed unanimously. *Cllr. David Bidwell left the room.*

The Clerk reported on activity since the last meeting:

- The letter sent to Bells Solicitors with resolutions passed by the Council.
- A letter dated 7/12/04 from the Sports Club stating that they would not negotiate a new lease through solicitors and that their proposals for a settlement had been given to their solicitor.
- A letter from Bells dated 8/12/04 enclosing proposal from Sports Club for a new lease and details of heads of agreement. Bells had asked for a response to the Sports Club proposals and requested a meeting with the Chairman and Clerk.
- The Clerk had written to Bells under delegated powers conferred in minute 14.1 of 14/11/04 meeting with comments on heads of agreement based on previous lease negotiations and decisions already made by the Council. Some 12 out of 20 suggestions made by the Sports Club would not have been acceptable to the Council.
- The Chairman & Clerk met the Council solicitor, who considered that there was little chance of an agreement on a new lease based on Sports Club suggestions.
- The Council solicitor suggested that the Council should now consider the use of a mediator to try and resolve the dispute. He would also make a similar suggestion to the Sports Club solicitor.
- The mediator proposed was Roger Davey at a cost of £100 per hour.

It was **proposed** by Peter Pritchett-Brown, and seconded by Richard Vie that the Council should agree to the use of a mediator and that mediator should be Roger Davey. This was **agreed** unanimously. It was also **agreed** unanimously that the Clerk should represent the Council at any meeting with the mediator to provide a

briefing.

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The Council **noted** the outcome of the referrals to the Standards Board of both the Chairman and Dr. Glasspool. In both cases the Standards Board's decision was that the allegations should not be investigated. The Council also noted a letter to the Clerk from John Rhodes suggesting that the Clerk was acting unlawfully and that the matter could be referred to the Audit Commission. The Chairman had written to the Audit Commission and their reply had been supportive of the Council. As a result of these actions, Dr. Glasspool had asked that Harassment be placed on the agenda for the next meeting.

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The meeting re-opened after this item, but no one returned.

7. Chairman's Mandate

The Chairman was mandated to speak on behalf of the Parish Council on the items contained in these minutes.

8. Any Other Business

There was no other business.

9. Dates of Future Meetings

The next meeting would be held on Wednesday 26 January 2005.

The meeting closed at 9.30 p.m.

Peter Buist
Parish Clerk
19 January 2005