

**Minutes of the Annual meeting of the Lower Heyford Parish Council held on
25th April 2013 at 7 pm in the Church**

Present: Mr MacNamara (Chair), Mrs. Ball (Vice Chair), Mr Dare, Mr. Mortimore, Miss Hawkins, Mr. Thompson, Mr. Eggeling, Trevor. Husband, Jenny. Tamblyn, Hayley Brown, John. Varney, Gay Hawkins, Sue Watson, Diana Boxall, Alastair Watson, Alan Humberstone, Roger Bopwen, William Shepherd, Tom Clayton, Eric Ball,

In attendance: Cathy Fleet (Clerk)

Apologies were received from Mr. John and Mr. & Mrs Cheeseman

Minutes of the last meeting held on 3rd May 2012 were read, proposed by Mr. Macnamara and seconded by Mrs Ball as a true record and it was **RESOLVED** to accept these as a true record of the meeting and they were signed by the Chair.

Public Participation : Member of the public were welcomed by Mr. Macnamara and invited to participate at any time.

Chairmans Report

Introduction. For anyone who doesn't know me, I am JJ Macnamara, I live next door and have served as Chairman of the Parish Council for the past year. It is therefore my duty to summarise some of the activities of your Parish Council over that year – to account to you, who elected us, for both our activities and the money we precepted from you and spent on your behalf. Afterwards, there will be a time for questions and comments, so you can tell us whether we are doing a good job on your behalf or how we can do it better.

Two important caveats are necessary at this stage:

- firstly, Parish Councillors are all unpaid volunteers with busy lives and many commitments to juggle. Please don't judge us too harshly – unless you are prepared to step in and volunteer yourself!
- Secondly, PC's have little money and less power. What we do achieve is most by influence, persuasion and nagging – so, while we do our best, expecting rapid results and success in every cause will lead to grave disappointment.

Clerkship. Tying both those themes together, what we do achieve is largely through the hard work of our Learned Clerk, Cathy Fleet, the PC's sole, part time, officer, to whom the Parish owes a great debt of thanks for what she has done over the past year. In this I include not only the public achievements of the PC but also the behind the scenes bureaucracy that keeps us legal, solvent, audited and law-compliant – no mean feat in these over regulated times.

This includes clerking six meetings in alternate months since the last Annual Meeting on 3rd May 2012. The PC has now decided to double this workload by meeting monthly (except in August and December) to maintain momentum on the various projects under way – dates are in the minutes on the noticeboard and website. In addition, we have agreed updated Standing Orders and Financial Regulations and a new Code of Conduct to comply with best practice and new legislation.

Councillors. In all this, the parish should thank Denise Ball for serving as Deputy Chairman (and ensuring that the voice of Caulcott had due prominence!) and David Dare, Carl Mortimore, Tracy Hawkins and Leigh Thompson for serving as councillors throughout the year. Kate Wagstaff also began the year on the PC but sadly had to step down due to other pressures: she

deserves thanks for all her service to the parish. In her place, Bruce Eggeling responded to our call for volunteers and was duly co-opted.

Highway safety continues to be a major concern. The speed indication device (“SID”) has proved effective in reducing speeds at danger spots. Its effectiveness depends on regular repositioning, for which thanks go to Leigh Thompson and David Dare, who also saved the PC the huge cost of installing posts for the SID by making brackets to fit it to any telegraph pole. Data has been collected and passed to the Police, who have deployed both local officers and the camera van with increasing frequency. SID readings can also be used by officers to stop speeding HGV’s and gain evidence from their tachographs.

Road safety is also one of the key issues pursued at the Neighbourhood Action Group (“NAG”) by Leigh Thompson, our parish representative. On this and other policing matters, we are in regular contact with our neighbourhood team, led by PC Caroline Brown, who attends the PC when she can – sometimes, shift patterns and other commitments mean this is in her own time, for which we are most grateful. Following the recent dramatic accident at the village hall crossroads, which severely damaged 134 Freehold Street, the PC will start the new year with a further serious safety issue to pursue with Highways.

Highway maintenance issues are a never-ending campaign. After several years, much needed work on the Station Road drains was undertaken though, sadly, due to lack of funds, not carried through to the full. This should help resolve both flooding problems and noise and vibration damage due to sunken manholes. In addition, work was done on the footpath to the Long Bridge: not as much as the PC wanted to make this really safe to walk children to school in Steeple Aston, but an improvement. With the belated onset of the growing season, the PC intends to remedy Highways’ neglect of the weed problems on the bridge itself.

Meanwhile, Bruce Eggeling has compiled a comprehensive portfolio of photos of potholes to ensure the parish gets its share of OCC’s extra repair funding. On a related tack, we believe many of the noise, damage and danger problems would be resolved by a weight limit on the Long Bridge. Having failed to convince Highways, we have now sent Bruce Eggeling’s photos of structural damage to this Listed structure to English Heritage and await their reactions.

Footpath issues we have pursued include Bromeswell Close and the sagging kissing gate at the end of Church Lane, where we continue to press Highways for a solution to the repeated flooding issues (here I declare an interest as they directly damage my property). We are now engaging, in alliance with Upper Heyford and Steeple Aston PC’s and supported by Cherwell DC, in battle for a temporary replacement for the flood-damaged Rifle Plank Bridge pending its permanent rebuilding.

Winter brought only one snowfall heavy enough to warrant calling in our snow plough to ensure the parish was never cut off. Considerable thanks are due to David Dare for storing a further two tons of salt and to him and others for using this to fill our strategically placed grit bins around the parish. With the increasing severity of recent winters, this is a most valuable service.

Property matters bring me to thank Eric Ball for his work on bus shelter graffiti and the notice board, Carl Mortimore for keeping a professional eye on the Millennium seat in Market Square and to him and David Dare for their work on our parish notice boards.

Communication starts with direct participation in our regular meetings in the Church, which are open to all, and continues when our minutes appear on parish noticeboards. We are then indebted to Graham Wilson's unsung work on the parish website, which deserves greater recognition. Parish agendas and minutes are regularly published there but there is scope for much more. We hope to stimulate other parish bodies to populate the site but so far have had little success with appeals through Valley News. In parallel, we are trying direct email by collecting the addresses of residents wanting to be informed of both PC and other local developments.

Charity matters have also occupied us. The PC appoints all the trustees of the Lower Heyford Relief in Need Charity (which has now successfully merged with the Lennard Trust), so we were grateful for a comprehensive mid-year briefing on their work. We have been kept informed as they embark on works on the Reading Room but have not been asked for any financial support. The Kings George's Field trust is even more complex legally. The PC is desperately anxious to renew the sports field lease with the trustees so that the Play Area group can apply for grants – not least from us, as we strongly support this initiative. The lease issue has been around for too long and we will do our best to resolve it, by any means, as soon as possible. And then there is the Village Hall trust, where the PC will no doubt have a view on the trustees' deliberations on the best use of the funds raised from the sale of the village hall.

Other activity has included commenting on planning applications, though with nothing particularly controversial this year, reporting flytipping and maintaining services such as dog waste bins.

Financially, we precepted £10,000 last year. Of this, some £3,700 was spent on staff costs, insurance and admin expenses – which pays for all the things we achieve by pressure and nagging, all the routine services we organise and the admin of the PC itself. We passed on £700 to other active bodies in the parish (for instance, in support of the splendid work of the Friends of Lower Heyford Station) while £3,100 went on our major project this year, the SID. The detail is already available for public questioning and will shortly be audited before submission to the authorities.

In the current climate of austerity, we felt it was important to reduce the precept this year while maintaining the level of service and so cut back to £9,680. Staff costs and admin are again the bulk of this, with legal fees for the King George's Field lease the sole big one-off item. Again, the details have been minuted and are available to all.

In conclusion, these reports always feel odd to me, because every PC meeting feels frustrating, as if we are making only gradual progress on each item and are constantly frustrated by our lack of power and limited resources yet, come the year end, thanks to the continual efforts of our Learned Clerk and stalwart PC members, we somehow seem to have got rather a lot done. This year is no exception: next year already presents some daunting challenges. Please wish us luck and, if you think we could do better, come and help!

Mr. Macamara concluded by thanking many people for their tireless work, including Dr Clayton for his work for the Charity, Graham Wilson for his work on the website and Mr. Dare for his work on highways issues.

Mr. Macnamara then invited members of the public to participate :

Mr. Humberstone enquired why agendas were not appearing on noticeboards and it was explained that there had been confusion of late as to the whereabouts of keys and was assured that in future the correct agenda would be placed on noticeboards 3 clear working days prior to a meeting as is required.

Miss Hawkins requested that in cases where residents are required to attend to their overhanging foliage or other matters, letters be sent by the Clerk rather than verbal requests made. It was agreed to discuss this at the parish council meeting.

Reports from Organisations

Church - Willy Shepherd outlined the plans the church has to turn part of the inside of the church into a more useable meeting space and also laying on mains water. It is estimated that church reserves amount to about 1/3 of the estimated £120K required. Grants will be sought and fundraising efforts made. He would welcome any suggestions or input from residents.

Bells - The bellringing band practice on alternate Fridays and Eric Bell explained that more ringers are required in order to have enough ringers for weddings etc. He would welcome anyone who would like to learn.

Charity - Tom Clayton had issued a financial statement and update on the affairs of the Charity which is attached to these minutes, and particularly on the Reading Room which is undergoing renovation. It is anticipated that restoration work will be complete by May/June after which a new tenant will be sought at a higher rent than has previously been obtained. Any additional income would be used on projects to benefit the village. The 43 acres of Poors Land at Kidlington have also been the subject of an increased rent negotiation.

Miss Hawkins questioned the cost and availability of the Reading Room to residents or their children of Lower Heyford. Some discussion followed and it was agreed to further discuss the matter at the following Parish Council meeting.

Bowls Club - Roger Bowen said that it had been a difficult year for the Bowls Club due to poor weather conditions in summer 2012 with revenue lost due to cancelled fixtures. He appealed for new members and announced that there is to be an open day on 5th May.

Friends of Lower Heyford Station - Roger Bowen said that plants which have been stolen will be replaced in the forthcoming months. Last year the FoLHS entered the Railways Community Gardens award but were unfortunately unsuccessful, but will be entering again this year. Shelters and benches have been re-varnished, graffiti removed and signs re-painted.

Events Committee - John Varney represented the Events Committee and told the meeting of the success of last years May Day Fete which made some £600 and of the Fireworks and Carol Events, both of which were free to attend, but unfortunately both lost money. The meadow had been flooded for both occasions and it was thought people assumed the events were cancelled although they were held on the Playing Field. The committee holds a balance of some £2850. The May Day Fete will be on 5th May and is to be opened by Roy Hudd.

WI - Denise Ball said that there were now only 13 members of the WI who meet every 3rd Thursday in the Upper Heyford Reading Room. She outlined the wide variety of events they participate in and appealed for new members.

Sports & Social Committee - John Varney said that the Sports & Social Committee provide the bar for various events held on the playing field and keep the field in excellent condition for which Mr. Macnamara thanked him.

Village Hall - The trustees of the village hall fund are Denise Ball, Lyn Humberstone, Willie Shepherd, Don Finch and Roy xxxxxx? . The Trustees have been inactive for many years but

have a meeting next Thursday to discuss the way forward. They are seeking ideas for using the money held in the bank for projects which will benefit the village as approved by the Charities Commission

APPENDIX

LOWER HEYFORD RELIEF IN NEED CHARITY

**Owl's Nest
Market Square
Lower Heyford
Oxfordshire
OX25 5NY**

**Tel : 01869 347081
Email : loosleyrapt@btinternet.com**

6 January 2013

Chairman: Mrs R Hepworth

Clerk: Dr T Clayton

Trustees: R. Hepworth, E. Read, A. Mackay, Dr T. Clayton, Rev E Green

Lower Heyford Parish Council

THE OLD READING ROOM

We are writing regarding some important issues that have arisen regarding the Reading Room. Could we ask for a degree of confidentiality on the subject and would suggest that this is treated as an informal communication and not for minuting for the moment.

1. Mr & Mrs Wallace have served notice on their tenancy of the Reading Room. They will leave around 14/15th January 2013.
2. This has coincided with CDC beginning the formal process of an “improvement notice” on the property mainly concerning serious rising and lateral damp and associated problems such as mould growth. Other issues were raised (leaking porch roof and boiler fumes). Following a meeting at the Reading Room with the Housing Inspector we have addressed all the issues with the exception of the damp problems which will be a major undertaking.
3. As the PC is the owner of the freehold of the Reading Room (as you know it is leased to the Charity for 99 years under the Articles of March 1978 making the Charity responsible for its conversion to a dwelling and its future management and letting), we thought you should know of our plans given these events.
4. The damp situation is serious despite some previous work some years ago. It needs radical DPC installation and associated re-plastering etc. it will be virtually impossible to re-let the property until this is done.
5. The Wallace’s leaving allows us the time and opportunity to carry out this work while the Reading Room is empty.
6. We plan to invite surveys and quotes from established DPC companies to carry out the work as soon as possible.
7. Following that we will need to fully redecorate and replace soft furnishings (carpets and curtains) which are in poor repair after the lengthy tenancy of Mr & Mrs Wallace. The premises are generally “very worn” and we will need to make the place “fit for purpose” again.
8. The oil fired boiler is 15 years old and a recent assessment gives it little more expected life. We will consider replacement.
9. When I met with CDC they indicated that we were undercharging on the fair rent they would attribute to such a property. Given that we are expected to let the property to

someone who is “poor” (today we read that as in receipt of benefits) we will at the same time seek to establish a “fair rent” particularly as the impending work will be a significant spend.

10. During this period we are also taking legal advice on
 - a. New short term assured tenancy paperwork
 - b. Clarify the outdated definition of “poor” as interpreted today under Charity Law
 - c. What flexibility exists to change the remit regarding letting the property
11. We anticipate the work will take some 3 / 4 months and would hope to be advertising the Reading Room availability to a suitable tenant (as advised by the legal views) by early May.
12. In the interim we will continue to
 - a. Insure the property
 - b. Maintain a level of heating and security
 - c. Cut the grass
 - d. Pay any bills

So, in summary, a changing situation about which we will keep you informed. If there are any queries then please call

LOWER HEYFORD RELIEF IN NEED CHARITY

**Owl's Nest
Market Square
Lower Heyford
Oxfordshire
OX25 5NY**

**Tel : 01869 347081
Email : loosleyrapt@btinternet.com**

12 April 2013

Chairman: Mrs R Hepworth

Clerk: Dr T Clayton

Trustees: R. Hepworth, E. Read, A. Mackay, Dr T. Clayton, Rev E Green

THE READING ROOM, LOWER HEYFORD

You will recall that we wrote to the PC on 6 January 2013 outlining the changed situation at the Reading Room (copy attached to current email).

We would like to give an update on progress and also to ask that a specific issue described later in this note is discussed and decided at the forthcoming meeting on 25 April. Apologies for the length of what follows but this is a fairly complicated situation and one which will undoubtedly need the clearest of explanations locally.

PROGRESS REPORT

- *When we surveyed the empty property we found it in a seriously dilapidated state with no possibility of re-letting without extensive refurbishment*
- *The apparent “dampness” was in fact gross condensation caused by the previous tenants failing to adequately ventilate the property – there was no evidence of rising or lateral damp other than the occasional “spot” to be expected in an old property*
- *To ensure this does not re-occur, we have completely re-insulated the internal walls that have an external face*
- *A new kitchen is being installed*
- *A new bathroom is being installed*
- *A new heating and boiler system is being installed (and a new fuel storage tank)*
- *Full re-decoration throughout is underway*
- *A general upgrading and replacement of internal doors, light fittings, floor coverings, curtains is in hand*

PROPOSED CHANGES TO THE CHARITY’S SCHEME

In our earlier note we stated that we would be seeking to change the remit of the Charity regarding the letting of the Reading Room – we stated:

“Para 10. During this period we are also taking legal advice on

- i. New short term assured tenancy paperwork*
- ii. Clarify the outdated definition of “poor” as interpreted today under Charity Law*
- iii. What flexibility exists to change the remit regarding letting the property”*

To this end we have engaged Trumans Solicitors, Bicester to provide the necessary legal advice and to present our case to the Charity Commission. We outlined our argument as follows in our submission:

“.....it may help if we summarise the various points the Trustees have made regarding this change during the numerous meetings we have had on the subject and which may form part of the debate with the CC.

1. *The Reading Room is structurally sound but in need of a complete modernisation to include
 - a. *New heating and plumbing system*
 - b. *New kitchen*
 - c. *New bathroom*
 - d. *Complete redecoration*
 - e. *Carpeting**
2. *Without this work the property is essentially not able to be let (to any tenant, whatever their circumstances). This is supported by all the site visits from builders and other tradesmen.*
3. *The necessary work will almost exhaust the Charity's current reserves. Equally without the rental income we have no means of accruing on-going funds#*
4. *The Reading Room is an old dwelling with a thatched roof. It is obvious that it will require continual and significant expenditure to keep it in an acceptable condition and as rentable asset. To do this we need to be able to rent freely on the open commercial market.*

5. *The original “poor persons resident in the village” Clause (Clause 2 in the 1978 Scheme) referring to the tenancy was written 35 years ago. We would argue that a modern definition of “poor” is quite different to that originally envisaged.*
6. *Given the changes and improvements in welfare and benefits we would contend that in villages such as Lower Heyford the situation envisaged in our original Scheme is unlikely to exist today. In the extreme circumstances implied in this earlier definition the State (Local and Central) provide assistance.*
7. *The Parish is small and if we are restricted to only let to persons from the area then we are likely to struggle to find a suitable tenant*
8. *It is for these reasons that we would seek to replace the current Scheme with a new Scheme which allows*
 - a. *Consider tenants who are not “poor persons”*
 - b. *Flexibility to choose tenants who may or may not have connections to the Parish*
 - c. *To be able to charge a commercial rent on the open market*
9. *Otherwise the required repairs to the Reading Room and its on-going upkeep will be untenable and will result in a spiral of continual decay with the eventual loss of value in the Charity’s major asset and main source of income. The Charity could die through lack of funds (examples of similar situations are outlined on the CC website and considered to be undesirable and a failing of the Trustees’ responsibilities). ”*

Current estimates for the work are in the region of £25,000 including legal work

At the same time, the Trustees recognised that the way we use our funds needs some revision to match the prevailing social climate of today – this is what we proposed:

“At the same time you asked that we give some thought as how we might reflect any changes being sought with parallel changes to how we might disperse funds in the future.

Currently this defined assistance where “need, hardship or distress.....” happened (1973 Scheme para 22). We would suggest broadening this definition in the light of social change and modern circumstances. Clearly should any cases of real hardship or need occur then they would still have priority. However there is provision for using funds for “the benefit of the village as a whole” (1973 Scheme para 22 and 1978 Scheme para 3). We would seek to interpret this in the future to include specific village projects examples which might be:

- *Children’s Play Area,*
- *Specific and appropriate projects which cannot be funded through local precept,*

- *Village events (e.g. The Jubilee)*”

NEXT STAGE AND PROPOSAL

We have had an encouraging initial response from the CC to our request although some extra information and clarification has been asked for which we will provide shortly.

One of their requirements is that the PC agrees with our proposals to change the previous letting agreement to a broader and more commercial basis. If that is agreed we will most likely have to amend the current lease between the Charity and the PC.

We would therefore like to request that the PC debate and decide on this proposal at the 25 April 2013 meeting. Clearly we cannot progress re-letting on any new terms without this agreement and as the work will be completed by mid-May we would want to start the process of advertising and seeking tenants soon.

The proposal is:

1. That the Parish Council accepts and endorses the need to change the current Scheme of LHRNC with respect to the letting arrangements of the Reading Room. This change will allow the property to be let on the open market at a commercially viable rent.
2. Additionally that the Parish Council accepts and endorses the proposals to widen the opportunities available to LHRNC regarding the use of its funds for “*the benefit of the village as a whole*”.
3. That the current lease between the PC and LHRNC is amended to reflect these changes.

We would also like to inform the PC that the detailed examination of the various legal paperwork and documents which has taken place as a result of our application to change our Scheme has raised lots of questions about the precise nature of the LHRNC and The Lennard Trust and the various ownerships of leases, freeholds and the like including what interests reside with the PC. It appears to be an extremely complicated situation much of it back in time. There is clearly a need going forward to clarify and resolve these issues. Once we have had some

further conversations with our solicitor we will come back to discuss the issues that are being raised. We will do this through Cathy Fleet.

Regards

Dr Tom Clayton

LOWER
HEYFORD
RELIEF IN
NEED
CHARITY

Trustees

Chairman: Mrs R Hepworth

Clerk: Dr T Clayton

Trustees: R.
Hepworth, E. Read,
A. Mackay, Dr T.
Clayton, Rev E
Green

ANNUAL STATEMENT - APRIL 2013		-
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HIGHLIGHTS

1. Main income continues to be from the letting of the Reading Room and the Poor's Lane
2. The long term tenant of the Reading Room terminated the lease in Dec 2012
3. A comprehensive programme of essential modernisation and repair (using local builders) is underway at the Reading Room which will significantly deplete the Charity's funds (CURRENT ESTIMATE £25,000)
4. The Reading Room should be available for re-letting by June - it is essential that income generated again soon from that source
5. The Charity has engaged solicitors to seek to change its current Scheme with the Charity Commission to allow it to

achieve a more realistic rent for the Reading Room

6. Should we achieve this aim, future income will be used to support appropriate issues "benefit the village as a whole"

7. An increase in annual rent for the Poor's Land has been negotiated (from March 2013), £1760

8. The main costs of the Charity (before the current modernisation project) are maintenance running costs

of the Reading Room

9. Charitable donations and requests for help remain low - Jubilee : Deddington Clinic Building Sanctuary Housing Alarms

DATE	OUTGOINGS	AMOUNT	INCOME	AMOUNT
			Brought Forward	3482.48
2012				
Mar	Mortimore Electrical Services	702		
			Poors Land Rent – Dec 2011	880
			Reading Room Rent – Dec - Feb	1080
April			SSE Wayleaves	29.7
			Reading Room Rent – March 2012	360
			Reading Room Rent – April 2012	360
			Parish Council (ex Lennard Trust)	894.84
May	Village Events Committee	150		
			Dividend ex COIF	2
	Correction	0.2		
			Dividend ex COIF	1.15
June			Reading Room Rent - May	360
	Cheque transfer to COIF	3000		
	C Mortimore (Fan)	66		

July	Mr Loakes (R/R Boiler Service)	70	Reading Room Rent - June	360
			Reading Room Rent - July	360
Aug			Reading Room Rent - Aug	360
			Poors Land Rent - June	880
	Mr Brock (R/R refurb)	265		
	Mr Bourton (R/R refurb)	205		
	Sanctuary Housing (Alarms)	170		
			Interest	1.33
Sept	Dr Ruddock	118.88		
			Reading Room Rent - Sept	360
Oct			VAT Refund - Sanctuary	27.5
			Reading Room Rent - Oct	360
Nov	Valley Handyman	49.5		
			COIF Div	1.33
			Reading Room Rent	360
Dec			War Bond Div	7
	T Clayton (Argos Door)	23.94		
	Valley Handyman (RR Porch)	440		
			Reading Room Rent	360
2013				
Jan			Reading Room Rent	270
	NFU (21.24 + 695.38)	716.62		
	Ackerman & Niece (Oil)	336		
Feb			Poors Land Rent	880
	Mr Loakes	30		
			Sanctuary refund	30
Mar			Transfer ex CCLA	15000
	Trumans, Bicester	720		
	TC - RR Electricity	50		
	TC - Clerk expenses	50		

	TC - Curtains - M&S	180.48		
			Poor's Land balance	1059
	Savills - Poor's Land	876.48		
	CDC - April C/Tax	97.25		
			SSE Wayleave	32.18
			COIF Dividend	2.04
	TOTAL OUTGOINGS	8317.35	TOTAL INCOME	24678.07
			CURRENT BALANCE	19843.2
			FUNDS AT CHARITIES COMMISSION	3071.15
			TOTAL FUNDS AVAILABLE	22914.35