

**MINUTES**  
**of the EXTRAORDINARY MEETING of**  
**FROYLE PARISH COUNCIL**  
held in the Village Hall, Lower Froyle,  
**on Tuesday 7<sup>th</sup> June 2016 at 8.00 pm**

**Present:**

<i>Parish Council:</i> Mr. I. Deans Miss J Gove Mr. I. Macnabb Mrs. J. Wallis Mr MJ Wells Mr. N. Whines	<i>Clerk:</i>  <i>Others: none.</i>
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**ITEM 1 APOLOGIES FOR ABSENCE** Mrs. J. Southern

**ITEM 2 MINUTES OF THE PREVIOUS MEETING**

20 16-17 It was RESOLVED that the Minutes of the meeting of the Parish Council held on 9th May 2016 be accepted as a true record.

**ITEM 3 MATTERS ARISING FROM PREVIOUS MEETINGS**

**9<sup>th</sup> May 2016**

**ITEM 15 MATTERS RAISED BY COUNCILLORS AND OFFICERS**

**15.1 Froyle Park:** 7 11.5.16 Dist.Cllr.Watts Froyle Park: apps removed from Planning Committee pending legal advice re legal advice receive by the FPC. No timescale for these to be heard, but the next Committee is June 16<sup>th</sup>

8 11.5.16 EHDC: S. Baldock Froyle Park: EHDC obtaining a legal view re Legal Advice to FPC re 2013 planning permission at Froyle Park

16 18.5.16 EHDC: Ms. Glass Froyle Park: applications will not now be heard on the 19th May. In the interim, members of the Planning Committee attended a site visit last Friday, to see the site, the proximity of the houses, and to hear the proposed plans to reduce noise levels from the Ballroom. In addition, we saw the site of the proposed car park, and also the memorial garden. We also visited the junction with the A31

42 27.5.16 EHDC: Mr. Baldock telecon: Froyle Park: QC's opinion was not one favourable to FPC, ie there was nothing much to change the view of EHDC

43 27.5.16 EHDC Mr. Baldock Froyle Park: "As discussed I understand we have received confirmation from our Legal advisors, a formal response to the enquiry is being formulated and I estimate this will be with you within a week".

**9.3.2 Annual Return of Accounts** 35 26.5.16 BDO Audit: Re money received from Village Hall for works that FPC paid for: in box 3 of audit form and 'other receipts' in Accounts. Immaterial so BDO will only 'raise an issue'. Noted.

*All items had either already been reported, dealt with, pending or were discussed below.*

**ITEM 4 PLANNING**

**4.1 Planning Applications**

17 18.5.16 Amendment to **24771/007 Allsun**, Husseys Lane, Lower Froyle, Ground floor and first floor rear extensions following demolition of ancillary store. Expired 28.5.16. FPC had objected as before, and written to EHDC regarding the basis for the area calculations, which when corrected resulted in the proposals being over the 50% increase stipulated in Policy H16. There is also a loss of amenity for the neighbouring property.

34 26.5.16 **53484/001 HSE Jasmine Cottage**, Ryebriidge Lane, Upper Froyle, Two first floor extensions to sides with external alterations.

**21 16-17** It was RESOLVED to make no comment on this application.

#### **4.2 Results of Planning Applications** noted.

39 27.5.16 **27454/029 Aldersey House**, LF conservatory to rear after demolition of existing snug CONSENT

40 27.5.16 27454/028 Aldersey House, LF Conservatory to rear after demolition of existing snug PERMISSION

41 27.5.16 **56650 Barn West of Gravelly Wood**, Dippenhall Road, Bentley, Agricultural Prior Notification for change of use of agricultural buildings to C3 dwelling REFUSAL

#### **ITEM 5 FROYLE PARK**

Mr Whines reported that he had written to the Head of Legal at EHDC concerning issues arising from the results of his FOI request.

It was noted that the application for a car park was to be considered by EHDC Planning Committee on 16<sup>th</sup> June despite the fact that the legal issue regarding the use of Froyle Park is outstanding as there has been no response to FPC's QC's Advice and none to the queries raised by FPC in November. It had been noted that EHDC appears to be using the opinion of the Nicolas James Group Counsel to compose a response to FPC Counsel, even though the matter is between FPC and EHDC. It was thought that there is no legal method of enforcing planning conditions, but if there were to be a judicial review finding against EHDC, EHDC would have to comply. The business case for Froyle Park was not originally made on unrestricted use because there was no existing use.

It was agreed to write to EHDC thus:

Further to our letter of 28th March 2016 enclosing our Counsel's advice regarding the planning approval for Froyle Park, we received yesterday notification from Lesley Wells explaining that you are not yet in a position to make a formal response. We were told that we could expect a response by the end of last week (email from Mr. Baldock, 27.5.16) and convened an extraordinary meeting last night especially to discuss it. We would be concerned at the length of time this matter is taking and would ask for clarification on the following points:

1. The date we can expect a formal response from EHDC. It has now been ten weeks since we sent our letter, which seems an entirely unreasonable length of time for a response to be forthcoming. Could you please advise us as to the reasons for this delay.
2. Confirmation that we will have sufficient time (21 days) to consider your response before the car park application goes to Planning Committee.
3. Explanation of how EHDC have received their own independent advice on our Counsel's advice. We presume that this will form the basis of your response and trust that your counsel's advice will be included in your response, in its entirety.
4. We understand that EHDC have received legal opinion from NJG (Lesley Wells' email refers to "counsel's opinion on behalf of the company"). We presume that in order to develop this opinion they have had sight of FPC Counsel's letter, and therefore we feel it would be only right for us to see their Counsel's response. Please could you send this by return.

#### **ITEM 6 REPORTS BY OFFICERS AND COUNCILLORS** None

#### **ITEM 7 OTHER MATTERS** None

#### **ITEM 8 CORRESPONDENCE RECEIVED**

A list of the correspondence received since the agenda for the meeting of 9.5.16 had been prepared had been enclosed with the agenda. Some matters did not require any action, and some items had already been circulated to councillors. Other matters, some of which the papers were at the meeting, were noted below:

526 5.5.16 EHDC : Local Plan: Housing & Employment Allocations and Planning Contributions and Community Infrastructure Levy (CIL) Supplementary Planning Document

- 1 9.5.16 HALC Housing and Planning Bill: Consideration of Amendments Briefing on the Neighbourhood Right of Appeal amendment
- 13 18.5.16 Bembridge Parish Council Playground repair info: lengthsman
- 14 18.5.16 Droxford Parish Council Playground repair info: resident tradesmen but depends on workload/volunteers or councillors can/should do it, but people taken for granted.
- 15 18.5.16 Chandler's Ford Parish Council Playground repair info
- 19 19.5.16 Bishop's Waltham Parish Council Playground repair contact: Richard Randall, Dick Randall Services, 07766 240161, dickrandall@hotmail.co.uk
- 21 19.5.16 Littleton & Harestock Parish Council Playground repair contact: recommended by Winchester CC Vita Play/Simon White
- 22 19.5.16 Whitehill TC Playground repairs, recommend: Vita Play Ltd, 12 Momford Road, Oliver's Battery, Winchester, SO22 4LE, 01962 620874, info@vitaplay.co.uk, www.vitaplay.co.uk, quarterly inspections, follow-up report, instruct them to do repair/maintenance work. In the interim, maintenance man reports for Vita Play. They recommend Vita Play
- 23 20.5.16 EHAPTC Letter from Chief Executive, HCC re "devolution"
- 24 20.5.16 EHAPTC Agenda for 8 June & "devolution" note
- 26 23.5.16 HALC "Devolution"
- 27 23.5.16 HCC newsletter on minerals and waste policy in Hampshire.
- 28 23.5.16 HCC consultation on local government in Hampshire/policy on traffic management schemes lets local councils make decisions/Consultation on Household Waste Recycling Centres until 25 May
- 30 24.5.16 Fair oak & Horton Heath PC Playground maint: Small jobs by two groundsman who can weld small items, specialist welding would get someone in, serious defect, would call in a playground company or a specialist company.
- 38 27.5.16 EHDC NOTIFICATION OF ADOPTION OF THE ALTON NEIGHBOURHOOD DEVELOPMENT PLAN UNDER THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012
- 44 27.5.16 EHDC NOTIFICATION OF ADOPTION OF THE BENTLEY NEIGHBOURHOOD DEVELOPMENT PLAN UNDER THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012
- 52 1.6.16 Otterbourne PC Playground maint: Otterbourne Parish Council undertakes minor repairs such as adjusting the swing time of a gate or filling in a small wetpour gap, but otherwise has a specialist company to repair equipment. Vita Play is our closest one for this or we use the supplier, but neither are cheap and we now build about £1,000 per annum into our precept for youth and play facility repairs
- 53 2.6.16 Hants Constabulary survey which will help prioritise police work between July and September in and around Alton
- 54 2.6.16 HALC Hampshire devolution

## **ITEM 9 MATTERS RAISED BY COUNCILLORS AND OFFICERS**

**9.1** It was noted that an anonymous note to Upper Froyle residents and on the parish council noticeboards referring to a party at **Froyle Park** had been thought by some to be from the parish council but it was not.

**9.2** Mr. Deans reported that the **Speedwatch** group had met with Hampshire Highways regarding width restrictions on lorries, traffic calming and costs. HCC are to put forward a costed proposal for advice on the measures available.

**9.3** Mr. Robertson had requested £200 grant from FPC for **first aid training**. It was agreed to make this grant.

## **ITEM 10 MATTERS RAISED BY RESIDENTS**

The matter of cyclist time trials though Froyle on one of the Froyle gardens open day was mentioned.

## **ITEM 11 MATTERS FOR REPORTING IN VILLAGE MAGAZINE**

## **ITEM 12 DATE OF NEXT MEETING**

Ordinary PC	11th July 2016 (Monday)
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The meeting closed at 9.50 pm.

*Date*.....

*Chairman*.....