

**OSGATHORPE PARISH COUNCIL  
MINUTES OF THE MEETING  
HELD AT HARLEY HALL  
TUESDAY 16<sup>th</sup> November 2021  
19.00hrs**

<b>Present:</b>	Cllr Martin Buczkiewicz (Chair) Cllr Jim Elson (Vice Chair) Cllr Mike Fairlamb Cllr Andrew Bate Cllr Jill Ella  Mrs Clarke – Clerk to the Council																																																																																								
<b>Also, in attendance:</b>	Five members of the public, sixth joined at 19:35																																																																																								
<b>Apologies:</b>	Police Speaker																																																																																								
<b>Council Meeting:</b>	.																																																																																								
<b>40/ 2021</b>	<b>Police Speaker</b> - No update provided.																																																																																								
<b>41 /2021</b>	<b>Neighbourhood Watch</b> <b>Kevin Legg</b> , the lead person for the Osgathorpe NHW scheme, is unable to make the meeting tonight but has asked that the following report is read out to Parish Councillors and villagers present at the meeting.  =====																																																																																								
	<b>Reported crime since last Parish Council (PC) meeting</b>  There have been 4 reported crimes since the last PC meeting held in July.  June = 0 July = 1 (Theft) August = 3 (Theft, Public Order, Violence & Sexual Offences) September = 0  The current position, as at the 30th September 2021, is shown below.																																																																																								
	<table border="1"> <thead> <tr> <th></th> <th>2021</th> <th>2020</th> <th>2019</th> <th>2018</th> <th>2017</th> <th>2016</th> <th>2015</th> </tr> </thead> <tbody> <tr> <td>Anti-Social Behaviour</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>3</td> <td>7</td> <td>0</td> </tr> <tr> <td>Bike Theft</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Burglaries (includes residential &amp; commercial buildings)</td> <td>1</td> <td>0</td> <td>6</td> <td>2</td> <td>6</td> <td>4</td> <td>7</td> </tr> <tr> <td>Crime Damage &amp; Arson</td> <td>0</td> <td>1</td> <td>3</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Other Crime</td> <td>0</td> <td>1</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Public Order</td> <td>2</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Theft</td> <td>2</td> <td>1</td> <td>2</td> <td>0</td> <td>3</td> <td>0</td> <td>0</td> </tr> <tr> <td>Vehicle Crime</td> <td>0</td> <td>2</td> <td>1</td> <td>0</td> <td>2</td> <td>1</td> <td>2</td> </tr> <tr> <td>Violence &amp; Sexual offences</td> <td>5</td> <td>3</td> <td>2</td> <td>2</td> <td>2</td> <td>1</td> <td>0</td> </tr> <tr> <td><b>Total</b></td> <td><b>10</b></td> <td><b>9</b></td> <td><b>14</b></td> <td><b>4</b></td> <td><b>16</b></td> <td><b>13</b></td> <td><b>9</b></td> </tr> </tbody> </table>		2021	2020	2019	2018	2017	2016	2015	Anti-Social Behaviour	0	0	0	0	3	7	0	Bike Theft	0	1	0	0	0	0	0	Burglaries (includes residential & commercial buildings)	1	0	6	2	6	4	7	Crime Damage & Arson	0	1	3	0	0	0	0	Other Crime	0	1	0	0	0	0	0	Public Order	2	0	0	0	0	0	0	Theft	2	1	2	0	3	0	0	Vehicle Crime	0	2	1	0	2	1	2	Violence & Sexual offences	5	3	2	2	2	1	0	<b>Total</b>	<b>10</b>	<b>9</b>	<b>14</b>	<b>4</b>	<b>16</b>	<b>13</b>	<b>9</b>
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	<b>Information issued to villagers</b> 16th July = Horse Tack Marking Event at Ellistown on 14th August 2021																																																																																								

	1st October = Rural policing and crime prevention event -9th October 2021
<b>42/2021</b>	<b>Minutes of the Previous Meeting</b>
	Following this review of the minutes of the previous meeting Cllr Buczkiewicz proposed the minutes for the September PC meeting as a true and accurate representation. Seconded by Cllr Fairlamb. Unanimously approved.
<b>43/2021</b>	<b>Matters Arising / Clerks progress report</b>
	Mrs Clarke gave an update on the actions within the current action log. The document will be updated and added to the website. <b>ACTION Mrs Clarke.</b>
<b>44/2021</b>	<b>Financial Matters</b>
	<p>Mrs Clarke gave a summary of the accounts, presenting bank reconciliations for all three accounts.</p> <p>Current account £3,685.32 Reserve account £2,504.76 Play area account £8,591.70</p> <ol style="list-style-type: none"> <li>1. Cheques / payments <ol style="list-style-type: none"> <li>a. Harley Hall for July &amp; Sept £50</li> </ol> </li> <li>2. Deposits. <ol style="list-style-type: none"> <li>a. Sept. Precept received £2,320.93</li> </ol> </li> </ol> <p>No invoice received for the hire of Harley Hall for the November meeting. Cllr Bate to contact the administrator. <b>Action Cllr Bate</b></p> <p>The 2022/23 Precept will need to be agreed at the January meeting, Mrs Clarke to draft and circulate ahead of the meeting. <b>Action Mrs Clarke</b></p>
<b>45 /2021</b>	<b>Planning Matters</b>
	<ol style="list-style-type: none"> <li>1. Planning responses in progress: <ol style="list-style-type: none"> <li>a) 21/01667/FUL 132 Ashby Road</li> <li>b) 21/01884/FUL 71 Main Street (old Surgery)</li> </ol> </li> <li>2. Planning responses received: <ol style="list-style-type: none"> <li>1. 21/01667/FUL 132 Ashby Rd</li> </ol> </li> </ol> <p>Cllr Bate updated the Council on the Orchard House planning application, there has been an amendment to planning and the garage has been removed from the application. The official notification from NWLDC has not yet been received.</p> <p>The Main Street development (Planning permission reference 19/00984/REM) is due to complete at the end of November and will remain on the agenda for the next meeting. No update received on the affordable homes.</p> <p>Village design statement. The Parish Newsletter gave a useful timeline, this will be circulated to the Cllrs. <b>Action Cllr Buczkiewicz</b></p>

	Land opposite Vine House. A meeting was held with NWLDC and LCC, the latter in its role as Lead Local Flood Authority. Awaiting feedback from both NWLDC and LCC.
<b>46 /2021</b>	<b>Correspondence</b>
	The following correspondence was received and reviewed.  1. Website query, how to search for historical planning applications
<b>47 /2021</b>	<b>Cemetery Maintenance</b>
	A concern was raised about the fruit trees wilting after a dry spell, Cllr Fairlamb watered the trees over a few days and they have recovered.
<b>48/2021</b>	<b>Play area</b>
	Cllr Ella updated the Council on the condition of the Play area, no issues to raise.  The required maintenance to the SUD scheme has not been undertaken. The PC agreed that a previously drafted letter be sent to Roy Green Surveyors. This letter sets out the legal obligations entered into by the Osgathorpe Grange Management Company Limited. Proposed by Cllr Buczkiewicz, seconded by Cllr Elson. <b>Action Mrs Clarke to send the letter.</b>  Cllr Ella proposed a log of work to be kept for the play area, to include grass and hedge cutting. <b>Cllr Ella to implement.</b>
<b>49 /2021</b>	<b>Highways and Footpaths</b>
	Main Street / Orchard Close has been discussed with NWLDC civil engineer and will largely remain open, it will need to be fully closed to lay the tarmac but this is only for half a day.  A parishioner has raised a query about landowner footpath maintenance. Cllr Buczkiewicz. Has sent across the relevant information.  Church Lane was closed for two days whilst a replacement water main was laid to Harley House. Unfortunately, this coincided with the refuse collection day, which resulted in resident's bins not being emptied for a further period.
<b>50 /2021</b>	<b>Website and Village Voice</b>
	No update
<b>51 /2021</b>	<b>Other Village Items for Discussion</b>
	Moneys Available to the Parish Council as a Consequence of Planning Permission being Granted for 16 Houses off Dawson's Road Background Information <ul style="list-style-type: none"> <li>Planning permission was granted for the development of 16 houses on land adjacent to Dawson's Road on the basis that this would allow the Storey Arms to be 'saved' for the village. The applicant paid £300,000 via a legal agreement. £200,000 of this money could only be used to purchase the Storey Arms. The balance of £100,000 was available for the Parish Council to expend on 'the retention, maintenance, improvement and/or creation of new village facilities, including renovation of the Storey Arms.' The legal agreement made provision for moneys to be repaid to the applicant if they were not expended by the District or</li> </ul>

County Councils within 5-years of the payments being made to them. The Parish Council was not a party to this contract.

- Chevin Homes paid the £300,000 to the District Council in December 2015.
- Following representation by the Parish Council the District Council obtained Counsel's opinion as to whether the £300,000 was subject to the 5-year claw back period. The Counsel's opinion was that it wasn't. Furthermore, Counsel advised that the District Council was only holding the money 'in-trust' for the Parish Council and was legally unable to repay any of the £300,000 without the Parish Council's express permission.
- The Storey Arms was placed for sale in 2017. The owner declined all offers made by/on behalf of the Parish Council.
- In March 2021 Chevin Homes advised the District Council that as the 5-year period had lapsed it wanted the unspent balance of the £300,000 to be returned to it.
- The District Council disagreed with Chevin's interpretation of the legal agreement but agreed to enter into a dispute resolution procedure set out in the contract. The Expert appointed ruled in favour of Chevin Homes. The District Council has informed the Parish Council that it intends to repay c£293,000 (the balance of the £300,000) to Chevin Homes in the near future.
- Current Position the Parish Council needs to decide what actions it wishes to take in the light of the above.
- An Extraordinary Parish Council meeting is being arranged for the 2<sup>nd</sup> December 2021 at 7pm in the Harley Hall.

#### **Action Mrs Clarke to draft the agenda**

##### The Storey Arms

- The Parish Council will be seeking input from the Osgathorpe Community Pub Group Limited regarding future initiatives relating to the possible purchase of the Storey Arms.

##### Allotments.

- NWLDC have responded that they are currently not in an position to dispose of land that may be available. There is apparently no option for the Parish Council to appeal this decision.

##### Broadband.

- The village has fibre to the cabinet broadband connectivity. The cabinet is located near to the telephone exchange on Main Street. Distribution from the cabinet to houses is via copper wires. Whilst properties in close proximity to the cabinet have reasonably good Superfast Broadband properties further away suffer from low speeds, e.g., Church Lane, St Mary's Close etc.
- Enquiries have been made about the possibility of an additional cabinet being installed at the junction of Dawson's Road and Church Lane. We are advised that no more cabinets are being installed and all future connections will be via fibre to the premises.
- Because the village is deemed to have Superfast Broadband and an [unknown] operator has apparently advised that it intends installing fibre to the premises grants aid is not available. Openreach has quoted a price of about £900 per property to install fibre to the premises into all, or part of the village.
- Cllr Bate is undertaking further investigations.

	<p>Harley Hall.</p> <ul style="list-style-type: none"> <li>• At the HCT meeting it was proposed that the PC take on the administration of the Harley Hall as the resident in Harley House no longer wishes to have responsibility for it. If the PC agree the HCT will draw up the Heads of Terms. The HCT plan to redecorate the hall prior to the handover. The PC would pay a rent of £100 pa to HCT, be responsible for water and electricity costs and Public Liability, however the HCT will pay the building insurance.</li> <li>• The PC believe the Hall is a village community asset and HCT has agreed to a wider range of uses. Cllr Buczkiewicz proposed the PC agree to take on administration of Harley Hall, seconded by Cllr Bate, unanimously agreed. <b>Action Cllr Bate to liaise with Mr Phillipson with regard to the utility costs.</b></li> </ul> <p>Poppies Thank you to Jim Elson, Kevin Atkins and James Emerson for putting up the Poppies. Thank you to Henry Buss for tidying the kiosk library.</p> <p>Snarrows Lane Another dead cat has been found on Snarrows Lane. Cllr Buczkiewicz to include reference to this in the Village Voice.</p>
<b>52 /2021</b>	<b>Public Participation (10 mins)</b>
	<p><b>HCT update.</b> Work is nearing completion.</p> <p>Mr Marshall informed the Council that the batteries in the Defib by Harley Hall will need changing in December 2021. The batteries will cost £286.80</p> <p>Mr Phillipson questioned why the Parish Council had not previously recorded that Chevin Homes had requested repayment of the unspent portion of the £300,000. Mr Phillipson also enquired why the matter had not been included as an agenda item on PC meetings and why has the PC Chairman repeatedly said he was confident that the pub purchase will go ahead?</p> <p>The Chairman declined to address Mr Phillipson's questions as the matter is still ongoing. Cllr Bate proposed that the questions be minuted and responded to at the extraordinary meeting.</p>
	<b>Date of next meeting</b>
	<p>2<sup>nd</sup> December 2021 [Extraordinary Meeting] 11<sup>th</sup> January 2022 8<sup>th</sup> March 2022 3<sup>rd</sup> May 2022</p>
<b>Signed by Chairman</b>	
<b>Date</b>	