

## Quinton Parish Council

### Ordinary Parish Council Meeting

Tuesday 3<sup>rd</sup> December 2019

Quinton Village Hall 7.30 pm

Present: Cllr Robert Spooner (Chairman)

Cllr Kathy Clarke

Cllr Paul Milliken

Cllr Chris Watson

Mrs M Norman (Parish Clerk and Responsible Financial Officer)

Also present: Cllr Izzi Seccombe and 15 members of the public

1	<p><b>Apologies:</b> Apologies for absence were received from Cllr Caroline Barton, Cllr Rob Clark, Cllr Edward Fitter, Cllr Abigail Taylor and Cllr Rebecca Hall and were accepted by the Council.</p>
2	<p><b>Declaration of interests</b> The Chairman stated that he would refrain from voting in relation to item 7 as the owners of The Old Vicarage were known to him personally.</p>
3	<p><b>Minutes of the previous meeting:</b> The minutes of the meeting of the 15<sup>th</sup> October 2019 were agreed as an accurate record and signed by the Chairman.</p>
4	<p><b>Questions from the public:</b> A member of the public raised his concern about the lane leading to Deerfield Farm which was in a very poor condition. The vehicle entrance was blocked by mud and debris which posed a danger to riders and cyclists. The Chairman suggested that he report the matter directly to Warwickshire County Council. Cllr Milliken said he would report it.</p>
5	<p><b>Quinton &amp; Marston Sicca Planning Investigation Committee:</b> The Chairman made a statement regarding the current status of the investigation into the development at Marston Edge (see Appendix A attached).</p>
6	<p><b>Any matters from the Chairman:</b> The Chairman said that Cllr Taylor was going to investigate possible ways of celebrating VE Day 2020 and hoped she would receive support from residents. The Chairman is also anxious to get anti parking posts installed outside the Post Office in Lower Quinton and is waiting for information from Warwickshire County Council. The posts would be the same as those recently installed by WCC outside the school. The Council had submitted its response to the green bin survey, though only 9 residents had informed the Council of their views. The drainage ditches are causing problems, particularly those on the Goose Lane site. It was noted that some drains are blocked by hedge clippings which have not been cleared away. Cllr Fitter</p>

	<p>would be asked to pursue this with the relevant authorities. Bromfords would be contacted to ask them to deal with the on site drains.</p> <p>The Chairman asked Cllr Milliken to provide an update on the Neighbourhood Plan. Cllr Milliken said that the draft Plan had been sent to the consultant for his final advice. Once complete, the Parish Council would be asked to give its formal approval to the document before forwarding it to Stratford District Council. Cllr Milliken anticipated that the draft should be ready in time for the next meeting in January.</p> <p>The Neighbourhood Plan Steering Committee had also been approached by Redrow, who wish to develop at the back of the Medical Centre. The Committee will consider their proposal, and consult with the public. Cllr Watson also reported on an approach he had received from Jonathon Thompson Land &amp; Consultancy Ltd, who would like to present their proposals for development at Airfield House and Tailor's Lane. Cllr Watson said that he would arrange for the agent to attend the next Parish Council meeting.</p>	
7	<p><b>Granting of easement to The Old Vicarage:</b> The Council resolved to grant an easement (in so far as it was in its power to do so) over Parish Council land for the benefit of the owners of The Old Vicarage. The Chairman and Vice Chairman were authorised to sign the deed of easement on behalf of the Parish Council. The Council noted the grantees' agreement to pay the Parish Council's fees for the drafting of the easement.</p>	
8	<p><b>Legal fees:</b> The Council approved an interim payment of £750 +VAT to Shakespeare Martineau for work done on registering Parish Council land at the Land Registry. The Council also approved the payment of £364.40 to Simon Wilkinson, surveyors, who had drawn up the plans for submission to the Land Registry.</p>	
9	<p><b>Rural Housing Needs Survey:</b> After discussion it was resolved to adopt the recently completed Rural Housing Needs Survey. The Council noted that this was an essential piece of evidence for housing policies within the Neighbourhood Plan, and could be used by Stratford District Council as a material planning consideration when assessing planning applications.</p>	
10	<p><b>£106 monies re 14/01449/OUT land at corner of Main Road:</b> The Council resolved to accept the offer of £12,844.68 for the enhancement and upgrade of existing recreational facilities in Quinton. The Council agreed that it would not accept the offer of £14,326.76 for the provision of a Local Equipped Area for Play as the funds offered were insufficient. It was agreed that the Council would consider requesting a variation of condition from Bromford, to be ratified by Stratford District Council and Warwickshire County Council. At its next meeting, the Council would consider projects which would benefit the village and submit these for consideration to Bromfords.</p> <p>The Chairman varied the order of the agenda in order to hear the County Councillor's report.</p>	
12	<p><b>District and County Councillors' reports:</b> Cllr Seccombe said there had been many flooding incidents throughout the county following the recent very heavy rainfall. A total of 35 houses had been flooded. She informed the Council about the work of the Flood Group, who liaised with landowners to create flood defences. There was, as yet, no further news on the South West Relief Road.</p>	

11	<p><b>Draft precept:</b> The Council began preliminary discussions on the precept. Some projects were discussed. It was agreed that costs of all proposed plans would be ready for consideration at the next meeting in January, prior to the finalisation of the precept demand.</p>
13	<p><b>Planning applications:</b> The following planning applications were considered:</p> <ul style="list-style-type: none"> <li>i) 19/02748/FUL 9 Dobbie Road, Upper Quinton: proposed two storey extension to side and rear and a single storey rear extension including a demolition of the existing single storey structure. <b>No objection</b> was made to this application.</li> <li>ii) APP/J3720/D/19/3236285 11 Gundulf Road, Meon Vale: Appeal against Stratford District Council’s refusal to allow demolition of garden wall and construction of wood fencing in revised position along south and west boundaries. <b>No further representations</b> were made.</li> <li>iii) 19/02869/FUL Twiga House, Lower Quinton: proposed side extension to link the main dwelling house with the outbuilding. <b>No representation</b> was made to this application.</li> <li>iv) 19/03072/REM Land adjacent to Quinton House, Lower Quinton: reserved matters (appearance, layout and scale) pursuant to planning permission 19/00833/OUT for the erection of one dwelling. <b>No representation</b> was made to this application.</li> <li>v) 19/03164/FUL 1 Hill Lane, Upper Quinton: proposed ancillary accommodation. It was resolved to make <b>no representation</b> in respect of this application.</li> <li>vi) 19/02523/FUL Lay by Campden Road, Lower Quinton: re proposed installation of 22.5 monopole; proposed reduction in height of palisade fencing from 3m to 2m. For <b>information only</b>.</li> </ul> <p>And to receive the results of any planning applications:</p> <ul style="list-style-type: none"> <li>i) 19/02014/FUL 60 St Swithin’s Drive, Lower Quinton: permission <b>granted</b> for creation of vehicular access.</li> <li>ii) 19/002422/FUL Garage Blocks, St. Swithin’s Drive, Lower Quinton: permission <b>granted</b> for construction of three dwellings and associated works.</li> </ul>
14	<p><b>Reports from Council members on outside bodies:</b> There were no reports to be made.</p>
15	<p><b>To receive receipts and payments records for the quarter:</b> The Council received the receipts and payments records previously circulated and agreed them as an accurate record.</p>
16	<p><b>To receive any correspondence:</b> The clerk mentioned correspondence received concerning blocked drains on Tailor’s Lane.</p>
17	<p><b>Councillors’ reports and items for future agenda.</b> Jonathon Thompson, of JT Land &amp; Consultancy Ltd, would attend the next meeting to present his proposals.</p>
18	<p><b>Accounts for payment and finance matters:</b> The following payments were noted and approved:</p> <ul style="list-style-type: none"> <li>i) BT (broadband) - £56.99</li> <li>ii) R Spooner (Harvest Festival contribution) - £28.12</li> <li>iii) Clerk’s salary - £**</li> </ul>

- iv) Thomas Fox (grass cutting August) - £1,881.96
- v) The Bureau ( website alterations) - £36.00
- vi) HMRC (income tax) - £\*\*
- vii) Thomas Fox (grass cutting) - £1,679.02
- viii) Village Hall (hall hire) - £48.00
- ix) Avon Planning (Neighbourhood Plan) - £306.00
- x) BT (broadband) - £56.99
- xi) Clerk's salary - £\*\*
- xii) Information Commissioner ( Data Protection) - £40.00
- xiii) M Norman (stationery) - £14.31

The Chairman and Cllr Milliken signed the supporting documentation.

The meeting closed at 9.00 pm. The next meeting would take place on Tuesday 21<sup>st</sup> January 2020.

Appendix A (Chairman's statement re item 5)

"Earlier this year I wrote in St Swithin's News that Quinton and Marston Sicca Parish Councils had created a joint committee to investigate planning matters associated with the land known as Marston Edge. That investigation would be based on fact not speculation nor emotion. This is an interim statement as our investigation has not yet reached its conclusion. Whilst a caravan is considered by most of us to be a wheeled vehicle for living or travelling in, especially for holidays, that contains beds and cooking equipment and can be pulled by a car, under the Caravan Act it is in fact "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer). A park home can be covered by the word "caravan". In July 2018 following resident comment regarding adverts being placed at Marston Edge for around 55 Park Homes, I wrote to SDC requesting clarification as planning applications had referred to glamping pods and touring caravans. It transpired that SDC had already commissioned a legal review relating to planning at Marston Edge and in October Robert Weeks sent to me correspondence previously shared with Marston Sicca which included barrister's opinion on Marston Edge planning decision. In conclusion, the report quoted the potential cost of compensation of around £11 million were SDC to rescind planning permission and lose any appeal. This would have been a huge risk with public money. During October 2018 I made contact with Marston Sicca PC whose eastern boundary is immediately adjacent to Marston Edge to discuss the issue and in November Quinton and Marston Sicca Parish Councils decided to create a joint investigation committee to look into both the permission granted for glamping pods etc that had become a site for park homes and the permission for a three bedroom, bathroom plus en suite annexe with study, living area and balcony over four garage spaces which had been included in the same planning applications. It is stated on one of the applications that the residents of the annexe will not be paying any Council Tax. Regarding the Park Homes, whilst the number of dwellings falls within the number requirements for CIL there is no financial contribution to infrastructure when each individual plot is below the threshold of 100 square metres. The joint committee made contact with SDC and some members met with the leader of the council and the then Chief Executive who agreed to put in place an independent external investigation; our committee met with the appointed investigator a few weeks later. At that first meeting with the SDC senior team, we raised two specific areas of concern. These were the glamping pods and caravans which had turned into Park Homes and the substantial annexe. In agreeing to our request, SDC said that the primary objective of the investigation would be to establish if the proper planning process had been followed and to identify any omissions, errors or wrong doing that may have breached the Council's policies and procedures. Part of the material given to the external investigator were four sworn affidavits. I quote part of one of those

statements made by a resident of Welford Park: "In the process of organising an appeal against the SDC decision to refuse the application ref no. 18/0113/LDP I was initially contacted by Mr Nicholas Allen of Avon Estates who visited my property on 28th September 2018, whereby he suggested that any appeal against our application refusal would be a waste of time and then suggested that if we (names redacted) paid him the sum of £250,000 he could guarantee to get the restriction removed to enable us to live on the site for the full 12 months of the year and at a subsequent meeting with residents, he stated that this fee was paid to him by both the owners of Welford Chase holiday park, and Mr Mike Brain from Marston Edge caravan touring and camping holiday park." Persons with significant control at Marston Edge as showing today, the 03rd December, 2019 and first dated 13th February, 2018 are Mrs Jeanette Ann Brain and Mr Michael Brain each showing under ownership of shares to have more than 25% but not more than 50%. We have today been informed in writing of SDC's comments in relation to the investigation. They say that the proper planning application and approval processes were adhered to in connection with the land. The necessary permissions that were granted in respect of siting and occupying caravans on the land were intended for touring caravans / camping tents and not the siting and all year round occupation of park homes. However, this committee are not satisfied and have a number of questions we would like answered. In particular whilst we note that whilst the planning applications were made in the name of SDC employee Mrs Brain, it is difficult to believe her husband who at the time was the serving District Councillor for the ward and had long associations with planning matters where he ought to have known the legal meaning of caravan did not see and recognise the restrictive occupancy condition omission and question it with SDC. In addition we expect an extremely high degree of vigilance in processing planning applications when the applicant was not only a member of staff of SDC but was also married to a District Councillor who happened to be a member of the planning committee. That no Council Tax will be payable on the three bedroom, bathroom plus en suite, study, living area, balcony and four covered car park spaces of the so called annexe to the four bedroom main house rubs salt into the wounds of seeing the carbuncle on the landscape that Marston Edge Park Home development has already become and which will increasingly add to the strains of our local infrastructure whilst its Park Home residents will pay the lowest levels of council tax. Another area of concern relates to the discrepancy between the processing of conditions at Welford Park and also a planning application for 27 pitches for a touring caravan park and ancillary building at The Moat, a location on the Chipping Campden Road just north of Marston Edge which was refused. Case Officer was the same for some of Marston Edge applications and The Moat. The refusal notes that it "would have a detrimental visual impact on the character of the area when in use..." Also "The increase in vehicles associated with the use of the proposed caravan site would be detrimental to highways safety..." We challenge why the same argument did not apparently relate to Marston Edge especially when the case officer had involvement in both sites. This planning refusal went to appeal where the Inspector overturned the planning refusal. The Appeal Inspector's approval conditions stated: 5) The site shall not be used for the stationing of caravans other than during the period between 31 March and 1st October. 6) The caravan pitches hereby permitted shall be occupied for holiday purposes by touring caravans only, and shall not be occupied by static caravans or mobile homes as a person's sole or main place of residence. We are further at a loss as to why such fundamental conditions were not applied to Marston Edge when The Moat planning application already had them? Welford Chase which is within the Avon Estates portfolio has unrestricted year round living yet Welford Park, not an Avon Estates site and referred to earlier, does not. The Inspector currently considering this restriction has recently decided that the matter is now to be heard at a Public Inquiry. SDC's external investigation was completed early November 2019 and the results verbally presented to two members of our committee by the investigator at a meeting with SDC's Monitoring officer and the new Chief Executive. The Committee has not closed this investigation and will continue to explore matters. We are open to any pertinent, factual information brought to our attention to assist us."

Chair Quinton Parish Council  
Chair Quinton and Marston Sicca Joint Investigation Committee.  
03rd December, 2019.

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