

BENSON PARISH COUNCIL

Parish Hall, Sunnyside, Benson, Wallingford. OX10 6LZ

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Minutes of the Extraordinary Meeting of Benson Parish Council held on Tuesday 8th May 2018 at 7.30pm in the Parish Hall Lounge

Present:	Cllr P Baylis	(CPB)	Chair
	Cllr R Jordan		(CRJ)
	Cllr F Lovesey		(CFL)
	Cllr P Murray		(CPM)
	Cllr D Olley		(CDO)
	Cllr C Robinson		(CCR)
	Cllr M Winton		(CMW)

Proper officer: Dianne Brooks (CLK)

MINUTES

- 1. Apologies:** Cllr S McCann, Cllr T McTeague, Cllr B Pattison, Cllr T Stevenson, Cllr R Workman
- 2. Declarations of Interest** – There were no declarations of interest
- 3. Public Session** – One member of the public was present plus a reporter from the Henley Standard

The member of the public stated how important it was to retain any public green space in Benson. He understood the problem of dog fouling but felt this could be dealt with in other ways and he would personally be very disappointed if the field was not left accessible to all.

- 4. To discuss the fencing off of the school field.**

Members reviewed the content of an e-mail from Cllr Robinson which noted the following points:

The original lease between Benson Parish Council and the Trustees of the Land on which the Youth Hall sits has obviously expired. As long as neither party gives notice on the original lease, then it will continue to run until either party does give notice. It normally runs on a month by month basis. CCR believes notice to terminate can be just a few months' notice from either party.

The original conveyance (sale of land to the Trustees for the children of Benson Primary school) does not mention anything about being for the Youth or people of Benson. It expressly states it is for the children of Benson Primary School and to be used for their interest.

A fence erected in a conservation area can be up to 2m tall unless it is next to a footpath or road and then it can reach no more than 1m in height.

If there were to exist access to/from the playing field to the houses on the edge of the school field, this would have been set out in the property owner's Deeds and would be a private matter between the property owners and the Trustees of the playing field.

Other points of note included the triangle of land sold to OCC in order to raise money for the school.

(CPB) The Parish Council had previously investigated rebuilding of the Youth Hall, given its current state but this was not viable as would need at least a 99-year lease on the land. If the lease on the land was to terminate, the building would not need to be removed.

(CPM) If the fencing provides a **new** boundary, alongside a road or path, then planning permission is required. Given the fence is in the conservation area there are certain design and specification guides which are outlined in the Neighbourhood Plan.

Access for the Primary School children should include other groups such as beavers. If access is to be arranged through the school office what happens during school holidays?

It was also pointed out that access has been allowed for many years, and therefore the question arises of whether access is now legal under Rights of Way legislation.

Certain actions were agreed:

Approach OCC for a copy of the original lease (CCR/CLK)

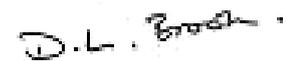
Locate the agreement which underpins the 2004 Land Registry document (CCR/CLK)

Locate the Memorandum of Understanding between the Trustees and the Parish Council. (CPM to approach DR)

Set up a meeting between the School, the Trustees and the Parish Council (CCR & CPM) possibly w/c 12th May. (Clerk)

Members agreed to try to confirm any legal footings from which negotiations could commence with the school and the church. It was generally felt that access for the village should be maintained in some form.

5. There were no other items to note



Dianne Brooks, Clerk

09.05.18