



HART DISTRICT ASSOCIATION OF PARISH & TOWN COUNCILS

**Minutes of a Meeting of the Association held on
Tuesday, 16 July 2024 at 7.30 pm
At Elizabeth Hall, Raven Rd, Hook**

PRESENT

Name		Position	Parish/Town Council
Tony Spencer	TS	Chairman	Yateley
Martin Whittaker	MWh	Secretary	Hook
Sharon Gregory	SG		Crondall
Gareth Saunders	DS		Church Crookham
Bob Schofield	BS		Fleet
Meyrick Williams	MW		Winchfield
Adam Bealey	AB		Rotherwick
David Jackson	DJ		Crookham Village
Simon Ambler	SA		Crookham Village
Stuart Ellborn	SE		Hartley Wintney
Saquib Ramday	SR		South Warnborough
Daisy Khepar	DK		Blackwater & Hawley
Mark Jaggard	MJ		HDC
Robert Pettigrew	RP		HALC

V0.4 14/8/24

		Action
24/13	Introduction and welcome	
24/14	<p>Apologies for absence</p> <p>Apologies for absence were received from:</p> <ul style="list-style-type: none"> • Trish Monks, Blackwater & Hawley • Odiham • Elvetham Heath <p>The presence of 11 out of 21 councils satisfied the quorum of 7.</p>	
24/15	<p>Minutes of the meetings held on 23 January and 16 April</p> <p>The motion being proposed by TS and seconded by SA, the minutes of the meetings were approved unanimously as an accurate record.</p>	
24/16	<p>Matters arising from the Minutes</p> <p>All actions reported as complete except:</p> <ul style="list-style-type: none"> • Conduct at HDAPTC meetings – on Agenda 	

	<ul style="list-style-type: none"> Banking arrangements – TS reported that there had been continual problems with the Lloyds online application. He would arrange to visit the branch, along with SA and MWh as signatories (if available). 	TS/SA/ MWh						
24/17	<p>Hart District Council report - MJ</p> <p>Covered in Parish Questions below.</p>							
24/18	<p>Parish questions for Hart District Council</p> <p>The questions submitted to HDC before the meeting are included, with answers, as Appendix 1.</p> <p>The answers prompted further comment from members:</p> <p>DJ: What action can HDC take for traveller encampments set up over long weekends? MJ: HDC has no resource for weekend/bank holiday working.</p> <p>BS: In a separate conversation Daryl Phillips had offered to organise a workshop on traveller encampments. MJ - will look into this and liaise with the Chair.</p> <p>MW: Estate Agents Boards sited illegally - It's useful to remind the estate agents and quote legislation. MJ: will send a letter template to the secretary for distribution.</p> <p>MWh: There seems to be a tendency to replace 1.8m fences with 2m or higher, often with trelliswork on top. What is the rule, and how does it apply to fences bordering highways on unadopted estates? MJ: should be 1.8m bordering highways – including footpaths. Trelliswork counts as part of the fence. Will look into the situation on unadopted estates and report.</p> <p>MW: Housing targets under the new government – what is likely to happen? MJ: There will almost certainly be a new NPPF. It's likely that national policies will be developed on common issues, eg flooding, rather than each council having to develop and test their own. Other matters are too uncertain at this stage. Will give an update at the October meeting.</p>	<p>MJ/TS</p> <p>MJ</p> <p>MJ</p> <p>MJ</p>						
24/19	<p>Chairman's Update</p> <ul style="list-style-type: none"> Nothing significant to report. 							
24/20	<p>Update on conduct discussions with Hart DC</p> <p>The email sent by TS to HDC, and the reply are included as Appendix 2.</p> <p>MJ added that the planning sessions for clerks are continuing every 3 months. The next one is on heritage matters, on Wed 24 June at 1900 via Teams.</p>							
24/21	<p>Treasurer's report and approval of accounts</p> <p>Due to the issues with banking no report is available. The bank balance currently stands at £778.</p>							
24/22	<p>Election of officers and representatives for 2024/25</p> <table border="1"> <thead> <tr> <th>Position</th> <th>Elected</th> </tr> </thead> <tbody> <tr> <td>Chairman</td> <td>Tony Spencer</td> </tr> <tr> <td>Vice Chairman</td> <td>Simon Ambler</td> </tr> </tbody> </table>	Position	Elected	Chairman	Tony Spencer	Vice Chairman	Simon Ambler	
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	Treasury Function & Financial Governance	To be discussed with HALC	
	Independent Examiner	Claire Inglis	
	Director, HALC Board (usually the Chair of HDAPTC)	Tony Spencer	
	County Executive Representatives	No longer exists*	
	Hart DC Standards Committee Rep 1	David Argent	
	Hart DC Standards Committee Rep 2	Trish Monks	
	Hart DC Standards Committee Rep 3	Julia Ambler	
	Basingstoke Canal Rep	David Jackson	
	Rights of Way & Countryside Access Action Team Rep	Trish Monks	
	Hart DC Community Safety Partnership Rep	Bob Schofield	
	<p>*The County Executive no longer exists. Anybody can attend meetings. These take place every 6 months: one in the evening, one during the day. Attendees can discuss general items at a county level, submit motions and have them debated, listen to what councils are doing, find solutions to common problems. If you wish to attend, email comms@hampshirealc.org.uk.</p> <p>The motion to elect the above posts was proposed by TS, seconded by DJ, passed unanimously.</p>		
24/23	Review of remuneration for Secretary		
	The motion to increase the fee paid to the secretary per meeting to £162 was proposed by TS, seconded SG and passed unanimously.		
24/24	Recruitment of new Secretary		MWh
	As this was MWh's last meeting as secretary, he would circulate the job description to all member councils, asking for responses to be sent to TS and SA.		
24/25	Future management of Basingstoke Canal		DJ
	<p>Gareth Saunders, Church Crookham raised a question:</p> <p>Basingstoke Canal Society - to make other local parish councils that CCPC raised concerns over a social media post that named a number of local parish council that were cancelling their funding from the canal which in CCPC's case is incorrect. Call for the Society to have a better social media policy and to encourage better communication between Hampshire County Council the Canal Society and participating parishes.</p> <p>A motion to ask DJ to write to the Chair of the Society asking for the offending posts to be deleted and a retraction published was proposed by TS, seconded MW, was passed unanimously.</p>		
24/26	Parish Reports		
1.	Fleet (BS)		
	<ul style="list-style-type: none"> Since the last meeting the Council has appointed a new Executive Officer and co-opted two new councillors due to retirements and the Council is now at full strength. 		

	<ul style="list-style-type: none"> Last Saturday saw a very well supported Carnival that is the longest running continuous carnival event in the South East of England. 	
2.	<p>Elvetham Heath</p> <p>Thames Water – Hitches Lane Rising Main Replacement</p> <ul style="list-style-type: none"> TW will be replacing a section of the rising main serving Hitches Lane pumping station between the Fleet Road Railway Bridge and M3. This pipe was laid in the late 1980's and is now suffering from internal corrosion. This has been causing a large number of bursts and leaks. Work is due to start on 11th July and will continue until January 2025. Two public meetings have been held at The Key centre on April 24th and 10th June. For further information see: www.thameswater.co.uk/about-us/projects/improvements-in-your-area/hitches-lane-rising-main-replacement. <p>Lidl Planning Application</p> <ul style="list-style-type: none"> Lidl have submitted another application to build a Lidl store on Elvetham Heath on the old Park & Ride site which is owned by Calthorpe Estates. We held an Extra Ordinary Parish Council meeting on 24th June which was very well attended. The Parish Council have submitted an objection, and this reflected the views of those attending the meeting. Should the Officer be minded to grant, then we have asked that the application goes to committee. <p>Annual Residents Evening</p> <ul style="list-style-type: none"> We held our Annual Resident Meeting after the District Elections. There was a good attendance and as well as taking questions from the floor we had two speakers, The Citizens Advice Bureau and the Hart Rangers. <p>Market 10th Birthday</p> <ul style="list-style-type: none"> Our lovely market celebrated 10 years on 8th June. The day was busy and birthday cake and music added to the celebrations. <p>Concert 29th June</p> <ul style="list-style-type: none"> What a day. Our largest Concert by far. Estimated numbers were over 3000. This is our favourite community event of the year, entrance is free and everyone in Fleet and the surrounding areas are welcome to join us. The sun shone and it was probably the first warm evening of the year. The community spirit was just amazing. 	
3.	<p>Odiham</p> <ul style="list-style-type: none"> We held a very successful beacon lighting event to commemorate the 80th anniversary of D-Day which attracted approx. 350 guests. The event followed the national programme and was only possible thanks to RAF Odiham and community groups. Another successful event was a flag raising ceremony to commemorate the start of Armed Forces Week. Works will soon start to transform unused space on the first floor of The Bridewell Community Hub into a co-working venue. A Lottery grant of almost £20,000 will fund a new kitchenette, a new meeting room, furniture, decoration and TV screen. We have been trialling hot-desk and meeting 	

	<p>space hire for the last year and this work will improve the offer by upgrading the current basic facilities.</p> <ul style="list-style-type: none"> • A review of the Odiham & North Warnborough Neighbourhood Plan is progressing well. The draft submission plan has now been submitted to Hart District Council for the next round of consultation and examination. The consultation period starts 22nd July. • A new Emergency Plan is under development using the template provided by Hart District Council. • We continue receive complaints to the Parish Office about overgrown rights of way. This is despite regular communication informing residents how to report directly to HCC (we are easy to contact as we have a full-time Parish Office in the heart of the Parish), the Lengthsman's scheme and a strong volunteer conservation equipped with power tools. The recent correspondence from Hampshire Countryside Services suggests insufficient funding is going to be an ongoing issue. Should the parishes be expected to fulfil this role? Can HDAPTC do anything to help? 	
<p>4.</p>	<p>Yateley (TS)</p> <ul style="list-style-type: none"> • May Fayre was affected by rain and attendance was reduced. • The general election in Yateley was a historic moment, first time in living memory that both parliamentary seats were won by new MPs from parties who had never won these two seats before. • On 6 June we took part in the beacon lighting on Church End Green and this was attended by Dennis Thatcher, a 98 year old resident who was present at the D-Day landings, along with representatives of the Army and Air Cadets as well as the RBL. • On the following weekend the RBL organised a small rally at the football club where the various local cadet groups were given honorary membership of the RBL. The army cadets put together an assault course for the other units to try, while the air cadets brought along their virtual reality flying program for the army cadets to try. • In late June, the Gig on the Green was another success, although after the Saturday night event there was some fighting in the streets between some youths, who had previously gatecrashed the event, harassing departing guest, which I understand has resulted in 2 cases of GBH and 4 cases of ABH, but we have had no feedback whether anyone has been identified or charged. • The first 2 of the 3 annual Yateley 10k road races took place, with about 50 children taking part in the 1.5k fun run and about 600 in the 10k. The last in the series is on the 1st Wednesday in August. • Plans for the Feel Good Festival 21 September are well advanced, it will cover the 4 areas of well-being: Eat well, Live well, Move well and Be well, and include a colour run and an assault course, with over 50 stall holders covering fitness, healthy foods, recycling, sustainability, mental health, etc. • New contractor for our Christmas decorations this year, they also do Hook's decorations. 	
<p>5.</p>	<p>Crookham Village (DJ)</p> <ul style="list-style-type: none"> • CVPC has co-opted to fill vacancies left after the May election and now has a full complement of councillors. 	

	<ul style="list-style-type: none"> We anticipate that the handover to CVPC of the new Hareshill Community Centre off Hitches Lane will be completed shortly. Hart once again is requesting submission of a list of potential s106 projects in anticipation of future unknown developments. Have any councils found this to be useful? <p>(MWh reported that MJ has requested such a list from Hook – see report below).</p>	
6.	<p>Winchfield (MW)</p> <ul style="list-style-type: none"> WPC raised a concern about the withdrawal of funding by HCC Countryside Services for the annual cutting of selected public footpaths in the parishes. There has been no consultation and PCs will now have to fund the work from their own precepts. WPC proposed that HDAPTC should write to HCC asking for an explanation and clarity on what will happen in the future. <p>Members asked the Chair to write to HCC pointing this out.</p>	TS
7.	<p>Hook (MWh)</p> <ul style="list-style-type: none"> There seems to be grave delays in processing planning applications. HPC's application for the new pavilion was submitted in December, validated in January, has had 3 different case officers and is finally going to committee in July. There are reports of other applications being delayed. <p>(MW reported that they had seen similar delays, and applicants were taking them to appeal)</p> <ul style="list-style-type: none"> The parish had submitted a list of s.106 projects associated with the Geffrey's House development and had then asked for a full list for the parish. SID – we seem to have the most dysfunctional SID in the District and may well ask the experts in South Warnborough for advice. 	
8.	<p>Crandall (SG)</p> <ul style="list-style-type: none"> Following a mixture of elections and co-option (about 50:50) the parish council is up to full strength. Currently working on the 2024-28 business plan, with the second draft being discussed at the July meeting. Antisocial behaviour and vandalism continues to be an issue but less that when we last met. Following input from members of the HDAPTC, the Clerk liaised with other parish councils and private security patrols have also begun in Crandall. In partnership with District Cllr Dorn and the various external bodies, a meeting to discuss flooding is currently being set up with the proposed date being 3rd September. 	
24/27	<p>Any other business</p> <p>None.</p>	

24/28	Date and venue for next meeting: Dates for the next period, every 3 months <ul style="list-style-type: none">• 15/10/24 (Hartley Wintney)• 21/1/25• 15/4/25 (Easter is 20/4)• 15/7/25 (AGM) Meeting closed 2200.	
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Martin Whittaker, Secretary, HartDAPTC@gmail.com

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Appendix 1 – Questions to HDC

1. Gareth Saunders, Church Crookham:

What plans does HDC have to Implement a district-wide injunction against illegal encampments following the recent spate of traveller incursions on site within Fleet and Church Crookham, that that the injunctions put in place by other councils such as Basingstoke have been upheld in the High Court?

Daryl Phillips, HDC response:

Summary

The Council's Overview and Scrutiny Committee is already examining how to engage with local communities to address the need to meet travellers' needs and how an injunction might support any approach.

The Supreme Court has set the bar very high for local authorities. While Basingstoke and Deane Borough Council (BDBC) has obtained a one-year extension to its injunction, it must introduce a stopping policy before seeking renewal.

Injunctions only work where it has been demonstrated that all other reasonable avenues have been explored. Injunctions do not in themselves prevent unauthorised encampments; however, they can significantly assist in their removal.

Under common law, private owners (including parish and town councils) can evict trespassers. Under the Criminal Justice and Public Order Act 1994, parish and town councils can also direct the police to remove unauthorised occupiers from their land in certain circumstances.

One key message is that communities themselves need to be proactive in ensuring that proper permanent and temporary arrangements are made to accommodate the needs of travellers before injunctions are likely to be granted.

The position as it stands at the moment

Our shared legal services colleagues in Basingstoke have been asked how BDBC obtained its injunction and whether Hart could obtain an injunction against unauthorised encampments. We have also contacted Test Valley Borough Council (Test Valley), as it has also secured an injunction.

Shared Legal has given us some initial feedback.

An important point is that BDBC obtained its injunction before the recent Supreme Court case. Background information indicates that BDBC had experienced 158 unauthorised encampments in less than a two-year period before successfully obtaining its injunction. This injunction is limited to only 10% of the Borough where the main problem occurred. To remove travellers from the other 90% of the Borough, it uses section 77 of the Criminal Justice and Public Order Act 1994 like Hart does.

Following the Supreme Court case, the test for obtaining an injunction against unauthorised encampments by unknown persons is much higher. It must now be shown that there is a 'compelling justification' to protect civil rights or to enforce public law that is not adequately met by any other available remedies.

As councils are housing authorities with housing responsibilities towards Gypsies and Travellers (G&T's), to establish the "compelling justification" required for this new type of injunction, Hart would need to address its use of the power to provide sites under section 24 of the Caravan Sites and Control of Development Act 1960; its assessment of relevant need under section 8(3) of the Housing Act; local planning policy, particularly whether the needs of G&T's are addressed by national guidance; their provision of transit sites or other sites such as negotiated stopping solutions

(the lack of which is likely to be a sufficient reason for refusing the injunction) hence, BDBC has had to give an undertaking to the Courts to bring forward a Stopping Places solution/policy for travellers when it applies for a renewal application; and, any engagement and co-operation with the G&T communities in resolving issues.

In any such application, Hart must also address the effectiveness of other types of intervention to demonstrate that an injunction is necessary. These may include Public Space Protection Orders and relevant powers granted to the police and Hart by sections 77-78 of the Criminal Justice and Public Order Act 1994.

The Supreme Court has expressed significant doubt about the justifiability of granting an 'unknown persons injunction' that extends district-wide or for significantly more than a year. Therefore, the BDBC and the Test Valley injunctions are limited to specific target areas for one year only.

2. Gareth Saunders, Church Crookham:

What does HDC intend to do to prevent estate agents' boards being mounted on HDC-owned road signs? CCPC have recently taken action to remove agency boards from road signs as they do not relate to specific properties and have the potential to damage the street furniture.

Mark Jaggard, HDC response:

I think the reference to HDC-owned road signs maybe incorrect. It is Hampshire County Council (HCC) who will own / be responsible for the road signs.

The agent's board can only be located on the property which is being marketed. It is not permitted on street furniture. There should only be a single board unless the property in question is divided into flats.

I understand that our Enforcement team have recently been contacted on a similar matter. They are considering the issue, and whether the boards are causing harm. In line with the Council's Local Enforcement Plan we would only get involved where it was in the public interest to do so.

I understand the team are considering writing to the local estate agents highlight this issue.

Additional Information:

From Trish Monks, Blackwater and Hawley

I usually email the agent with something along these lines:

"I have noticed two of your For Sale boards attached to a street sign on ..., Blackwater.

Schedule 3 of the Town and Country Planning (control of advertisements) Regulations states that property boards must be with the property being advertised or have the permission of the landowner where it is not - this one clearly doesn't comply with either of those conditions, so it will need to be removed.

If it has not been removed by Friday 2nd October I will pass the details on to Hart Planning Enforcement who will take further action. "

Usually works If it doesn't then I contact planning enforcement and that actually does seem to make things happen.

Appendix 2 – Conduct at HDAPTC meetings

1. Email from TS to Daryl Phillips:

Dear Daryl

We held our quarterly HDAPTC at Crondall on Tuesday evening and included on our Agenda was a discussion regarding members' conduct at our meetings.

As Mark Jaggard may have reported to you, the last meeting in January was soured by one particular parish member who badgered Mark with a large number of his own parish-specific questions delivered in a manner which all members present regarded as out of order. In my time on this association I have not seen this member attend any of our meetings before and he possibly turned up at this meeting with an agenda of his own.

Mark handled the questions very well in the circumstances until it got to a point where not only Mark was getting frustrated with the continual badgering but the rest of the members were becoming upset too.

We tried to stop the member going over items that were specific only to his own parish, because we felt they should have been directed at Hart DC directly rather than within this forum. The member refused to give up his questioning despite repeated requests to do so. Mark in turn refused to continue answering and understandably left the meeting.

I would like to say that Mark handled the situation perfectly, answering most members' questions to everyone's satisfaction, including the said member's questions, until this became impossible, and I don't think any other member would blame Mark for calling his element of the meeting to an end and leaving at the point he did.

As per agenda, we discussed that incident at Tuesday's quarterly meeting. Our constitution is a sparsely-worded document that has nothing in it to cover such occurrences of what we unanimously agreed on Tuesday to be unacceptable behaviour by a member and the Association has agreed in principle that, if in future we have a similar incident, we will simply move the meeting to next item on the agenda, even if the points other members wanted to raise under that item had not been covered.

I have been a member of this Association for 9 years and I firmly believe these meetings of local councillors and clerks are valuable in themselves by learning what problems and solutions other councils in the group are dealing with and members pick up a lot of information or ideas that they can use back in their own councils.

An integral element contributing to the positive feedback we get from our meetings are the updates from Hart DC, honed by relevant questions and answers, are also very interesting and especially useful for smaller parishes that do not have District Councillors as members who are able to report back with District updates.

In my time on the Association, we have always had warm and friendly meetings, we value Hart DC's contributions to the debate and we clearly want to continue in this positive vein for the future.

At Tuesday's quarterly meeting, we were down to about a third of our normal attendance, mainly we think because of the absence of either a Hart DC representative or a written report from the same, which emphasises how important a Hart DC presence is to the meeting.

After the last meeting our Secretary had notified everyone of the change of the date of the meeting in order to avoid the clash with your meetings, only to discover after all the agendas were sent out that you had also moved your meeting to the same date in order to avoid Easter. Clearly, if the Association is to continue as a viable conduit for the flow of ideas within the parishes of Hart, we need to ensure that avenues are as open as possible to ensure that Hart DC participation continues and that any ungentlemanly conduct is immediately nipped in the bud.

Regards

Tony Spencer

HDAPTC Chairman

2. Response from Daryl Phillips:

Tony, thank you for waiting, and I apologise for the delayed response.

We are committed to supporting HDAPTC, which is an important platform for Hart and our parish and town council partners to address shared issues.

In the past, preparing a written report before HDAPTC meetings was beneficial. This allowed us to address pre-submitted questions and ensure our representative was well-prepared to provide informed responses during the meetings.

By reintroducing the practice of preparing a written report in advance, we can eliminate the need for a separate Q&A session on planning matters and involve a wider range of officers in HDAPTC meetings.

As an alternative to having a separate Q&A on planning matters, I suggest the Planning team work with the town and parish council clerks to reinstate the twice-yearly planning forums.

I also agree that Mark Jaggard should be the main point of contact for HDAPTC, but we can be flexible on attendance. We want to ensure the meetings remain productive and valuable for all parties involved. I appreciate your suggestions and will consider them.

Please let me know if there is anything else I can do to help.

Daryl Phillips

Chief Executive

Hart District Council