

**Minutes of a Meeting of the Old Marston Parish Council
held at 7.30pm on Tuesday 2nd September 1997
at the Mortimer Hall**

Members Present

Mr AT Jones (Chairman)
Mr C W Haynes (Vice-chairman)
Mesdames Cowell, Cox, Deam, Nurse Stone & Tiwari
Messrs Carrington and Phipps
The Clerk Mr L M Garner was in attendance

Those present stood in silent tribute to the memory of the late Diana, Princess of Wales.

The Chairman announced with regret the deaths of Mrs Steph Spencer, to whom tribute was paid at the last meeting and of Mr George Hine who had served the Parish and it's Council for many years.

Minutes

The minutes of the meeting held on the 1st July 1997 were confirmed and signed.

Matters Arising

The Clerk said that he had spoken to Mr Michael Iddon who painted the North Hinksey by-pass and he hoped to visit the Parish shortly.

Correspondence

The following were reported;

Oxfordshire County Council- Pamphlet re Agenda 21 activity

Oxford City Council- ditto

Oxfordshire County Council- Road accident statistics 1996

Oxfordshire Association of Local Councils- Notice of meeting 1st December 1997

Oxfordshire County Council- Need for additional foster parents

Oxfordshire County Council- Details of new Council membership

SPISE- Regional planning news

Oxfordshire County Council Chairman- Meeting for Parish representatives 13th
November 1997

Dr.G.Swift- A letter drawing attention to gypsies off Marston Ferry Road.

The Clerk confirmed that the Gypsy Officer was aware of the situation
Old Marston Resident's Association- Minutes of AGM 14th May 1997

The Clerk was asked to draw attention to the error which stated that the development of the Mill Lane land had been deferred for two years. Also to the mistaken interpretation of traffic flows through the village

Planning

Applications

Land at Colthorns Farm- Outline planning application for the erection of eleven dwellings accompanied by illustrative layout and house designs. These indicated the narrowness of the access, it's restricted entry onto Oxford Road and it's effect

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on traffic flows. No details of the traffic calming indicated were given. It was decided to object to the application in order that details of these points could be prepared and discussed later. It was also decided to question the allocation of the land in the Local Plan and to enquire into the correctness of the posting of the notice relating to the development. The Clerk subsequently confirmed that an outline application can be made in respect of land in a Conservation Area, provided that the Planning Officer has sufficient information to determine the scale and nature of the development. The posting of the notice is the responsibility of the applicant, it being common practice to use lamp posts.

Adjoining 23, Mill Lane - erection of two bedroom house- Object to parking in the front garden.

10 Cavendish Drive- Extension- No comment (Mrs Tiwari declared an interest)

37, Arlington Drive- New garage- No comment

Croft Road Recreation Ground (Outside the Parish)- Improvements to footpaths and cycle ways- Welcomed

Decisions

21, Fairfax Avenue- Extension- Approved

48, Elms Drive- Extension- Approved

132, Oxford Road- Extension- Approved

17, Gordon Close- Extension- Approved

6, Little Acreage- Extension- Approved

Park Farm, Edgeway Road (Outside the Parish)- Retention of mobile home for three years- Refused

Other matters

The S.106 agreement for the Mill Lane site was circulated and approved but it was decided to ask for a statement of costs before authorising its signing.

The Chairman's nomination to serve on the Oxford City Council's Conservation Forum for a further year was confirmed.

Formal notice of the adoption, by the Oxford City Council, of the Oxford Local Plan was received. It became effective on the 4th September 1997.

From recent planning applications submitted the Government Buildings would not be rebuilt in Marston Road but the site would be used for housing.

The Clerk was asked to investigate the erection of an aerial, adjacent to St. Nicholas School playing field, off Marston Ferry Road.

Accounts

The following accounts were passed for payment;

Oxfordshire Association for Local Councils -Subscription	£333.00
Review copy	£8.95
Wicksteed Leisure Ltd- Amusement spares	£24.36
L M Garner- Salary & expenses	£994.65

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Public Works Loans Board- Loan repayment
(paid between meetings)

£320.52

Clerk's Salary

It was resolved that the Clerk's salary should be increased by 2.5% , to £3724p.a. with effect from 1st April 1997, in accordance with National Association of Parish Council's recommendations.

Grant Application

The application from the Old Marston Resident's Association was deferred for the submission of accounts.

Allotments

A copy of the revised letting agreement, agreed by the Allotment Association, was circulated and approved.

The Clerk agreed to ascertain which tenant had brought additional vegetable materials onto the site for disposal and to request for the practice to be stopped.

Recreation Ground

It was agreed that the willow tree at the rear of the Football Pavilion should be pollarded.

The Clerk was asked to expedite the fence repairs and the provision of a new stile and gate.

The Chairman welcomed Mr Alan Richardson who was now Chairman of Marston Saints F.C. and Mr Dave Herniman, to discuss relationships between the Club and the Council which had become strained recently. The Council was assured of and welcomed the new mood of co-operation.

It was accepted that agreements which had been made since 1972 should be brought together in a new document. The Clerk would do this. Mr Herniman undertook to provide details of current drinks licensing requirements. The Club was currently running two senior and two junior teams which played Saturdays and Sundays, with training on Monday, Wednesday and Friday evenings.

Highways

It was decided to ask that the 30 m.p.h. speed limit in Elsfield Road should be extended towards the by-pass. For this street lighting would be required for which the Parish had no funds. The existing signs required replacing.

The Cuxham with Easington Parish Meeting, which has no street lights along it's through road, requested support for the introduction of the French system where-by a Parish nameboard indicated the beginning of a limited area but this requires an additional nameboard at the other end of the village with a red line across it indicating the end of the village and the limit. This appeared to have no advantages over our traditional signs.

The Clerk drew attention to the City Council's proposal to prohibit right turns for traffic except buses into Weirs Lane for vehicles proceeding north in Abingdon Road from the Ring Road. This would add five miles to a journey to Old Marston wasting fuel and causing additional pollution. It was decided to object to the proposal.

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It was decided to press yet again for lighting to the Marsh Lane fly-over and to ask for "Slow" be painted on the road (as before) either side of the Red Lion.

The occupier of 8, Cavendish Drive was having his light restricted and his wall damaged by a highway tree. The Clerk was asked to forward his letter to the City Engineer.

Burial Ground

A quotation in the sum of £1189.51 for the extension of the water main to the Burial Ground, to which should be added approximately £200 for the supply connection from the main to a stand pipe. It was decided that this should not be afforded at the present time. The Clerk was asked to inform Mrs J Shepherd.

Other Matters

Mr Phipps understood that the Boults Lane sewage pump was to be relocated underground and the existing building demolished. The Clerk was asked to obtain an assurance that the site would continue to be fenced.

Alm T. Jones

6th October 1987

DATED _____ 1997

OLD MARSTON PARISH COUNCIL

-and -

THE OXFORD CITY COUNCIL

AGREEMENT

under Section 106 of the
Town and Country Planning Act 1990
relating to Allotment Land, Mill Lane, Marston, Oxford and
planning application no. 96/00826/NOY

Ref. KC/231/3/411

J. C. Irwin
Head of Legal and Committee Services
The Town Hall
Blue Boar Street Entrance
Blue Boar Street
Oxford OX1 4EY

legal/convey/agree/milllane

Draft No.3

15.08.97

1997

THIS AGREEMENT by way of Deed is made on

BETWEEN OLD MARSTON PARISH COUNCIL c/o the Clerk to the Old Marston Parish Council 31 Oxford Road Oxford OX3 0PQ ("the Applicant") and **THE OXFORD CITY COUNCIL** of The Town Hall Blue Boar Street Entrance Blue Boar Street Oxford OX1 4EY ("the Council")

- (1) The Council is the local planning authority for the City of Oxford for the purposes of the Town and Country Planning Act 1990 ("the Act")
- (2) This Agreement relates to land known as the Allotments Mill Lane Oxford ("the Land") which is edged red on the plan attached to this Agreement
- (3) The Applicant is the freehold owner of the Land
- (4) By an application deposited with the Council on 29th May 1996 and assigned the application number 96/00 826/NOY the Applicant has applied to the Council for outline planning permission for the erection of buildings for residential purposes on the Land ("the Development")
- (5) The Council would not normally grant planning permission for the Development because a) the Land is not allocated for housing and its development for this purpose would be contrary to the Oxfordshire Structure Plan and the Oxford Local Plan unless there is environmental or social housing benefit and b) the Development would generate a level of traffic which would be to the detriment of highway safety on local roads including the junction of Mill Lane with Elsfield Road.
- (6) The Applicant is willing to contribute towards the provision of social housing in the City of Oxford and to traffic calming measures in Mill Lane, Elsfield Road and Oxford Road, Marston.

IT IS AGREED:-

1. This Agreement is made under Section 106 of the Act

2. The covenants by the Applicant as the freehold owner of the Land in this Agreement constitute a planning obligation for the purposes of Section 106 of the Act which shall be enforceable by the Council as the local planning authority against the Applicant and any person deriving title from the Applicant

3. The Applicant covenants with the Council

(1) within 7 days of completion of the sale of the Land by the Applicant to pay to the Council for social housing purposes such sum ("the First Sum") as represents 20% of the net sale proceeds of sale of the Land namely the price negotiated at arms length for the sale of the Land less the direct costs of sale including Estate Agents commission at the rate of 2% of the negotiated price plus VAT and legal fees of 0.5% of the negotiated price plus VAT

(2) that if the First Sum is not paid to the Council within 7 days of completion of the sale of the Land interest shall be due and payable to the Council on the First Sum at the rate of 3% per annum above the base lending rate of the Co-operative Bank Plc for the period from the date 7 days after completion of the sale of the Land until payment is made to the Council

(3) on commencement of the Development to pay to the Council the sum of **THIRTY THOUSAND POUNDS (£30,000.00)** ("the Second Sum")

(4) that if the Second Sum is not paid to the Council within twelve months from the date of this Agreement then the Second Sum shall be adjusted according to any fluctuations occurring between the date of this Agreement and the date on which payment is made to the Council in the General Index of Retail Prices ("the Index") prepared by Her Majesty's Government ("the Government") or any index prepared by the Government in place of the Index and for the purposes of calculating any such fluctuations in the Index the most recently

published Index at the date fourteen days immediately preceding the date on which payment is made to the Council

- (5) that if the Second Sum is not paid to the Council on commencement of the Development interest shall be due and payable to the Council on the Sum adjusted as appropriate in accordance with Clause 3(4) of this Agreement at the rate of 3% per annum above the base lending rate of the Co-operative Bank Plc for the period from commencement of the Development until payment is made to the Council
- (6) to pay to the Council on completion of this Agreement the Council's legal and planning costs of this Agreement
- (7)
 - (i) Within 3 days of the sale of the Land to notify the Council of the date of completion of the sale of the Land
 - (ii) within 14 days of commencement of the Development to notify the Council of the date of commencement

4. The Council covenants with the Applicant:-

- (1) within 2 weeks from the date of this Agreement to grant planning permission for the Development in the form of the draft planning permission annexed
- (2) to use the First Sum towards the provision of social housing in the City of Oxford
- (3) within five years from the date of receipt of the Second Sum to use the Second Sum towards the costs of traffic calming measures in Mill Lane, Elsfield Road and Oxford Road, Marston.
- (4) that if the Second Sum is not used in total within the time period specified in Clause 4(3) of this Agreement then the Second Sum or any remaining balance shall be prepaid to the Applicant

