

**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

ATJ

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

ATJ

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.

ATJ

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 1887

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

In execution of this Deed two members of the Old Marston Parish Council have
pursuant to a resolution of the Parish Council passed on
signed this Agreement as a Deed and the Council has affixed its Common Seal on
the date of this Agreement

SIGNED AS A DEED by)
)
a member of Old Marston Parish)
Council in the presence of:-)

SIGNED AS DEED by)
)
a member of Old Marston Parish)
Council in the presence of:-)

THE COMMON SEAL of THE)
OXFORD CITY COUNCIL was)
hereunto affixed by Order of the)
Council in the presence of:-)

1. The development shall be carried out strictly in accordance with the terms of, and subject to compliance with the details specified in, the application and submitted/amended plan(2) accompanying this permission and stamped as "Approved".

Reason

As planning permission has been granted only in respect of the application as approved and to ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.

2. Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this outline permission.

Reason

In accordance with Section 92(2) of the Town and Country Planning Act 1990 and as no other period is considered appropriate having regard to the provisions of the Development Plan and other material considerations.

3. The development permitted shall be begun either before the expiration of five years from the date of this outline permission or from the expiration of two years from the date of the approval of the last reserved matter to be approved, whichever is the later.

Reason

In accordance with Section 92(2) of the Town and Country Act 1990 and as no other period is considered appropriate having regard to the provisions of the Development Plan and other material considerations.

4. The development permitted shall not be begun until details of the following Reserved Matters have been submitted to and approved in writing by the Local Planning Authority.

- (i) the siting of the new development.
- (ii) the means of access to the new development.
- (iii) the design of the new development.
- (iv) the external appearance of the new development.
- (v) the landscaping of the site of the new development.

Reason

To enable the Local Planning Authority to give further consideration to these Reserved Matters.

5. The landscape plan submitted in compliance with Condition 4(v) shall include a suitably landscaped buffer zone along the boundary of the application site and the northern by-pass A40(T) road and shall include a survey of existing trees showing sizes and species, and indicate which (if any) it is requested should be removed, and shall show in detail all proposed tree and shrub planting distinguishing between structural landscaping and landscaping within individual plots, treatment of paved areas, and areas to be grassed or finished in a similar manner. The landscape plan shall also include details of proposed tree and shrub planting of the adjoining area shown edged green on the attached Plan which is outside the application site but in the ownership of the applicants.

See extract from
letter 24/6/97
foot of last
page

Reason

In the interests of visual amenity, ~~in order to secure reduction in the levels of noise~~ and to protect the amenities of the occupiers of the new houses.

6. The landscape planting approved in compliance with condition 4(v) shall be implemented in the first planting season following substantial completion of the site roads and bridge if this is after the 1st April. Otherwise this planting shall be completed by the 1st April of the year in which site roads ~~and the bridge~~ are substantially completed, and all such planting which fails to be established with 5 years of planting shall be replaced. All other landscaping shall be completed before the development to which it relates is occupied and all planting which fails to be established within 5 years of planting shall be replaced.

delivered
to ground

Reason

In the interest of visual amenity.

7. Proposals setting out detailed measures for the protection of the trees to be retained during the carrying out of the development shall be submitted to and approved in writing by the Local Planning Authority before any works including site clearance, start on site. Such measures shall normally involve the provision of fencing around the trees to be retained at a distance from the trunk equal to the spread of the crown of the trees and shall show existing and proposed ground levels to the extent necessary to show any effect on existing trees.

Reason

To protect the trees during construction.

8. Six allotment plots shall either be incorporated into the layout of the development permitted or provided on the land shown edged green on the attached Plan. The details of the replacement allotment provision shall be submitted to and approved in writing by the Local Planning Authority, prior to the start of work on site.

Reason

To secure replacement plots for existing allottees.

9. The six allotment plots approved in compliance with Condition 8 shall be provided before the start of work on site or before the existing allotments which are in use are required for development.

Reason

To ensure replacement plots are satisfactorily provided.

10. Details of the treatment and future use of the land adjoining the application site to the immediate north shall be submitted to and approved in writing by the Local Planning Authority and planning permission granted if necessary prior to the commencement of the development permitted, and the approved treatment and use shall be implemented before the residential development is first occupied.

Reason

In the interests of the proper planning of the area and in the interests of the residential amenity of the occupiers of the new houses.

11. Samples of the exterior materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority before the start of work on the site, and only the approved materials shall be used.

Reason

To enable the Local Planning Authority to give further consideration to the external appearance of the approved buildings in the interest of visual amenity.

12. Notwithstanding the provisions of Schedule 2 Part 2 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (or the provisions of any statutory instrument revoking or re-enacting that Order) vehicular access (other than for emergency purposes) to the residential development shall be from Mill Lane only.

Reason

To avoid doubt.

13. The residential development hereby permitted shall not be commenced until the Local Planning Authority shall have approved in writing:-

- (i) A plan showing the type of construction proposed for the roads and/or footpaths, including all relevant horizontal cross-sections showing existing and proposed levels, together with details of street lighting and the method of disposing of surface water.

- (ii) A programme for the making up of roads and/or footpaths. The roads and footpaths shall be constructed in accordance with the approved details before the residential units are occupied.

Reason

To ensure that roads are constructed to an appropriate standard acceptable to the Local Planning Authority.

14. The garages/parking spaces proposed in the residential development shall be provided before the development to which they relate is occupied and shall be reserved exclusively for parking by the occupants of the flats/houses, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, Schedule 2 Part 1 Class A shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

Reason

To ensure that vehicle accommodation is always available for the occupants of these flats/houses and thus to avoid the parking of vehicles on the adjoining highways.

15. Car parking to serve the proposed residential development shall be provided at the Local Plan Standard for the size of residential unit to which it relates.

Reason

To ensure that adequate and appropriate parking is available.

16. A plan showing the means of enclosure for the new development shall be submitted to and approved in writing by the Local Planning Authority before development starts. This plan shall include details of the treatment of all the boundaries of the site and all other means of enclosure to individual residential units and any blocks of flats.

Reason

To enable the Local Planning Authority to give further consideration to the means of enclosure in the interests of the visual appearance of the new development and the privacy of residents.

17. The means of enclosure approved in compliance with Condition 16 shall be provided before the residential development to which they relate is occupied. The treatment of boundaries shall be implemented on substantial completion of that part of the residential development which adjoins the boundary.

Reason

In the interests of visual amenity and privacy.

18. The residential units shall be designed to "visitable" standard and a percentage to full access standard in accordance with Policy EN76 of the Oxford Local Plan Review.

Reason

To ensure the housing is accessible for persons with disabilities in accordance with Local Plan Policy.

19. The layout of the residential development approved in compliance with Condition 4(i) shall ensure that a minimum 10% of the site is developed as suitable open space for the benefit of occupiers or a wider public.

Reason

To ensure that adequate public open space is provided within the site in accordance with Local Plan Policy EN71.

20. As the below ground works for the development hereby permitted, will disturb (in part or in whole) possible or known archaeological deposits.

- (i) No groundwork development shall take place for the approved building works until the applicant has arranged for the implementation of an archaeological recording watching brief programme. This should be undertaken by a competent archaeological contractor during the progress of the building contract in accordance with a written scheme of investigation, for on-site recording (including the recovery of artefacts) and subsequent publication of results, which has been submitted by the applicant to and has been approved in writing by the Local Planning Authority.
- (ii) Twenty one days written notice of the actual date of commencement of the works shall be given to Planning Control and Conservation, Clarendon House, 52 Cornmarket Street, Oxford, OX1 3HD) and to Oxford Archaeological Advisory Service, ~~46 Hythe Bridge Street, Oxford OX1 2EP.~~

Janis Trow

Reason

To ensure and provide for archaeological site recording, during the contract period, of the prehistoric and medieval deposits known or believed to exist on the site, and which will be destroyed by the permitted works, and in the interest of publishing the archaeological information so recorded.

re para 5 - See para 5 for City Solicitor's letter 24/6/97

5. The conditions which relate to the adjoining land seek to retain control of the adjoining small parcel of land. To meet all eventualities, including the land not being used for allotments in the future, the landscaping provisions are included. Clearly if the land is used for allotments the Council would not seek to see compliance with the condition.

1891

1892



AGENT

22



WESTWOOD

21 (WEEDS)

L.M. Garner F.R.V.A.
Clerk
Tel:
Home Oxford 241888

MARSTON PARISH COUNCIL

31, Oxford Road,
Marston, Oxford
OX3 0PQ

Dear Sir/Madam,

I hereby give you notice that a meeting of the Council will be held
on Tuesday at The Church Hall at
7.30 in the evening.

Yours faithfully,

L.M. GARNER
Clerk

A G E N D A

Minutes of last meeting

Matters Arising

Correspondence

Planning

Accounts

Allotments

Recreation Ground

Highways

Cemetery

Any other business



CRIPPS 37.
SACKS OF GRASS MOWINGS & WOOD
FROM ANOTHER PLACE



KING 37
SACKS OF GRASS MOWINGS, WOOD
& CEMENT BAG FROM ANOTHER PLACE

L.M. Garner F.R.V.A.
Clerk
Tel:
Home Oxford 241888

MARSTON PARISH COUNCIL

31, Oxford Road,
Marston, Oxford
OX3 0PQ

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A G E N D A

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Any other business



AGENT

32



GENERAL CLUTTER

L.M. Garner F.R.V.A.
Clerk
Tel:
Home Oxford 241888

MARSTON PARISH COUNCIL

31, Oxford Road,
Marston, Oxford
OX3 0PQ

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Yours faithfully,

L.M. GARNER
Clerk

A G E N D A

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Any other business



SWIFT 12
HARDACEOUS STEMS & GRASS CUTTINGS
FROM ANOTHER PLACE



BAVKS 6 (? SHED OK)