

MIDDLETON CHENEY

Parish Council

Parish Meeting Room
Main Road
Middleton Cheney
Banbury
OX17 2LR

PARISH COUNCIL GENERAL MEETING

Venue: Parish Meeting Room

21st November 2022 19:15

Minutes

Present:	Cllr Richard Solesbury-Timms
Cllr Mark Allen	Cllr Kay Stevens
Cllr Ruth Hoose	Cllr Nina Truman
Cllr Alison Knight	Parish Clerk / RFO

On the proposal of Cllr Knight, it was RESOLVED that Cllr Allen chair the meeting of the full council.

22/1201 Apologies for absence

Apologies received from Cllr Youel and Cllr Washer (Medical), Cllr Burgess and Cllr Jerrams Coughtrey (Work).

On the proposal of Cllr Allen, it was **RESOLVED**: to approve apologies for absence.

22/1202 OPEN MEETING

A representation was made on the following items:

22/1206 Scheme of Delegation. Request that the review and adjustment of the scheme of delegation will include a review and adjustments.

22/1210 Grant allocation protocols. Have any changes to protocols been adopted yet.

22/1230 Christmas lights. An organisation had contacted the resident in error.

Open meeting closed 19:23

22/1203 Members' declaration of interest in items on the agenda

Cllr Solesbury-Timms: interests in 22/1215 Remembrance items, as Branch Chair of the RBL.

22/1204 Approval of minutes of meeting 17/10/2022

Pending adjustment to include Cllr Truman to the Amenities Committee, on the proposition of Cllr Solesbury-Timms, it was **RESOLVED**: To approve the minutes of the meeting of Council on Monday 17th October 2022.

Finance and Policy

22/1205 Approval of Task & Finish group terms of reference

On the proposition of Cllr Hoose, it was **RESOLVED**: To approve the provided terms of reference pending the following amendments:

Consistent use of "Working Group" in place of "Working Party"

Confirm review timescales under term of membership

Cllr Knight to join Green Middleton

"Moot recreation ground" to be determined

22/1206 Scheme of delegation

On the proposition of Cllr Allen it was **RESOLVED**: To create a Task & Finish group, Cllr Knight, Cllr Hoose, Cllr Youel to review and adjust suggested scheme of delegation provided by local town council and present to council in January.

22/1207 Debit card policy

On the proposition of Cllr Allen it was **RESOLVED**: To approve and adopt the debit card policy.

On the proposition of Cllr Allen, it was RESOLVED to discuss agenda items 22/1211 and 22/1213 out of sequence to inform authorisation of payments.

22/1211 Website contract

On the proposition of Cllr Allen it was **RESOLVED**: To approve the renewal of contract and at next meeting, establish a T&F group to explore website upgrade potential.

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22/1213 Street lighting

Referred to next meeting pending detail from contractors.

22/1208 Authorisation of payments

On the proposition of Cllr Stevens it was **RESOLVED:** To approve and provide dual signatory on payments scheduled October-November 2022.

22/1209 Approval of banking standing orders

On the proposition of Cllr Allen it was **RESOLVED:** To approve standing orders BACS for 2 x salaries and 1 x contract. 1 x salary to be referred to HR.

22/1210 Grant allocation protocol

On the proposition of Cllr Allen it was **RESOLVED:** To establish a Task & Finish group to create a protocol to report to Finance & Policy committee for finalisation ahead of January's full council meeting.

22/1212 Play area quotes

Cllr Stevens to source other quotes for scope of works.

22/1214 Maintenance works

Quotes to be sourced for existing jobs list ahead of full council consideration. Councillors to provide other jobs not yet identified to the clerk.

22/1215 Remembrance items

On the proposition of Cllr Stevens it was **RESOLVED:** To approve cost of 20 lamppost poppies at £5 each. To refuse purchase of additional flag due to existing policy conflicts.

22/1216 CIL update.

Members noted funds received from WNC.

Planning and Highways

22/1217 Planning – letters, decisions and applications

145 Main Road – No comment.

Coldharbour Farm - Comment of the council that preference for the building to be for agricultural worker's dwelling only.

Land South of Thenford Road – No comment.

22/1218 S106 Agreement Thenford Road To consider a commuted sum to assume responsibility for maintenance.

On the proposition of Cllr. Allen, this item was deferred to next meeting when Cllr. Burgess is present.

22/1219 Millers Way open space To consider a commuted sum to assume responsibility for maintenance.

On the proposition of Cllr. Allen, this item was deferred to next meeting when Cllr. Burgess is present.

22/1220 Speed restrictions

On the proposition of Cllr. Stevens, it was **RESOLVED:** That the council offer its support for the amended restrictions be proposed to Cabinet.

20MPH through Overthorpe

30MPH from Upper Astrop to bend (NE to NW, extended)

50MPH Overthorpe to Upper Astrop (SE)

30MPH between Overthorpe (N) and Warkworth (S)

30MPH Overthorpe Road from Bridge/ Roundabout to Warkworth Road (SE) connection.

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22/1221 VAS update

VAS to be taken down to retrieve data within the next week. Data to be used to propose new location at next meeting.

With 1 hour remaining, Cllr Allen proposed priority items be identified and moved to earlier in the meeting. It was RESOLVED to discuss the following items out of sequence:

22/1230 Christmas Lights, 22/1231 King's Coronation and Sealed Knot 360, 22/1232 Cheney Chatter, 22/1235 Holly tree felling.

22/1230 Christmas light switch on

The council agreed to release a statement clerk regarding decision from WNC about installation of Christmas lights on their posts and to look into obtaining quotes for necessary testing for future displays.

22/1231 King's Coronation / Sealed Knot 360 anniversary event

The council were updated that these now fall on separate weekends.

On the proposition of Cllr Allen, it was **RESOLVED**:

King's Coronation: A task and finish group, Cllr Knight and Cllr Stevens, to investigate plans of village groups to inform the council's discussion at January meeting to consider what is the most appropriate role of the council in realising the event.

Sealed Knot 360 anniversary: Task and Finish, Cllr. Stevens, Cllr. Solesbury-Timms and Cllr. Burgess group to source sites for camping, learning village, Sealed Knot member camping, battle. Sealed knot costings to be provided via Cllr. Solesbury-Timms by January meeting.

22/1232 Cheney Chatter distribution

On the proposition of Cllr. Hoose, it was **RESOLVED**: To approve the quote provided for printing and distribution of quarterly editions of the Cheney Chatter.

22/1235 Holly tree felling

Council to request quote from local company to fell and shred tree, possible extraordinary meeting to approve quote if needed.

22/1222 Emergency Plan

On the proposition of Cllr. Allen, it was **RESOLVED**: To establish a task and finish group, Cllr. Stevens, Cllr. Hoose and Cllr. Truman, to consider the status and scope of the current Emergency Plan for Middleton Cheney. An estimated timeframe for amended report to be presented at next meeting.

22/1223 Grass-cutting provision

On the proposition of Cllr. Allen, it was **RESOLVED**: To approve a final cut to the village's green spaces for end of season.

22/1224 Allotments update

Members noted update of allotments tenancies and potential lease of land. Cllr Hoose and the clerk to revise tenancy contracts and rules for next meeting.

22/1225 Warm Spaces

Members noted an update from the assigned Task & Finish group, to be published in Cheney Chatter and revisited in January if needed.

22/1226 PMR regeneration

Members noted the cemetery shed audit to consider storage needs.

On the proposition of Cllr. Truman it was **RESOLVED**: Wooden shed to be reassessed in the Spring and painted. Grey shed to be dismantled and offered free for collection.

22/1227 Cemetery – memorials, rules and regulations

Clerk to seek contact for appropriate H&S assessment from Brackley town council.

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Cllr. Allen to support in verifying potential missing payments for reservations. Clerk to draft dimensions for memorial tablets (cremation plots) by next meeting.

22/1228 WNC Bus services review

Cllr Allen to source the information requested to feed back to WNC by Friday 2nd December.

22/1229 Commemorative trees

Task & Finish group to be supported with any information the clerk can verify for potential planting sites.

22/1233 Binding books of condolence

Clerk to seek quotes for local specialist to bind and cover the books of condolence, to include photograph pages.

22/1234 Historic wildlife and management study

On the proposition of Cllr. Solesbury-Timms, it was **RESOLVED**: To cover the cost of producing a copy of the study to be held at the village Library.

22/1236 Midway garages

On the proposition of Cllr. Allen, it was **RESOLVED**: to contact the housing group to ascertain the terms they might consider making the land available for the Parish Council to use. To be reported to Amenities.

22/1237 Matters for information

None

On the proposition of Cllr. Allen, it was RESOLVED: to extend the meeting.

22/1238 Exclusion of press and public

On the proposition of Cllr. Allen, it was **RESOLVED**: to exclude members of the press and public.

22/1239 Amenities.

22/1240 Next meeting

19th December 2022 – Full Council Meeting.

22/2105

Meeting closed 10:19pm

Signed:

22/1245 Middleton Cheney Parish Council Planning Applications

Please Ctrl + click on the blue application number to follow the link to the application

Application Number	Closing Date	Location	Proposal	Parish Council Comments
WNS/2022/2252/MAR	19/12/2022 * Extended by request	Land At Waters Lane, Middleton Cheney, Northamptonshire	Variation of condition 1 (plans) WNS/2021/1815/MAR Application for Reserved Matters Consent for Layout, Scale, Appearance, Landscaping and Access in respect of a Residential Development comprising 54 no. dwellings (Pursuant to outline planning permission S/2020/0441/MAO) to remove affordable housing	
WNS/2022/2286/TCA	Information only	Plum Tree Cottage 1 Rose Hall Lane Middleton Cheney OX17 2NQ	T1 - Beech - reduce height by 4.0/5.0m and shape 5% thin; T2 - Ash - fell; T3 - Holly - reduce by 2.0m and shape; T4 - Conifer - reduce height by 3.0/4.0m (to top of hedge)	
WNS/2022/2291/TCA	Information only	12A Thorpe Road, Chacombe, Northamptonshire, OX17 2JW	Pollard 1 willow to the previous pruning points	
WNS/2022/2307/LDP	23/12/2022	2A Rectory Lane, Middleton Cheney, Northamptonshire, OX17 2NZ	Lawful Development Certificate for 10 proposed solar panels to south facing roof.	

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Objection a)

Affordable housing is a key part of the governments house building strategy, and provision of the 50% affordable housing is an essential component of development proposals. To go through the entire planning process and then apply for removal of the affordable housing due to profit erosion when the machinery is already on site is a flagrant disregard of the planning process

Objection b)

This is a blatant attempt to circumnavigate planning and flagrant abuse of the planning system. Clearly, the developers never had any intention of building affordable housing but used it as bait at the appeal to push through their development that neither the village or the council wanted. This is an underhand and disgraceful way to conduct business and I urge the council to refuse permission and hold developers accountable. This comes down to nothing more than the developer's greed.

Objection c)

This is a disgrace. This development was refused by the planning authority but railroaded through by the developer on appeal. Presumably it was approved due to providing much needed affordable housing but the developer is now trying to remove that. If the developer cannot now stick to the approved plans the application should be removed and resubmitted. There can be no justification for allowing this change through simply to line the pockets of the developer. Too many developers are allowed by this planning authority to change plans after approval has been given, development by stealth.

Objection d)

I am writing to object to the proposal of removing affordable housing on Land at Waters Lane, Middleton Cheney. The reason for my objection to the latest variation, is that the agreement for 54 houses was based on 50% to be affordable houses. Presumably, this formed part-and-parcel of the business model of Mulberry Homes. The latest amendment from Mulberry Homes is to completely backtrack on the agreement, by proposing to remove the affordable homes. This is clearly a cynical approach to put more expensive houses on the site, meaning the young people of our village will be further squeezed out of the local housing market. In terms of timing, the deadline for the public to respond is by Boxing Day, 26th December 2022. This date, in my opinion, is deliberately timed during the run-up to the Christmas period, whilst villagers are preoccupied with preparations for Christmas. Mulberry Homes may be wishing to brush this under the carpet as a so-called Minor Material Amendment and may have used creative accountancy to show that the site is unviable with 50% affordable housing. In that case, Mulberry Homes should never have proceeded with the application. It is my opinion, that if the building of houses is to proceed, Mulberry Homes must build with 50% affordable housing, as originally agreed, so that the young people of our village can afford to live here.

Objection e)

I object to this proposal due to the change in providing no affordable housing which I believe was in the original plans. We have a generation of people that are desperate to own their own home in the village in which they were bought up in. With no affordable housing this is an impossible challenge. If this agreement is allowed to go ahead then it sets a precedent for other development plans. Where does that leave the next generation of homeowners???

Objection f)

I strongly object to the change in development plans. My partner and I were hoping to move out of home but remain in the village that we grew up in. Without the affordable housing our chances of owning our own home are slim. We both work and save as much as possible to be able to live in our village. These changes are unjust and not what we as a village agreed upon when the plan was proposed.

Objection g)

As a former resident of Middleton Cheney, where I was living when the original planning permission was passed for this development. At the time this was a controversial planning application but the one saving grace was the fact that affordable housing was included in the permission. Middleton Cheney over the last

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few years has taken a lot of new housing, a lot of which appears to be executive type housing. Most of the new housing built in the last few years in Middleton has been on greenfield sites and seems to have done little to alleviate local housing need. The developer who bought this land from Catesby Estates, must have been aware of what the planning permission involved. If this is now unviable for them to include the affordable housing then perhaps they should sell plots to local people to self build. Affordable housing inclusion should be not be removed at the developers whim.

Objection h)

The village does not need another 54 houses priced at 600k and up. There is a severe shortage of Affordable Housing in the area but not a severe shortage of profit heavy, 'executive' homes as you can clearly see by looking at the houses for sale in the village. The planning permission was given originally (despite all of the objections) as there was affordable housing to be included. If that offer is now being rescinded by the developer, the planning permission should be revoked. Or instead of affordable housing, maybe build another primary school as the children living in these potential 54 new homes will have nowhere to go to school locally as the schools are already at capacity!

Objection I)

The reason for my objection is that the agreement for 54 houses was on the basis of 50% to be affordable houses. Presumably, this formed part-and-parcel of the business model of Mulberry Homes. The latest amendment from Mulberry Homes is to completely backtrack on this agreement, by proposing to remove the affordable homes. This is clearly a cynical approach to put more expensive houses on the site, meaning the young people of our village will be further squeezed out of the local housing market. The deadline for the general public to respond is by Boxing Day, 26th December 2022. This date, in my opinion, is deliberately timed during the run-up to the Christmas period, whilst villagers are preoccupied with preparations for Christmas. Mulberry Homes may be wishing to brush this under the carpet as a so-called Minor Material Amendment.

Objection J)

I am writing to object to the proposal of removing affordable housing on Land at Waters Lane, Middleton Cheney. The reason for my objection to the latest variation, is that the agreement for 54 houses was based on 50% to be affordable houses. Presumably, this formed part-and-parcel of the business model of Mulberry Homes. The latest amendment from Mulberry Homes is to completely backtrack on the agreement, by proposing to remove the affordable homes. This is clearly a cynical approach to put more expensive houses on the site, meaning the young people of our village will be further squeezed out of the local housing market. In terms of timing, the deadline for the public to respond is by Boxing Day, 26th December 2022. This date, in my opinion, is deliberately timed during the run-up to the Christmas period, whilst villagers are preoccupied with preparations for Christmas. Mulberry Homes may be wishing to brush this under the carpet as a so-called Minor Material Amendment and may have used creative accountancy to show that the site is unviable with 50% affordable housing. In that case, Mulberry Homes should never have proceeded with the application. It is my opinion, that if the building of houses is to proceed, Mulberry Homes must build with 50% affordable housing, as originally agreed, so that the young people of our village can afford to live here.

22/1252 Website upgrade - attached

To establish a task and finish group to explore the potential for website upgrade.

Are you aware that we now offer a new website design? We call it the responsive design ... all content remains 'as is'. There is no change to the annual fee [additional upgrade fee applicable] and all the tools are the same so there is no new system to learn. Here's a few examples: [Daventry](#), [Redbourn](#), [Rushden](#) and [Crich](#). Please let me know if you would like any further information on this.

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**RULES AND REGULATIONS FOR THE MANAGEMENT
OF PARISH-OWNED ALLOTMENTS**

Middleton Cheney Parish Council
Parish Meeting Room
Main Road
Middleton Cheney
OX17 2LR

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1. Tenancy

- 1.1 The tenancy of the allotment is personal to the tenant named in the tenancy agreement.
- 1.2 The tenant may not assign, sublet or part with possession or control of all or any part of their allotment.
- 1.3 In cases where a non-member is helping out on a plot due to the temporary infirmity or absence of the plot holder, the Amenities Committee shall use their discretion as to how long this arrangement can continue based on the facts available. It is the responsibility of the plot holder to inform the Committee of any such temporary arrangement.
- 1.4 While there remains a waiting list for allotments, tenants may not have more than one full plot of allotment.
- 1.5 Only the tenant or persons authorised or accompanied by the tenant are allowed on site.
- 1.6 Any committee member or tenant may order any unauthorised person found on the site to leave immediately.
- 1.7 The tenant is responsible for the behaviour of children and adults visiting the allotment. In an instance where a visitor breaches allotment rules then the tenant will be held responsible.
- 1.8 The playing of amplified music and ball games is forbidden.

2. Notices and changes of details

- 2.1 Tenants must notify the council in writing of any change in address or contact details.
- 2.2 If a tenant moves to an address outside the boundary of Middleton Cheney, they will be required to give up their plot at the end of the year for which they have paid rent. If a tenant moves to within 3 miles of Middleton Cheney the council may waive this rule but each case will be looked at on its own merit.
- 2.3 Any notices or letters to be served on the tenant by the Association may be:
 - a) Sent to the tenant's address in the tenancy agreement by post, registered letter, recorded delivery or by hand;
 - b) Served on the tenant personally; or
 - c) Placed on the plot.
- 2.4 Notices served under rule 17.3 will be treated as properly served even if not received.
- 2.5 Written communication for the council should be sent to the clerk.

3. Rent

- 3.1 The tenant shall pay 50% of the annual rent balance on 25th March and 25th September of each year, or within 2 weeks thereafter. Rent may be paid to the council in advance of the rent day by arrangement, if the tenant will be away at that time.
- 3.2 Anyone not paying their rent by the 14th day after rent day will be deemed to have surrendered their plot and it will be repossessed and re-let immediately.
- 3.3 Tenants taking up an allotment before/beyond Rent Day will normally be charged on a pro rata basis.
- 3.4 Tenants may voluntarily surrender their allotment at any time, or have their tenancy terminated for breach of the tenancy agreement before the year end; no rent refund will be payable.
- 3.5 New tenants will be responsible for recording the initial plot condition by taking photographs of the plot at the time of accepting the tenancy.
- 3.6 A departing tenant shall remove any items or derelict structures from the plot before the end of the tenancy. The council will dispose of any materials not removed and the full cost will be charged to the outgoing tenant.
- 3.7 Rent increases will be decided by the membership at the AGM and notice given prior to the rent day.

4. Cultivation and control

- 4.1 The cultivated area is defined as the area that is cultivated for crop or flower production. Cultivation requires the tenant to regularly dig, mulch, prune, manure and weed 75% of the plot. Compost bins, glasshouses, water butts, poly tunnels and fruit cages are also included within the cultivated area, as are ornamental flower crops. Areas of lawn or meadow are not included within the cultivated area.
- 4.2 Allotments must be kept clean and maintained in a good state of cultivation (minimum 75% in cultivation) and fertility throughout the year. An area that is annually cleared of weeds yet remains un-cropped or unplanted during any one year will be considered as non-cultivated. The whole plot, including any uncultivated/leisure areas must be kept tidy, safe and free from flowering weeds.
- 4.3 Allotments that have areas not suitable for production, such as heavily shaded areas, excessively sloping land or impoverished or polluted soils, may be allowed to become lawn area. This must be first agreed by the Amenities Committee and should be regularly maintained by mowing.
- 4.4 It is the tenant's responsibility to keep their plot free of weeds that cause a nuisance to adjoining tenants. Where, on inspection or as the result of complaint, a plot with weeds is identified, the tenant will be sent an appropriate remedial action notice. A further inspection will then be carried out 2 weeks after the date of the notice and if no improvement, a notice of termination will be sent to the tenant.

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4.5 The Association reserves the right to enter onto any plot, with or without the consent of the tenant, to cut down excessive and seeding weed growth and overgrown grass, where alternative resolution cannot be met in advance. The removal costs will be charged to the tenant and failure to pay will result in tenancy termination.

5. Trees, Hedging, Ponds

5.1 Tenants must not, without consent of the Association, cut or prune trees outside their own plot; plant any trees or allow self-seeded trees to grow on their allotment (including any that are growing through the perimeter fence).

5.2 All bushes and hedging over 2 metres in height are in breach of allotment rules and will lead to a notice and possible termination.

5.3 Fruit trees are not permitted to root on allotments.

5.4 Invasive plants, willow, conifer, pine and fir are not permitted.

5.5 Tenants are responsible for maintaining any hedge on or adjacent to their plot. They should be kept to a maximum height of 2 metres and the sides shall be trimmed at least once a year.

5.6 Where hedges abut a perimeter boundary or road, the Council or adjacent land owner is responsible for maintaining the outside of the hedge.

5.7 Hedges should not be cut back during the bird nesting season which runs from the 1 March to 1 September annually.

5.8 No conifers or invasive screening plants may be planted as hedging on allotment land.

5.9 No ponds are permitted on Parish Council Allotment land.

5.10 The use of sunken baths or tanks for water storage is not permitted for reasons of safety. Baths being brought onto allotment land will be considered waste and tenants will be put on notice to remove them.

6. Allotment structures and fences

6.1 Sheds and sided structures shall be included within the 25% area allowed for non-cultivation. Polytunnels, glasshouses and fruit cages will be included within the cultivated area.

6.2 Any structure on the allotment must be temporary and maintained in safe order with an appropriate external appearance and condition. If the council is not satisfied with the state of any structure, the tenant must either repair it to the committee's satisfaction or remove it within one month of instruction to do so. If the structure is not removed, the council may remove it and charge the tenant the full cost of removal and disposal.

6.3 Tenants may put up one shed and one greenhouse or polytunnel.

Prior permission from the Amenities Committee is required for sheds and poly tunnels with the size and shape agreed in advance. Glasshouses and poly tunnels should cover no more than 20% of the allotment and should not exceed 2.13 metres in height. Cold frames are permitted.

6.4 Wany structure must be removed on termination of lease.

6.5 Any structures erected on the allotment shall not be made from hazardous materials (e.g. Asbestos). Whilst recycling is encouraged, materials should be fit for purpose.

6.6 The maximum size of a shed is 8ft x 6ft x 7ft (LWH)

6.7 All structures must be adequately secured to the ground to prevent uplift and sheds requiring a footing should be on slabs bedded on sand.

6.8 All structures must be kept within the boundary of the allotment and must not be constructed over underground utilities such as water supply pipes.

6.9. No fences exceeding 1 metre high should be erected between neighbouring plots. Posts should not be set in concrete.

6.10 Nothing should be attached to, hung on or stored against boundary fencing or walls.

7. Allotment use and storage

7.1 Tenants must use their allotment and any structure on it for their own personal use and must not carry out any business or sell produce from it without permission from the Parish Council.

7.2 Tenants must not use their allotment as a place of residence and/or sleep overnight.

7.3 The allotment is leased to the tenant for the purpose of cultivation of herbs, flowers, fruit and vegetables.

7.4 Only materials for use on the plot may be stored there, such as beanpoles, cloches, pots and netting etc, which are for seasonal use.

7.5 Motor vehicles may not be parked overnight or deposited on the allotment. Caravans and live-in vehicles are not permitted on allotment land.

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7.6 Overnight erection of tents and other temporary structures as well as overnight camping is not allowed on allotment land.

8. Pets and livestock

8.1 Dogs are permitted to visit on allotments provided they can be kept under control at all times and do not access or cause disruption to neighbouring plots. They must not be kept on the plot overnight.

8.2 Tenants are responsible for cleaning up and removing from the site any faeces their dog may deposit.

8.3 Tenants with persistent barking dogs or dogs that harass other plot holders will have their dog barred from the site.

8.4 The burial of any pets or animals on any allotment land is strictly forbidden and anyone found so doing will have their tenancy terminated.

8.5 No other animals or livestock may be kept on council allotment land.

9. Water, bonfires, other restrictions

9.1 Sprinklers and the use of hose pipes are prohibited on allotments; however, hose pipes may be used to fill water butts provided this does not prevent other tenants having access to water supplies.

9.2 Bonfires are permitted for the burning of untreated or unpainted woody waste from the allotment only. The burning of any other materials such as plastics, tyres, carpet, MDF or other similar materials is strictly prohibited and will lead to immediate termination of lease.

9.3 Smoke from a bonfire, which could be a nuisance to neighbours by interfering with the use and enjoyment of their garden or property, or could affect the comfort or quality of life of the public, may result in action being taken by the Council under the Environmental Protection Act 1990. Tenants who light fires within 50ft of the centre of a highway may be guilty on an offence under the Highways Act 1980.

9.4 Fires must be attended at all times until all the material has burnt out. Fires must be kept to a manageable size to ensure safe burning and minimal smoke production. Any fires managed in an unsafe way or in contravention of the above legislation may result in tenancy termination.

9.5 The council reserves the right to prohibit bonfires from specific plots and/or groups of plots.

9.6 All potentially toxic material should be removed from the allotment site and disposed of at the relevant civic amenity site. Failure to remove such materials will lead to lease termination and recovery of removal costs.

9.7 Tenants may not remove any mineral, sand, gravel, earth or clay from the allotment without written permission from the council.

10. Waste and pollutants

10.1 Waste, except for manure/compost, from external sources may not be deposited on the allotment or any other part of the site. This includes polluting materials such as tyres, asbestos, carpets and glass. However, recycling is encouraged and glass for use in greenhouses and cold frames is permitted as are carpets used for suppressing weeds but these must be removed from the site when no longer required.

10.2 The creation of concrete pad footings for sheds or green houses or concrete pads for paving, or any solid brick or cement structure is prohibited. Removable concrete paving slabs are permitted providing the land can be cultivated once slabs are removed.

10.3 All non-diseased vegetation matter should be composted and used on the tenant's allotment. Diseased plants and perennial weeds must be burned or removed off site.

10.4 Any tenant who witnesses anyone illegally fly tipping rubbish on allotment land should not confront the fly tipper but immediately inform the clerk's office and report to West Northants Council.

11. Safety and security

11.1 No tenant must cause another tenant harassment, alarm or distress. Any use of violence or threats of violence or damage to another's property will be grounds for immediate termination of tenancy, and the aggrieved party will be encouraged to report the matter to the police.

11.2 The allotments and site or any structure thereon must not be used for any illegal or anti-social purpose. Any tenant found to have committed an illegal act will be subject to immediate tenancy termination.

11.3 In cases of two tenants having an unresolved dispute and where no one party can be proven as being in breach of allotment rules, the council reserves the right to end the tenancy of both parties.

11.4 Tenants have a duty of care to everyone on site, including visitors, trespassers and themselves.

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11.5 Any structure or any other item considered hazardous should be removed immediately or following instruction from the council. Failure to do so will see the council arrange for the removal of the structure or item, with cost being charged to the tenant, and this may also result in termination.

11.6 Storage of fuels and hazardous materials is prohibited. Usage of fuels should be undertaken with caution. If hazardous materials such as asbestos are found on site then a site rep must be informed without delay.

11.7 Particular care should be taken when using strimmers, rotovators and other mechanical powered equipment both in relation to the user and any third-party person. Appropriate personal protection equipment should be used/worn at such times.

11.8 Unsafe working practices may result in plot termination and the tenant shall be liable for any damage or injury caused by unsafe working practices.

11.9 Tenants must not bring, use or allow the use of barbed or razor wire on the allotment.

11.10 Tenants must shut and lock, if appropriate, gates on departure from the site to prevent access by unauthorised persons or animals. This applies even if the gates are found to be open on arrival.

11.11 The council will not be liable for loss by accident, fire, theft or damage of any structure, tools, plants or the contents on allotments. Tenants are advised not to store any items of value on the allotment and to insure and mark any item kept at the allotment. Tenants should report incidents of theft and vandalism to their site rep and the police.

12. Access

12.1 Paths within allotments must be kept free from flowering weeds and the grass must not be allowed to exceed 6 inches in length.

12.2 It is the shared responsibility of tenants to keep the paths between their allotments maintained, cut and clipped, and paths must be kept clear of obstructions.

12.3 All paths should be wide enough for easy pedestrian access.

12.4 It is the tenant's responsibility to keep other paths, haulage ways and areas adjacent to their plots maintained, cut and tidy and also to keep them free from obstruction.

12.5 Tenants must not expand their allocated plot into any adjacent area, without seeking the council's approval.

13. Rule observation

13.1 Tenants must observe and comply with current rules, regulations and policies and those which the council may make at any time in the future. This is to include statutory law changes and local restrictions, such as bonfire and water restrictions.

13.2 A paper copy of the rules will be handed to each tenant on accepting an allotment and a copy will be posted on the council's website. Failure to comply with these rules will lead to the tenant being put on notice and to possible tenancy termination. In certain extreme instances, a breach of site rules can result in immediate termination of tenancy.

13.3 Tenants must comply with any reasonable or legitimate directions given by a council member in relation to an allotment or site.

14. Waiting list applications

14.1 Application to go on the council allotment's waiting list should be made to the clerk by email or letter giving name, address and contact details.

14.2 The waiting list is administered by the council / clerk. Plot letting and enforcement of these rules, including plot terminations, is dealt with by the clerk in liaison with the council.

15. Termination of tenancy

15.1 The council may terminate allotment tenancies in any of the following ways:

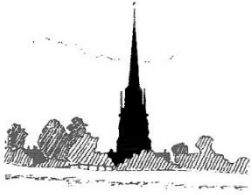
a) At any time after three calendar months written notice by the council that the allotment is required for a purpose other than agriculture to which it had been appropriated under any statutory provisions, or for building, mining or any other industrial purpose, or for roads or sewers necessary in connection with any of these purposes. Where possible the council will consult with tenants and arrange relocation and if appropriate, compensation.

b) By giving notice to quit if:

- The annual rent is not paid in accordance with these rules.
- The tenant is in breach of any of these rules or of their tenancy agreement.
- Automatically on the death of the named tenant.

(Normally there will be no objection to the partner maintaining and cropping the plot to the end of the rent year or taking on the tenancy if appropriate).

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Parish Council



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Parish Council

Parish Meeting Room
Main Road
Middleton Cheney
Banbury
OX17 2LR

Allotment Agreement

Date: Day Month 20XX

Between Middleton Cheney Parish Council
(hereafter called the Council) of the one part and Name

Of Address

(hereafter call the Tenant) of the other part whereby the Council agree to let and the Tenant agrees to hire
as a yearly tenant commencing: Day Month 20XX

The Allotment Garden(s): Numbered/Lettered _____

In the Register of Allotment Garden(s) provided by the Council and containing or thereabouts (subject to
the exceptions and reservations contained in the Lease under which the Council hold the land) at the yearly
rent of _____ payable half-yearly and at a proportionate rent for any
part of a year over which the tenancy may extend.

The tenancy is subject to the Allotment Acts, 1908 to 1950 and to the regulations endorsed on this
Agreement.

Signed Witnessed
Authorised Officer of Middleton Cheney Parish Council

Signed..... Witnessed
Tenant

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22/1259

CONDITIONS REGARDING THE ERECTION OF MEMORIALS AND THE MAINTENANCE OF GRAVES IN MIDDLETON CHENEY CEMETERY - ARROW CLOSE – December 2022

The Cemetery is a public open space - which means it is available for all to visit. It is a place of remembrance, peace and quiet reflection and the Parish Council will endeavour to ensure that it maintains the Cemetery in the appropriate condition for that purpose.

The following rules and conditions agreed by Middleton Cheney Parish Council have been reviewed and are effective from 25th April 2017 and supersede all previous rules. Regulations are reviewed annually or as and when required.

1. The Council will have the ability to allocate the next available plot.
2. Memorial to be erected only when the EXCLUSIVE RIGHT OF BURIAL has been purchased - legal documentation detailing ownership of a burial plot. Grants issued by Middleton Cheney Parish Council are for a period of 75 years.
3. A memorial cannot be erected until nine months have passed i.e. following interment. Payment of the appropriate fee and authorisation from the Parish Council will be required in advance for this to take place.
4. **The stonemason must agree a date and time with the Parish Council for the erection of the memorial before undertaking any works.**
5. Statues are not permitted.
6. The placing of one temporary container of a suitable material will be allowed for a period of up to nine months from the date of internment. This will require agreement by an authorised officer of the Parish Council.
7. Memorial sizes are as follows:-
 - Headstone: No more than 2ft 6" (30") X 2ft (24") X 3"
 - Base: No more than 2ft 6" (30") X 1ft 3" (15") X 3"
 - **Cremation Plot No more than 18" x 18" x 4.2" – desk-style cremation stone.**
8. Inscriptions on memorials to face east (i.e. school playing field) – and agreed by the Proper Officer.
9. **On the reverse the headstone, deceased name only (no directors' or stonemasons' branding).**
10. A flower vase may be incorporated in the memorial. This must not be made of glass or any other breakable material. No vases or receptacles to be placed on the burial plot.
11. Tributes left at the time of internment are permitted to remain for one calendar month. They will be carefully removed by Council staff unless otherwise agreed by an authorised officer of the Parish Council.
12. Any dead or faded tributes, either natural or artificial, will be removed carefully by Council staff when appropriate.
13. No kerbs or edging of any description to be placed on or around the burial plot.

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14. No planting of shrubs/flowers unless agreed by an authorised officer of the Parish Council.
15. The Parish Council reserves the right to remove any vases, receptacles or edging if they do not conform to the cemetery regulations.
16. All headstones (memorials) and vases must be maintained, cared for or kept in a state of tidiness or good repair by the person erecting or placing the same. In default thereof, after due notice, they may be removed by order of an authorised officer of the Parish Council.
17. The Parish Council reserves the right of passage over all burial plots for purposes connected with the Cemetery. In addition, the right to remove any headstone or receptacle to enable a burial to be carried out in any adjacent burial plot. The appropriate headstone will be replaced at the expense of the Parish Council as soon as possible.
18. Cremation plots and their memorials must conform to the regulations as set out above.
19. Families/loved ones are encouraged to look after burial plots and memorials and are responsible for insurance to cover any third party liability. Because the cemetery is an open public space, the Parish Council cannot be held responsible for any damage or theft from burial plots, memorials or tributes. These are all uninsured and the Parish Council will not undertake any replacement or repair.
20. The Parish Council has the right to take action to maintain neglected burial plots and memorials that it deems unsafe or unsightly.
21. The Parish Council only accepts responsibility for maintaining and insuring the cemetery path, building, fences, benches they own and open areas.
22. Only assistance dogs are permitted to visit if kept under control. E.g. Guide Dogs, **unless given prior permission by the Parish Council at their discretion.**
23. Fees are reviewed annually with any changes coming into effect from April 1st and are available from the Parish Council office.