Extraordinary Meeting Statement – Saturday 4th July

Community Garden Update

1 Recent Correspondence

On 19 June, Heyford Park Parish Council (HPPC) wrote to the Community Garden Committee (CGC), setting out the reasons why permission to use the Brice Road land had been withdrawn. This letter was subsequently published on social media.

The CGC was given two weeks' notice to remove all items from the site. The letter explained that any items remaining after this period which required removal by the Parish Council may result in the associated costs being recovered from the CGC.

As the CGC does not hold a lease, sublease, licence or tenancy agreement in respect of the land, there is no statutory notice period that applies. Nevertheless, the Parish Council provided two weeks' notice in recognition that some larger items may require additional time to remove.

During the previous week, the CGC submitted two emails to the Parish Council. One was a Freedom of Information (FOI) request, for which the Parish Council has a statutory period of 20 working days to respond. The second referred to an agreement that the CGC stated existed between Upper Heyford Parish Council, the CGC and Dorchester Living.

Both emails were responded to on 24 June. The FOI request was acknowledged, and in relation to the claimed agreement, the Parish Council requested copies of any relevant documentation to support the assertion. At the time of writing, no documentation has been received.

On 30 June, the Parish Council received a further email stating that the previous correspondence had not been answered. As responses had been issued on 24 June, the Parish Council clarified the position in a letter sent on 1 July to the CGC and all recipients copied into the earlier correspondence.

On 29 June, HPCAG submitted an email objecting to the closure of the Community Garden. The Parish Council responded on 1 July, setting out the factual position and addressing the points raised. At the time of writing, no further response has been received.

Throughout this process, the Parish Council has sought advice from OALC and Breakthrough Communications to ensure that its actions have been lawful, transparent and appropriately communicated. OALC has been kept informed of the issues affecting the Parish Council and has provided advice on significant decisions. The Parish Council remains compliant with the Transparency Code and the Accounts and Audit Regulations.

2 The Facts

The Community Garden is subject to a number of lease and planning issues, which are reflected in the planning permission for the site (copies are available). In addition, a recent Health and Safety Inspection identified several hazards.

The Parish Council has a legal duty to act in the interests of public safety and to operate within the law. Having considered the findings of the Health and Safety Inspection, the Council is

required to act on the recommendations made and address the identified hazards. Consequently, the Council is unable to keep the site open while those risks remain.

During the public consultation, the majority of respondents supported the principle of installing adult outdoor gym equipment on the site. The Parish Council is currently exploring whether this would be a viable option. Any such proposal would require planning permission, and further work is needed before any plans can be presented to residents.

As funding for this proposal was discussed during Council meetings towards the end of last year, and because Council budgets are reviewed annually, any previously identified funding opportunities may need to be revised or withdrawn depending on the final proposal. At present, this remains an early-stage concept and no decision has been made to install outdoor gym equipment.

In light of the Health and Safety Inspection, the Parish Council is not in a position to suspend the closure of the Community Garden.

3 Elected and Co-opted Councillors

The Parish Council was last elected in 2023. Five residents stood for election and, as there are seven seats on the Council, all five candidates were elected unopposed.

Since that election, four councillors have resigned. On each occasion, the statutory process set out in the Local Government Act 1972 was followed, allowing local electors the opportunity to request a by-election. No requests for a by-election were received.

The Parish Council currently has three vacancies. These positions are open to any qualifying elector and are advertised publicly, as well as being highlighted at every monthly Council meeting while vacancies remain. Anyone interested in serving as a parish councillor is encouraged to contact the Clerk for further information.

4 Looking Ahead

The deadline for removing items from the Brice Road site has been extended by two days. All remaining items must now be removed by Sunday evening.

Should any items remain after this deadline, the Parish Council will arrange for their removal and may seek to recover the associated costs from the CGC. Where collection can be arranged before removal works commence, the CGC is asked to contact the Clerk to facilitate safe access to the site.

The Parish Council is aware of comments made on social media regarding this matter. It welcomes constructive discussion and recognises the importance of freedom of expression. However, it also asks that information shared publicly is accurate and presented in its proper context. Where demonstrably false information is published, the Parish Council will consider the appropriate steps available to protect its reputation and ensure that residents have access to factual information.

The Parish Council remains committed to openness, transparency and keeping residents informed as matters progress.