

**Minutes of the Fyfield Parish Council Meeting held on the 27th of January.
2026 in the Fairground Village Hall at 6.30pm.**

Present: Cllr P Boyes – Chairman
Cllr M Hinds – Vice Chairman
Cllr F Jefferies
Cllr R Gimlette
Richard Waterman – Parish Clerk
Borough Councillor Mr P Lashbrook
Janet Wright – Pillhill Brook Association.
Members of the Public – 4
Montserrat Events CIC – 3 Representatives.

Apologies: Cllr V Phillips and County Councillor Mr C Donnelly.

WELCOME.

The Chairman welcomed everyone to the Meeting.

DECLARATION OF INTEREST.

There were no declarations of interest recorded.

PILLHILL BROOK ASSOCIATION.

Janet Wright gave a brief resume of the work of the Brook Association. 9 sites along its length are monitored for water quality with regular testing by a team of volunteers.

- A poster is being put together to inform and educate parishioners about our wonderful chalk stream. The poster will be tailored to each parish that the Pillhill Brook flows through.
- The Pillhill Brook Association ask if the Parish Council are willing to part fund membership of the Angling Trust which amongst other benefits will provide the public liability insurance cover the association will need once the Watercress & Winterbournes closes at the end of March 2026. The estimated cost to each parish will be approximately £8.
- Possible future development in the River Test and Itchen catchment area was briefly discussed. TVBC are keen to make the River Test and Itchen National Park status as they are important Chalk Streams.
- EA Flood & Coast Excellence Award Plaque - Recognised for the work the PPPF have done with SW. All parishes played their part.

The Parish Council thanked Janet for her report and agreed to their share of joining the Angling Trust.

THRUXTON AIR SHOW – Presentation from Montserrat Events CIC.

Alan, Sue and Johnathon from Montserrat Events CIC spoke at length about the Thruxton Air Show to be held on the 12th and 13th of September 2026. They stated that they will be presenting the Thruxton Air Show to all the Parishes adjacent to the Thruxton Airfield and regular up-dates/information will be sent out leading up to the event.

Points from the presentation included:

- Montserrat Events CIC have been working closely with Mr Alex Thistlethwayte the Airfield owner and the Aviation Authority.
- The event will be held over three days. Friday the 11th of September will be a Trade/Business event with the Air Show being held on Saturday the 12th and Sunday the 13th of September.
- There will be various ground attractions on both days with the 'Age of Flight' Air Show during the day. The Saturday Evening there will be a drone light show and fireworks.
- Local residents will get a discount on tickets.
- Montserrat Events CIC have a lot of experience in putting on Air Shows including the Victory Festival and Air Display at Lee on the Solent and Proms and TeaJazz at Stansted.
- Montserrat Events CIC are working with the Civil Aviation Authority and Test Valley Borough Council on flight paths and vehicle movement to and from the site. All the neighbouring villages will be given all the relevant information once it has been confirmed prior to the event.
- Montserrat Events were made aware of the large number of Horses that are in the area including the Racing Stables at Kimpton Down. The Prish Council were assured that they will all be contacted to safeguard the animal's welfare during the Air Show Event and the Fireworks.

The Chairman thanked Alan for the presentation and asked that it would be good to give residents as much information as possible prior to the event via social media, the Parish Council Website and Notice Boards.

MINUTES OF THE PREVIOUS MEETING.

The Chairman signed the November 2025 Minutes as a true record.

MATTERS ARISING FROM THOSE MINUTES.

VILLAGE GREEN/PLAY AREA – Correspondence received: Objection to no dog signs to 'The Green':

Summary of Objection Letter (Resident)

Challenges the validity of "No Dogs" signage on parish-owned land known as *The Green*. Objects to the exclusion of dogs from both parish green spaces

Key assertions

Land was gifted to the Parish Council within the last 10 years Council minutes refer to the land as a "village green" Claims the land therefore qualifies as public open space under planning legislation.

Legal arguments raised

Cites Clean Neighbourhoods and Environment Act 2005 (sections 55–67) governing dog control orders Claims statutory procedures and consultation were required but not followed Refers to (withdrawn) Defra guidance on dog control orders States that government guidance allows dog walking on village green. Argues that only enclosed play areas or sports facilities can lawfully exclude dogs.

Public Space Protection Orders (PSPOs)

Notes Test Valley PSPO restricts dogs only in enclosed play and sports areas argues the Parish Council is acting outside its powers by imposing additional restrictions.

Objections raised.

Lack of consultation, Parish Council acting *ultra vires*. Failure to balance the needs of dog owners and non-dog owners.

No evidence that dog walking has a detrimental effect on the locality Insufficient consideration of impact on the community.

Summary of Parish Council Response**Land status**

Confirms the land is owned by the Parish Council clarifies the land is *not* a registered Town or Village Green. References to "village green" in minutes are descriptive only and have no legal status.

Legal position.

Notes Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005 were repealed in 2014 confirms the cited legislation and Defra guidance no longer apply states dog restrictions are not being imposed under PSPO powers.

PSPO clarification.

Parish Council has not made a PSPO and has no power to do so existing Test Valley PSPO does not prevent landowners imposing non-criminal conditions "No Dogs" signage does not create a criminal offence.

Consultation.

No statutory requirement to consult for landowner decisions of this nature Consultation requirements cited relate to repealed legislation.

Council powers.

Parish Council is acting within its powers as landowner under the Local Government Act 1972. Signage constitutes land management, not legislation or enforcement. Ultra vires allegation rejected.

Community considerations.

Council acknowledges impact on some dog owner's decision reflects balancing of safety, amenity, land condition, and community use restriction considered reasonable and proportionate for this site.

Conclusion.

The Parish Council does not accept that the signage is unlawful or invalid. No intention to remove signage at this time Invalid, outdated and unsubstantiated.

The A342 Working Group – Cllr F Jeffries

The A342 Working Group is progressing well and making good headway with collecting information, data, and evidence. There is good progress with various topics to produce a Transport Strategy and Report for the area. – ongoing.

A major problem for the group, and the whole area is that Hampshire County Highways have not been collecting data from the three of the four Automatic Traffic Counters since 2010. They are insisting upon charging for activating them. So far various funding sources have been approached without success. How any Transport Plan or HCC input to the TVBC DLP can be trusted without accurate data is beyond my comprehension. – ongoing.

HIGHWAY ISSUES.

The recent continuous rainfall has again made it difficult to get out of the village as there has been flooding under all three bridges. Work on clearing the soakaway under the Lenham Bridge has been done, although it is now blocked again. Further work is required!

The Chairman reported that he has investigated the legality regarding rocks on the verge issue raised at the November Meeting by a parishioner:

s.130 Highways Act 1980	Highway authorities must protect public use of a highway, including roadside waste/verges.
s.137 Highways Act 1980	It is an offence to <i>wilfully obstruct</i> the free passage along a highway without lawful authority.

There isn't a clause in the Act that explicitly says "the public has a right to use the verge" in those precise words, but the combined effect of common law and the Highways Act case law/interpretation is as follows:

Common law principle:

If land adjoining the road has been dedicated for highway use, the public may have a right to use the entire width of that space — not just the metalled (surfaced) part. This includes verges and roadside waste if they are part of the highway dedication.

Statutory backing:

Section 130 expressly includes roadside waste as part of the highway that must be kept available for public use and protected from obstruction.

- The Act doesn't explicitly say "*you can't put a rock on a verge*" — but **placing anything that obstructs or encroaches on a highway without permission is unlawful.**
- Authority must **prevent encroachments** (s.130) and can prosecute or require removal of obstructions (s.137).
- The common law principle of the highway's *full width* supports the interpretation that verges — once dedicated as highway — cannot be obstructed by private individuals without lawful authority.

The Chairman has spoken with Thruxton PC where the issue was encountered, and this will be discussed at their next meeting.

The Chairman suggested that households were written to reminding them of their responsibilities and liability should they persist.

'Gov.UK' Address.

The Clerk reported that he has asked Elpatech Computer Programmers in Andover to quote to set up a 'Gov.UK' address for the Parish Council.

PLANNING.

26/00121/TREEN - T1 - Beech - Reduce crown by up to 2m, reduce large lower limb overhanging garden by up to 3m - 5 Saddlers Mews Fyfield Andover Hampshire SP11 8FB. Status: Current

26/00112/TREEN - 3 Elm Trees - Pollard - Forge Cottage Fyfield Andover Hampshire SP11 8ES. Status: Current.

25/02226/OUTN - - Land at Dauntsey Lane Weyhill, Outline - Erection of up to 20 dwellings. 50+ Public Responses.

THRUXTON PRESERVATION SOCIETY.

The Chairman reported that Alex Thistlewayte the new owner of the circuit is to meet with Fyfield and Kimpton Parishes about his plans for the circuit, on the 2nd of February 2026 at 14.30.

RESILIENCE – Cllr R Gimlette

Cllr R Gimlette reported that she has been consulting with Cllr N Blackmore, Vice Chairman of Penton Grafton Parish Council. Penton Grafton Parish Council have confirmed that they are happy for Fyfield to use the Fairground Hall as their warm hub.

Cllr R Gimlette produced a draft Fyfield Resilience Plan that was given to the Parish Councillors to read and make comment. Resilience training to use the Fairground Hall will take place at some point and putting together a 'Parish Grab Bag' will be looked into.

Cllr Mr P Lashbrook spoke about resilience and suggested that Fyfield also look at sharing the Thruxton Village Hall in case access to Weyhill is not possible due to flooding.

FINANCIAL REPORT.

1st of April 2025 – 27th of January 2026

Expenditure	£
Clerk	3,000.00
Village Maintenance	1,053.00
Defibrillator Electric	600.00
Audit Fee	225.00
Storage	50.00
Website Fees	352.40
Road Narrow Signs	56.40
Street Lighting	298.85
3 Village Sports Trust	500.00
Fyfield PCC Grant	500.00
Fencing	407.00
Flashing Speed Sign	307.98
Insurance	684.18
Xmas Tree and Lights	225,00
Bus Shelter Repair	334.00
	<u>£8,593.81</u>

Opening Balance 1/4/2025	= £ 6,014.28
Plus Income TVBC ½ Precept	= £11,000.00
	= £ 17,014.28
Less Expenditure	= £ 8,593.81
Money in Bank	<u>= £ 8,420.47</u>

2026/2027 PRECEPT.

The Parish Council discussed the precept for the financial year 2026/2027 and agreed that the Precept will increase by £1,000. The Fyfield Parish Council Precept for the Year 2026/2027 was set at 12,000. Proposed by Cllr R Gimlette and seconded by Cllr M Hinds. All agreed.

BOROUGH COUNCILLOR MR P LASHBROOK.

Cllr Mr P Lashbrook reported:

- Current Ground Water levels are low at the moment but are beginning to rise.
- Concerns that the Villages are being used as rat runs and even more so with the threat of development in the area. Additional signage is being looked at for villages to detour this practice.
- The planning policy team have been asked to make sure that any future development in Fyfield provide a Village Hall for the village.
- Concerns for the wastewater removal for future development has been raised with Southern Water. An ambiguous response has been received.

MEMBERS OF THE PUBLIC.

The following issues were raised by the members of the public:

- Observations have indicated that the soakaways under the bridges need replacing, they need sucking out as they are full of silt.
- The Fyfield to Appleshaw junction bridge needs a major re-think and a raised walkway added to enable pedestrians safe and dry access to access the bus stop on the A342.

These issues will be taken up with Highways and Cllr Mr C Donnelly.

CLOSE OF THE SEPTEMBER MEETING.

The Chairman closed the January Parish Council Meeting.

DATE OF THE NEXT MEETING.

31st March 2026 in the Fairground Hall, Weyhill at 6.30pm

WEB SITE.

www.fyfieldparishcouncil.org.uk.