

VILLAGE HALL EXTRAORDINARY MEETING
August 5, 2020

MINUTES

Participants: Gill Williams, Steve Hills, Dave Phillips, Alethia Campbell, Jon Jones, Brenda Wardiell, Katina Donald, Catherine Belton

Apologies: Andrea Gray

DISCUSSION ITEMS

Village Hall car park – there was a discussion about the future of the car park and concerns by some in the committee that the car park was in constant use by members of the public rather than legitimate pub and hall users. Each of the participants gave a brief speech in the debate, some based on previously circulated prepared documents (see addendum)

Alethia Campbell said she didn't live in the village so was willing to listen to others' first hand experience. She suggested that this was an unusual year due to the Covid outbreak and questioned why the new members on the committee had joined suddenly when this issue had supposedly been around for six years.

Jon Jones said the car park should be for the use of village hall and pub customers only and believed there should be some form of gate put up but he was very much against the idea of fencing the river off because it would be unsightly and spoil a beauty spot. He argued that if there were a car park barrier (along with existing signs saying that it is village hall property and limited to official users only), he said his faith British justice would be such that the village hall Trustees could not be held liable for any accidents that happened to trespassers.

Gill Williams presented the views of many villagers concerned that the gate would push additional traffic further up into the village. She added that the Covid 19 epidemic had created new demand for parking and that the problem would likely decrease as the crisis passed. She read out an email from one villager who has lived in Wadenhoe for nearly 50 years and who summed up the problems and potential solutions (see Addendum).

Gill added that fencing off the river bank would be potentially dangerous – blocking off emergency access to the river. It would also close off a much-loved beauty spot for local people who use the bench and also appreciate the willow tree planted in memory of a local person. Fencing the bank would also deny river access to villagers who regularly swim and use canoes.

Steve Hills spoke about the practicalities of putting up a gate after receiving helpful advice from the Wadenhoe Trust chairman and said that any gate must not encroach on council land in any way. That being the case, a gate is not going to help the graziers gaining access to the lower church field and if anything would make matters worse because people would park outside the hall car park gate and in front of the field entrance gate.

Dave Phillips submitted a lengthy document stating his views (see addendum).

Katina Donald submitted a lengthy document stating her views and questioning whether or not trustees would be liable to litigation in the event of an accident in the river after gaining access from the car park. (See addendum)

Catherine Belton argued the issues surrounding the necessity to call this extra-ordinary meeting were issues that impact upon a large proportion of villagers.

She said: "The use of the village hall car park as a free amenity for all and sundry from far and wide has increased from dog walkers and hikers to those seeking river access. The volume of this new wave of visitors block the car park from dawn until dusk, sometimes overnight, preventing paying visitors being able to park. Providing free car parking is not the use the Village Hall was intended for. The intensity does not reduce in the colder weather either when, in particular, the wild swimmers are equally keen. The infrastructure of this peaceful village cannot cope with the, admittedly friendly, invasion!

In addition to the frustration this causes to the locals, there is also the issue of liability should there be an accident. My suggestion would be 2 stage.

With immediate action would be Herras fencing placed along the riverbank edging the car park. This would be an experiment that would remain in place until stage 2. Stage 1 would hopefully discourage those seeking river access and having the desired effect of increasing the spaces in the car park for those who wish to use the pub and eventually the village hall. It is possible that a lockable gate could be part of this fencing arrangement for the use of those in the Trust's catchment, but this could prove awkward if challenged by a newly discouraged swimmer. I believe that there has been a discussion allowing those in catchment to access the river from the pub paddock. The 2nd stage solution would be to install a gate. This could be opened and closed at an agreed time with the pub holding a set of keys. It may be that some more attractive fencing could be installed to replace the Herras if it was felt to be necessary."

Brenda Wardiell said the EGM had been called because the traffic problem in the village had got out of hand leading to a decline in the peace and tranquillity. She said the main problem was swimmers and canoeists using the village hall car park at all hours and not bringing anything to the village. She said they parked inconsiderately and left rubbish. The problem was unlikely to go away after Covid 19 because the village was now 'on the map'. She said people coming to eat in the pub and use the hall would be deterred and that the villagers now had to stop infighting and come up with a constructive way to find a solution and abide by a majority decision.

She said the river should immediately be blocked off with harris fencing incorporating a padlocked gateway for emergency access. She suggested the existing fencing was eroded and flooding could be a problem in the future. She added that trustees could be liable in the event of an accident and demanded the river access ladder be removed immediately. Ms Wardiell said the moves would ease the problem although parking was still liable to be an issue in Wadenhoe through the summer.

Gill Williams replied that the ladder had been in place some years and predated any of the existing committee and said it was a safety asset for people using the river, such as local villagers launching canoes. It was a facility that many in the community valued.

She added that legal advice had been sought about the wording of a village hall sign warning that access to the river was at the users' own risk. There was also a new sign limiting parking to village hall and pub users only. The legal advice was such that these signs protected the trustees against litigation in the event of an accident. She added that an AGM decision to join ACRE would offer further advice and that the hall had comprehensive public liability insurance.

Dave Phillips proposed the following: That the village hall car park is to be closed to all apart from legitimate users with some form of barrier subject to it being manageable on a daily basis.

MOTION CARRIED 7 votes to 1

Catherine Belton proposed the following: To have temporary fencing to close off entry points to the river during the summer with a review during the first quarter of 2021.

MOTION DEFEATED: initially equal 4 in favour, 4 against so the Chairman's vote was cast making the result 5 vote against, 4 in favour.

At the end of the meeting, the Chairman Gill Williams announced her decision to resign in protest at the way the new members and one of the existing committee had behaved during their campaign to close off the car park. The Treasurer then announced his immediate resignation for the same reason and this was followed by resignations from Alethia Campbell and Steve Hills.

MEETING CLOSED

ADDENDUM DOCUMENTS

EGM ADDENDUM – August 5, 2020

GILL WILLIAMS SUBMISSION regarding the car park gate proposal:

Fencing off the village hall car park to people visiting Wadenhoe will simply force the traffic further up into the village. Several villagers who had approached her on the matter and read an email from one villager, John Wythe, who has lived in Wadenhoe for 50 years and made some constructive comments. He wrote:

I've lived in Wadenhoe for nearly 50 years so feel I know a bit about the village. Until recently it was a fairly tight-knit village and changes both physically and socially were slow to take place.

Recently, for all sorts of reasons, but aggravated by Covid-19, things are not as they were and probably never will be again.

As I know you do, I also feel greatly for those less fortunate than us Wadenhoe residents. It is only human that in Covid times, especially people in confined spaces, will try and seek wider horizons - and Wadenhoe is an attractive choice.

The problem is the volume of visitors and the lack of facilities and very restricted parking.

The influx of large numbers of visitors affects the whole village, not just the residents of Church Street and Mill Lane.

Closing the Village Hall car park to all, other than Village Hall users and Pub customers, will simply push the parking pressure further up the village.

To some extent this is already happening in busy times and residents further up the village have taken individual, usually illegal, certainly not very attractive, steps to prevent parking outside their properties.

There is no doubt that the influx of, mainly swimmer's and canoers vehicles, to the Village Hall car park is having a detrimental affect on the Pub trade. Yesterday, for example, when the Pub and Village Hall car parks were both crammed full I spoke to a couple of vehicle drivers who were intending Pub customers but could find no parking space - so they left.

Signage just doesn't generally seem to work. Village Hall car park users totally ignore the sign saying the Village Hall Car Park is for Village Hall users and Pub overflow.

The one sign that does seem to be effective the Trust have erected at the top of Mill Lane, telling drivers the lane is a dead end, no parking and restricted turning. This has resulted in very little parking down Mill Lane.

I've suggested a 'dead end' sign at the top of Church Street, with maybe a reminder that there is no on-street parking as this will restrict emergency vehicle access.

I've thought about an Amps type barrier to the Village Hall car park, which lets you in but you need a code to get out. Maybe if you were a Pub or Village Hall user you'd be given the code, all others go to the Pub and pay, say £5, for the code? But there are problems of cost and vandalism here.

Fencing off the Village Hall car park river access would not solve any problems, as those wanting to swim will just find another place to enter the river - as is already happening to a growing extent upstream - with resulting human fouling and littering evident.

So unless one resorts to double yellow lining the whole village and putting an effective barrier to the Village Hall car park I'm afraid the village is just going to have to get used to welcoming all, just hoping they don't make too much noise, take away their rubbish, stop taking drugs, don't block highways, stop pooing wherever they feel like doing so.....little likley hood of these happening?

So, Pandora's box has been opened and it's impossible to shut it.

Perhaps if and when kids go back to school and people go back to work and when winter sets in, all will calm down. But it will re-visit again next year.....by which time we may have a few ideas in place to lessen the impact.

We've been extremely fortunate to have lived in Wadenhoe in its quieter times and if we have to share it a bit in these difficult times then that's our duty. I just hope those who visit realise they have a duty also. What is it about water that makes people shout and screech all the time?

I have suggested a fairly obvious thing to try and calm traffic in the Village - ask the Northants Highways to change the 30 mph signs to 20 mph?

GILL WILLIAMS SUBMISSION regarding the proposal to fence off the river bank

The bank is used by legitimate pub customers (the swimming club who visit each morning and raised money for the village defibulator) to enter the water. It is also used by many villagers and their children for swimming and to launch canoes. The path to the side of the carpark is the safest entry point for miles around, having shallow water and a firm river bed for acclimatisation and to allow children to swim within their depth. Given the village hall has adequate legal signing with careful wording plus an existing sign limiting access to the car park, there is no reason to fence off a local beauty spot and seating much-loved by local people.

STEVE HILLS' SUBMISSION

I do understand that Wadehoe is being swamped by visitors like never before and that it can be frustrating if you live here.

I think the covid-19 lockdown and all that has gone with it has changed many things, probably forever. After all, covid-19 is here to stay for the long term. So we (and I mean anyone living anywhere in the developed world that's a beautiful place, especially near water) may have to get used to many more visitors on hot days from here on. This may be the new normal.

People want to get out and do active things now, things that they wouldn't have been doing a year ago. Now because of lockdown, a lack of fitness, fear that if they are unfit and get covid-19 they are more likely to die, messages from Government to get fit and so on, people are getting out there and taking more exercise than ever before.

There were several months when all pubs and everything else were closed but the Government was telling everyone that they could and should get out and exercise. There's a new government "fight against obesity" drive. Boris said to the nation only last week "get out and go wild swimming".

Add to all that a sudden craze for paddle boarding means that a lot more people are heading for water.

Should we condemn them for wanting to get fitter and healthier and also having fun somewhere beautiful when they normally live somewhere grim?

We had lunch with friends who live in a very pretty village near Bedford on Friday. The village is on the river and the place was heaving with people who'd come to swim and paddle. It's the same everywhere, if it's pretty and there's water on a hot day.

My sister lives close to the pretty seaside town of Beer in south Devon. Aptly, there are some good pubs there! Large numbers of visitors have been arriving on sunny days and some of the locals have been getting very angry. They've been putting rude notices on windscreens and damaging cars. All that this has resulted in is some of the residents being charged with criminal damage and heavily fined.

All that said, Wadenhoe has reached a point where it gets beyond full. I don't know what the answer is, apart from the fact that winter is just around the corner so it won't be many more weeks before it's over for another year.

I think that if we closed and fenced the village hall car park entirely it wouldn't reduce the numbers coming. The car parking problem would back up even more into the village. I think it would reduce the number of cars going up and down Church Street but it will not necessarily reduce the number of people.

Last Friday early evening the village was full of young people walking back through the village in their swimming costumes to their cars that were parked throughout the village. They had parked, not in the village hall car park but all through the village, up by the green and beyond. They were coming back along the lower path below the church. Clearly they had all been swimming further up river and not at the hall car park out of choice.

We didn't attend last Monday's meeting at the hall because we didn't want to risk Gill getting covid19. If she does she will lose the sight in her eye. Gill has had a serious eye operation very recently and is supposed to be resting with no stress and no infections of any type, so we kept away.

How do you stop so many people coming to the village? I, as well as everyone else, find it a pain having all those cars to negotiate through the village when trying to get out. But should we deny people less fortunate than us a bit of fun and exercise? I really don't know what that answer is but closing the Mill Lane car park hasn't reduced the number of people going to the ford and water meadows.

I do agree, however, about having a 20mph speed limit throughout the village. Here's a copy of a letter (attached) that I sent to Anthony a couple of weeks ago:

Dear Anthony,

As I'm going to be setting up at the village hall this evening for a village hall committee meeting, (Friday 17th July 2020) I won't have much time to attend the informal gathering to discuss car parking in the village etc. So I thought I'd put my thoughts down on paper so you can read them at your leisure.

I think that the river, both points of access and to some extent the village itself is the magnet for people, not just at the village hall area. I think that if we close the village hall car park we won't have fewer visitors coming. They'll find other places in and around the village to park and then they will walk to the car park and also further along the river (as they already do). More people will go down Mill Lane to park because it also has access to the water.

The other problem is that the Village Hall car park is also there for customers of the Kings head. I'm not sure how that would work if there were a gate across the entrance on busy days.

The closing of the Mill Lane car park hasn't resulted in fewer people going to the ford and beyond. I feel that closing the Village Hall car park will be no different.

If we ask the council to put in "no parking" restrictions we'll get yellow lines and signs everywhere, which would obviously impact on the beauty of the village. Also, residence parking is very expensive. You could be looking at three or four hundred pounds a year to be allowed to park one car outside your own house.

This happened to my ex wife in St Albans a few years ago and she has no other choice than to pay over £400 a year for the privilege of parking outside her house. Yellow lines and signs appeared everywhere in what is a conservation area. And there's still no guarantee of a space when you get home.

Would we get a traffic warden sent to Wadenhoe? Unlikely. The police probably won't be that interested in doing a traffic wardens job in a small village on a regular basis.

There have been similar problems with lots of visitors arriving at beauty spots and pretty towns and villages all over the country during the "lockdown summer holiday" we've had. Devon has had the same problems as here but on a grand scale. The small pretty town of Olney recently had a huge number of visitors which made the national news. So we're not unique at the moment.

A pay and display car park on the edge of the village as Dave Phillips has suggested might be worth considering. It's possible to get pay and display machines that don't take cash, just a card tap. So it wouldn't have any cash in it for thieves to try and steal. They also can be powered by a little solar panel that's the top of it so no need to run power cables to it. Might be worth a thought. But it would need looking after of course.

It's worth noting that the TWATS swimming club stayed away during the lockdown period, so swimmers at that time were other individuals.

KATINA DONALD SUBMITTED THE FOLLOWING:

DILEMMA

Should the Trust open its car park for un-restricted public parking.

Trustees are required to adhere to the terms of the Trust and review decisions based on what is the actual benefit to the Trust.

PURPOSE OF THE CAR PARK

According to the Governing Document the property is held for the purposes of a Village Hall for the use of local inhabitants Quote .."A village hall that is hired out for private functions, educational classes and fund raisers" There is no provision for the Trust to provide free parking, nor does it provide any benefit to the Trust if this facility is provided without charge. The Trust Property according to the Governing Document is indivisible.

It specifically identifies the Village Hall, as a single entity, not the sum of its parts. The Hall is made up of a number of supporting parts, namely the hall, car park, toilets and kitchen. To separate these elements would, or may conflict, with the intended use of the Hall. It would appear to be outside the intended use of the property if the trustees offered each sub part independently e.g. Opening the toilets for public use, or renting the kitchen to a takeaway food outlet, or making the outside a public car park. It would be difficult to interpret anything other than what the Trust Deed specifies. Parties that use the hall for private functions, educational classes and fund raisers meetings as its registered purpose, would be impacted if independent elements of the Hall ie The CAR PARK were segregated and offered piecemeal to the general public or indeed individuals it would appear this conflicting use would contravene the Charity's objectives .

In the absence of any other evidence, The Village Hall Car park can really only be viewed as supporting Village Hall infrastructure, not as a separate facility to be managed without any benefit to the Charitable objectives.

WOULD OPENING THE CARPARK TO THE PUBLIC REQUIRE UPGRADING

Its probable that additional capital might be required to bring the carpark up to standard.

Under the safe parking scheme, "PARK MARK " provides guidelines to maintain high standards both in terms of public safety & risk assessment to satisfy the concerns of nearby residents and visitors. The Park Mark® Safer Parking Scheme is a Police Crime Prevention Initiative (Police-CPI) and is aimed at reducing both crime and the fear of crime in parking facilities. I would reference the recent events at the car park where antisocial behaviour required Police intervention.

The Trust would need additional legal advice to ensure it isn't in breach of the Equality Act if it doesn't provide disabled access..

POTENTIAL RISKS

I strongly believe we will need professional legal advice to assist the Trustees in understanding the potential risks associated with Public Parking especially inviting parking access for Open water swimmers. If the Trust has a duty of care to ensure the entry & egress to the River from the Trust property is safe then Public liability insurance would appear to be mandatory which maybe excessively expensive, depending on how the insurer regards the risk.

In "non" Public spaces there appears to be no general right to swim in the non-tidal rivers and lakes of England and Wales. ... Unless private landowners have indicated their willingness to allow swimming in waters bordering their properties, otherwise swimmers could be trespassing. It makes no difference whether the river or lake is publicly owned or privately owned.

The Trustees would need to consider legal advice in determining if the property owner has a duty of care to the general public when accessing the river. If so, then the Trustees may be required to ensure that:

Appropriate safety equipment is available and that safety measures are in place to protect life

Any submerged obstacles or below surface dangers are regularly identified so swimmers may be alerted to the risk

Monitoring daily currents and flooding and close access &/ or advising any pending dangers

Regular checking of water quality to identify any toxic algal blooms and industrial/agricultural pollutants are not present

Changing water depths, uneven banks & river beds are reviewed and regularly monitored for public safety.

Members of the Trust should be aware that drowning is among the leading causes of accidental deaths across the UK. Last year, 34 people died while swimming in open waters, according to the National Water Safety Forum .

POTENTIAL COSTS TO THE TRUST

1. Specialised legal advice alerting trustees to the potential risks & liabilities
- 2 .Public Liability insurance (required by the Governing Document). The Trust would need to disclose the risk of users accessing the River for recreational purposes to the insurer ...which may attract an increase in premiums.
3. Multiple warning signs listing all the potential dangers possibly in multiple languages
4. Cost of regularly checking water quality, safety equipment, removing rubbish,

CONCLUSION

There is only one answer to the central questions for all the Trustees "What is the benefit to the Trust"....on this question; the answerthere is none!

It would appear the trust would be better served if it reserves the car park for its intended purpose. That is used when the Hall is hired out or used for charity functions. It would save the unforeseen capital and operating costs, avoid unintended uses such as overnight camping and anti social gatherings and reduce the potential for river associated accidents.

By limiting swimming access The Trust may see the Public Benefit of preserving wildlife found in the River Nene. The rivers diversity of habitats makes it one of the most important inland localities in England for a whole range of wildlife including kingfishers, herons, otters, swans. It's an offence to willfully disturb breeding fish or spawning beds - similarly caution is needed so as not to disturb birds or wildlife; keep clear of swans & kingfishers along with nesting birds, areas important for breeding fish, sensitive otter sites

DAVE PHILLIPS SUBMITTED THE FOLLOWING

VILLAGE HALL CAR PARK: PROBLEMS & SOLUTIONS

INTRODUCTION

Wadenhoe's summer woes regarding uncontrolled visitor numbers has been a major source of concern for most residents – as confirmed by Anthony Hotson, chairman of the Wadenhoe Trust. Anthony is engaged in finding a long-term solution to the problems (see below), and he says the village hall car park is an important piece of the jigsaw. He also says that doing nothing should not be an option.

THE PROBLEMS

- Wadenhoe does not have the capacity for the large number of visitors that descend on our small village on warm sunny days.
- There is insufficient parking available for the large numbers of cars
- Roadside parking is done inconsiderately and often dangerously throughout the village
- Access for residents, emergency vehicles and delivery vehicles is often blocked
- There are no public toilet facilities (causing a major problem with human wastes in adjacent grazed meadows)
- During the day the village hall car park (designated for village hall users and pub customers only) is full of swimmers, canoeists, picnicking families, campers (you name it)
- During the night the village hall car park is allegedly used by county lines drug dealers (I say “allegedly” because I am reporting what others have seen and what a police officer told me)
- During the night it is also often used as an illegal campsite by campervan owners
- Early in the morning and during the night, speeding cars (heading to and from the car park) are a nuisance and danger
- The pub and tea room is losing trade because there is insufficient parking for customers
- Swimmers, canoeists and other water users are regularly straying down the Mill Stream, which is private and non-navigable
- Allowing access to the river from the car park is irresponsible and potentially very dangerous. Its legality is questionable and its ramifications immense

THE SOLUTIONS

Long term: Install lockable gates across the car park, to prevent access outside pub/tea room opening hours. The pub licensee to have control of said gate, opening in the morning and closing in the evening once no longer needed for pub overflow parking.

Short term: Use bollards as chains, as used in the past when weddings etc are held in the hall.

The pub to have half the car parking spaces marked off and clearly signposted “PUBCUSTOMERS ONLY” (if the licensee wants this).

Last year the village told the Wadenhoe Trust it wanted to keep the pub as a pub. It is therefore important that we protect the interests of the pub by providing it with the car parking it needs during busy times – parking provision that is enshrined in our constitution, incidentally.

As a committee we also need to discuss how we are going to police the car park to enforce that it is used only by pub customers and village hall users.

River access from the village hall car park must be banned. Our constitution clearly states it is the committee’s job to run and manage the village hall. Allowing or encouraging swimming, paddling or launching vessels is not within our remit. (This does not prevent the pub licensee from allowing/encouraging canoes etc from the pub paddock, which is, after all, flat and even and much more suitable for such activities. If necessary, we can fence off access to the river. We must certainly insist of the removal of steps down into the water.

By allowing those steps to remain, we are encouraging swimming. And by encouraging swimming, we have a duty of care to those who swim from our property. Are we prepared to hire a full-time lifeguard? Do we have insurance to cover us in case of accident or tragedy?

As I stated earlier, our remit extends only to managing the village hall. It does not include getting involved in off-piste activities that are dangerous and could lead to tragedy.

I have outlined the above solutions to Anthony Hotson, Wadenhoe Trust chairman, and he is in broad agreement with these measures, as part of a bigger, village-wide strategy to solve the problem.

It is argued in some quarters that closing the car park will make matters worse, but in the long-term it will actually reduce visitor numbers. Once visitors – particularly water users - realise that parking in Wadenhoe is difficult, they will go elsewhere.

Remember, Wadenhoe Village Hall’s car park is for village hall users and pub customers only. It is not and never has been a public car park. And it is certainly not a free-for-all water sports centre. For anyone on the committee to suggest it should be allowed is, frankly, irresponsible.

It is also argued by some that the increased visitor numbers is a one-off caused by Covid-19. It isn’t. In recent summers the number of visitors has been very high and growing, year-on-year – probably mainly as a result of publicity afforded wild swimming, etc, but also due to social media.

Those of us who have lived here ten years or more are amazed – and dismayed – by the detrimental changes to our once-peaceful village. It is, therefore, important that the village hall recognises the concerns of most of the village (as noted by the Wadenhoe Trust) and acts accordingly.

The majority of Wadenhoe residents, and the Wadenhoe Trust, expect us to take urgent action. They are fed up with too many visitors cramming into a tiny village that lacks the capacity and facilities to accommodate them. In short, they want their village back. If people “less fortunate” want to go swimming, paddling or enjoy the countryside, there are plenty of designated facilities in this area with ample capacity for their parking, safe water access and toilet habits. They do not need to come to Wadenhoe, where these facilities are all inadequate.

We need to act urgently and get any temporary measures sorted before the forthcoming Bank Holiday, if possible.

David Phillips

August 5, 2020 PS: As I have mentioned Anthony Hotson, chairman of the Trust, in this document, I sent a draft for his approval before releasing it (which he has kindly given).