

**Notes of Meeting with Residents re Cuttle Brook Local Nature Reserve
14 March 2025, 3pm at the Town Hall**

Attendance: Cllr Andy Gilbert (Chair), Mandy Sturdy (Town Clerk), Graeme Markland (Neighbourhood Plan Continuity Officer), Andrea Oughton (Operations Manager).
Residents who share a boundary with Cuttle Brook Local Nature Reserve.

Meeting Focus – moving spoil mound from behind residential properties.

1. Cllr Andy Gilbert opened the meeting and reported the Town Council (TTC) had received an update from a senior planning officer at South Oxfordshire District Council (SODC) approximately half an hour before this meeting was due to commence. Hard copies of the email shared with meeting attendees. Graeme ran through the email content in which SODC have given an informal viewpoint.
2. The land use cannot be classed as agricultural (classification - land that provides someone with a living) and therefore the works need planning permission. Planning permission could take as long as 6-8 months.
3. Senior Planning Officer's advice is that nothing more is done on site until guidance from SODC Enforcement and the Environment Agency (EA) is received as to what applications / permits are required.
4. TTC will be guided by EA & SODC.
5. The option to keep the whole of the spoil in its current location will not be included in any retrospective application subject to Council approval.
6. Mandy reported TTC officers had a plan up until SODC intervened which has paused all work. Mandy talked through plans that were going to be presented to the residents today before receipt of information from SODC.
7. The plans were to move most of the spoil to two locations identified within the nature reserve: a) in the wooded area in Nontron Meadow (Oxford Road end) and b) behind some residential properties from the bench where property fences are 5 foot and above. The remaining spoil (at the original deposit site) will be spread to a level to allow it to be easily maintained and landscaped so it blends into the nature reserve (anticipated it will be approximately one-foot in height along its length). Talked to Cuttle Brook Conservation Volunteers (CBCV) about spreading native seeds from a seed bank they have accumulated from the meadow over a period of time. Quotations are being sought for moving the spoil with a potential start date as early as week commencing 24th March.
8. Mandy will continue to ask questions to see if the spoil can be moved whilst SODC and EA investigations take place.
9. A meeting of Full Council has been called for Tuesday 25 March 2025, to enable the Council as a corporate body to consider the options available. This is a public meeting to which members of the public can attend and apply to speak at. The agenda will be published next Wednesday 19th March. Mandy will write a report giving the background, and options for the Council to consider and make a decision.

Residents:

10. Views on tabled response from SODC:
 - a. Will the retrospective application just be for the scrapes.

- b. Will retrospective application be needed to move the spoil.
- c. Moving spoil is a waste operation? It may contain toxic material. Is it a waste operation if it is being redistributed within the reserve?
- d. Will ecology study be required?
 - i. The longer the soil is left in position the more likely wildflowers underneath will be damaged.
 - ii. Can't wait 8 months for outcome of planning application.
 - iii. What is stopping TTC from proceeding at risk and moving the soil.
 - iv. *TTC – this is a decision for Council to take as the Corporate Body and will be one of the options in the report to Council, there needs to be enough data for Council to make an informed decision. 'Reasonable Man' test would say if the scrape has been dug too deep beyond the project specification. Excess spoil can be moved to different areas on the reserve.*
 - v. FRAP doesn't cover the scrapes.
 - vi. *TTC – agreed it doesn't.*

11. River Thame Conservation Trust (RTCT) / CBVC:

- i. If RTCT / CBVC / Contractor are experts why has the scrape been dug too deep.
- ii. *TTC don't know, we have asked the question, the contractor is incredibly experienced, no one expected the amount of spoil that has been deposited. TTC were expecting it to be much less and spread over a wider area. Graeme has spoken to a member of the EA whose view is that the works would not harm flood risk in the area, the deeper the hole the greater capacity.*
- iii. Why were the correct permissions not sought prior to the project starting.
- iv. Believe RTCT / the contractor and CBVC broke the rules around the size / depth of the scrape intentionally.
- v. Conduit shouldn't drain into Cuttle Brook.
- vi. *TTC – it doesn't, it connects to a drainage channel that runs from the rear of the Chiltern Vale estate into the Cuttle Brook.*
- vii. The contractor has not finished the work.
- viii. *TTC – works in the specification have been completed*
- ix. Can the residents take legal action against RTCT
- x. *TTC - it is for the residents to make that decision*

Summary

- 12. We all want to get this sorted in a pragmatic way
- 13. Don't want to make it into an industry if we can help it
- 14. Plan up to 45 mins ago level and move to two different locations
- 15. Council can take a view and there is a risk judgement which will be discussed at FC
- 16. Papers out on 19th – anyone can view and apply to speak.
- 17. Because riddled with breaches – no further work can take place
- 18. Mandy has taken legal advice and will check with legal advisers whether their responses can be shared.
- 19. Graeme will take technical advice from EA and SODC on movement of spoil, scrape depth is as much an issue as the spoil deposit.
- 20. All investigations need to take place - including Freedom Of Information Requests.
- 21. What can residents do to help
- 22. *TTC - There really isn't anything they can do other than reduce the volume of emails.*

23. Othe related matters:

24. Vile posts published in response to CBVC posts on their FB page. TTC had to take action to support dedicated volunteers who work tirelessly for the good of the nature reserve. There was no inference that the posts came from residents on Chiltern Vale.

25. One positive outcome from all of this is that better communication channels with Chiltern Vale Residents Association are set up. It will be great to have a champion that collates info from TTC and disseminates to the residents and vice versa.

26. Cllr Linda Emery (a resident of Chiltern Vale) reported that the Residents Association had a perfectly good committee up until 3-4 years ago and it has been left to lapse. Linda has consistently invited residents to her house to set up a proper committee. It would be good re-establish the Association.

27. Everyone felt their views have been heard.

Meeting ended 4.05pm