

WEST & MIDDLE CHINNOCK PARISH COUNCIL

Draft Minutes of the Parish Council Meeting Wednesday 20th July 2022

Cllr Bennett - Chair

Cllr Griffiths

Cllr Cawley

5 Members of the General Public

Cllr Coleman – Deputy Chair

Cllr Partridge

Clerk: Kim Duller

Public Forum: No questions from the Public attending. The Chair welcomed Cllr Griffiths back on to the Parish Council.

22/969 **Apologies for Absence:** Cllr Cockrem, work related.

22/970 **Declarations of Interest:** i) Cllr Cawley Allotments. ii) Cllr Coleman, any footpaths on Broadstone Farm land and Eastfield Lodge planning application iii) Cllr Bennett, Playground Committee.

22/971 **To approve and sign as correct the Minutes of the Parish Council 08.07.20. Resolved, all in favour and signed.** **Note: At 8.02pm. The Chair formally welcomed Cllr Hewitson.** Cllr Hewitson requested to amend previous Minutes which he considered to be incorrect and had sought advice. He read out a statement received from SSDC. The Clerk will add the addendum statement to the final Minutes. The Chair thanked Cllr Hewitson for his detailed response and clarified that the main issue which the PC was concerned about was the spending cap. Cllr Hewitson confirmed there was a spending cap for new contracts, unless it is already in budget. **(Refer to Section 24 Directive).**

22/972 **Matters arising, not on agenda: None.**

22/973 **Core Policies Review:** No changes or amendments to standing orders, financial procedures, & core policies. It was noted that all Standing orders, policies and procedures are published on the Community Website, Parish Council section.

22/974 **Supplementary Policy Review: New Code of Conduct Proposal. Resolved** to accept NALC recommendation, which was a simplified version of the previous Code of Conduct. **Proposed Cllr Partridge, seconded Cllr Bennett. All in favour.**

22/975 **To Receive Members Outstanding Registration Forms: Action: Cllr Cawley. Clerk gave Cllr Griffiths new forms to fill in.**

22/976 **SCC/SSDC Councillors Report: No written report.** i) In absence of Cllr Hewitson, Steve Aston, resident of the villages and also Cllr in Crewkerne updated as follows: New CEO for Unitary Council has been appointed. LCN update should have been received previous Monday. Clerk confirmed she hadn't seen it. Misterton Primary School which was due to be closed will continue as an SEN school. ii) Cllr Hewitson arrived and spoke at 7.55pm, having given apologies previously for his plan to arrive late due to another PC meeting commitment. The Chair welcomed him. Cllr Hewitson explained background details to Unitary structure, functions and timescales. Full meeting had met today. Deputy CEO will be acting up until new CEO starts. Financial strategy now published showing shortfall of £14mil. This was queried by PC, having seen media reports of £44mil. Projections were based on performance of other Unitary authorities. Somerset has low number of Band D properties, aging population, Council tax cap and other factors which will impact on ability to close gap on shortfall.

Planning:

- a. **Applications:** 22/01949/HOU Twindown Mead, Middle Chinnock. Concerns raised over a number of issues, including parking and conversion into separate lettable accommodation. There was also some confusion over the number of Barns which are part of the application and ownership. **Action: All Cllrs to feed comments back to Cllr Partridge. Cllr Partridge to send recommended response to Clerk to circulate to Members and submit by 02.08.22**
- b. **Determinations since time of agenda:** 2201152/FUL/ Replacement Dwelling, Eastfield Lodge, Eastfield Lane, Middle Chinnock. **No update**, although reported by Cllr Coleman that a Bat survey has taken place. ii) 22/00724, Fortunes Well, Higher Street, West Chinnock. **No Update.**
- c. **Planning enforcement: Hollowell Hill.** The Enforcement is now at Amber. The Clerk reported she had studied the protocol guidance provided by the planning team after the PC complaint, and still had concerns that the Enforcement was outside of a reasonable period of time to be investigated from the first report of concerns. However, correspondence had been received on the date of the PC meeting (20.07.22) which was confusing and did not answer the questions which had already been raised. In a nutshell, the resident had been asked to return to the site and take more photos. The PC exasperated, explained this has been the crux of the issue all along as it is private land and only the planning team would be able to access the site. **Action: Clerk to liaise with resident concerned and Cllr Patrick regarding the expedition of the request. The Chair and Members expressed their frustration at the lengthy delays and apparent lack of understanding of the Enforcement concerns, with no site visit ever having taken place. It was reported that one did take place, but at the wrong location.**
- d. **Planning queries:**
 - i) **Request discussion with planning department of timing of planning applications to allow for due diligence. C/F Action: Clerk to liaise with Cllr Patrick.**
 - ii) **CIL payment Applegarth Land:** Members expressed their disappointment that the community contribution which had been anticipated for this large single house project would not be paid due to ownership and build legislation issues. The PC had not been made aware of this at planning stage, but have noted it for all projects moving forward.

Finance:

- a. **To Approve Qtr. 1 Accounts:** Inspected and recommended for approval by internal auditor Neil Cochran. Queries raised have been answered by the Clerk. **Action: Accounts to be circulated to Members for approval at the September Parish Council Meeting.**
- b. **To Approve Clerks Expenses Qtr. 1 £96.94:** Resolved to pay.
- c. **To Pay SSL Strimming of Bow Bridge £72.00:** Resolved to pay.
- d. **To Pay SSL Grass Cutting Invoice June £271.80.** Resolved to pay.
- e. **Delegated Power Payments:**
 - i) **To Approve Clerk Salary Qtr. 1 £1052.00.** Paid under delegated powers in order to comply with HMRC July payment and prevent penalties. The Chair had approved. Resolved.
 - ii) **To Approve HMRC Payment Qtr1 £263.00** Paid under delegated powers in order to comply with HMRC July payment and prevent penalties. The Chair had approved. Resolved.
- f. **To pay any routine or previously agreed invoices. None**

22/979

Allotments

- a. **Hedge Roots Plot 2:** The tenant had raised concerns with the Parish Council in regards to root growth impinging on plot 2. Cllr Partridge had taken detailed advice from Alan Cavil, area Nsalg and the Nsalg legal advisor and proposed a set of recommendations. Hedge height was also discussed, including recommendations from Nsalg. **All Members were in favour of the recommendations. Action: Cllr Partridge to speak to tenant, Clerk to confirm in writing. ii) Silver Birch Tree: All Members agreed that this should remain as is.**
- b. **Plot Vacancies:** Two plots vacant, 20b ¼ plot and also plot 20c. Plot 20c is currently a ½ plot, however this will be split into 2x ¼ plots. Currently one person is on the waiting list and a second has dropped out.

22/980

Matters arising from the 8th June 2022 meeting:

- a. **Community Playground: C/F Clerk/Chair.**
- b. **Riverbank Collapse Scott's Way:** The Chair confirmed that a meeting had taken place with SCC Highways, the owners of the adjacent land and Steve Ashton. River authorities did not attend. The meeting concluded by the representative from SCC Highways agreeing to find out more information relating to the ownership of the "River" and land either side. There is currently no evidence available to demonstrate any ownership or liability of the landowner/s regarding the riverbank and trees etc. **Action: Clerk to follow up with SCC. The Chair thanked Cllr Mike Hewitson for his offer of advice.**
- c. **Closure of Community Playground over the summer:** Neil Cochran kindly gave an update and the play area will be closed for a major part of the school holiday, with work starting as soon as the holidays start. **Action: Details to be circulated on Parish Council FB page.**
- d. **Bench, West Chinnock Church: Clerk confirmed** no response from Rev Nick. Members agreed the funding for the Bench should be moved back into the community grant "pot"
- e. **The Knapp Maintenance:** Members discussed the request from the owner of Tree Cottage for the PC to pay towards the cost of maintenance of the access to Tree Cottage across the Knapp. Having taken legal advice the Parish Council has been advised that the upkeep of the access is the responsibility of the owner of Tree Cottage as he is the only person to benefit from the right of way and that the Parish Council has no responsibility to maintain or pay for repairs to the access. Any health and safety issues relating to poor maintenance are the responsibility of the owner of Tree cottage, including liability relating to any accidents. **A vote was taken. Proposed Cllr Partridge, seconded Cllr Cawley, all in favour. Resolved. Action: The Chair to formally confirm in writing.**
- f. **Parish Grants:** Clerk to circulate invitation to local groups and organisations to make applications to a grant pot of £625.00 during August, with a decision to be made at the September meeting. A further £625.00 will be made in the second part of the financial year.

22/981

Reports & Correspondence:

- a. **Footpaths:** Cllr Coleman confirmed that there was a new Footpaths Officer in post who has been very helpful. The gate on the path adjacent to Middle Chinnock Church has been identified for repair after being reported by Cllr Coleman and should be mended next week. One outstanding report regarding a path which has two sleepers over a ditch and no handrail. (Bakers Farm). Direction sign also missing. Cllr Coleman is following up.
- b. **Clerks Report:**
 - i) **Bonfire Complaint:** Resident's complaints received regarding bonfire on property on Lower Street. (Previously reported). **Action: Clerk to contact SSDC for further advice.**

- ii) **Greatfields:** Richard Lovick, The Wolds reference rental of Greatfields land at a peppercorn rent of £5.00 per annum. Mr Lovick had written to the Parish Council suggesting they rise the price in line with inflation. **Action: Clerk to write back to Mr Lovick and confirm the PC will keep the current peppercorn rent of £5.00**
 - iii) **Request for Dog Show and Fete at Recreation Ground 11.09.22:** Members discussed the proposal and agreed that as long as the correct insurance is in place, the date was available, and the organiser could agree to the Parish Councils requirement for manning of car-park, Health and safety etc, then the event should take place. **Action: Clerk to liaise with applicant to gather more details and confirm availability of the date.**
 - iv) **Charges for Recreation Ground:** Clerk to carry out local survey and contact SALC with any examples of pricing and booking forms. The Clerk explained that there needs to be absolute clarity in terms of types of event and liability issues. Currently if the "PC" organises an event, then the event is covered for liability. Some small events such as birthday parties, etc where there are a small number of people use the Pavilion and the recreation Ground must still have to agree to certain conditions when using the Rec, including risk assessment. Also suggestions about no use of glass on the recreation ground. The PC will have to undertake more regular risk assessments, at least on a weekly basis. Large events will need to have their own liability insurance. Local events/organisations will not be charged for the use of the Recreation Ground, however private events will be. It was pointed out that currently the Pavilion Committee takes bookings and charges for events which allow use of the Recreation ground. **Action: To create a charging policy and terms and conditions for use of Rec to link in with the Pavilion. Cllrs Griffith and Bennett and the Clerk to carry out a review and start conversations with the Pavilion Committee. All agreed the world we live in has become complicated with liability issues but looked forward to resolving the queries and producing a system/process which was easy to use and fair for all.**
 - v) **Land Asset Register & Audit recommended to be included in main PC Asset Register as per other Parish Councils and under General guidance for PCs. Action: Lead Member to be discussed at next PC meeting.**
 - vi) **Swing in the Recreation Ground suspected broken at an event the week before.** Luckily the PC had previously ordered an extra swing, which will replace the broken one. **Action: Cllr Bennett.**
 - vii) **Signage for Rec: Need a temporary sign. Clerk to get quotes for some simple signage. In meantime laminated signs to be put up.**
- c. **Sewage Pump Alarm:** Alarm came on due to a trigger relating to rising sewage in the holding chamber. The Clerk had contacted Cllr Patrick, who in turn contacted Wessex water. Wessex Water responded. Whilst the matter was addressed straight away, and residents in Lower Street are aware that this happens on a regular basis, including backing up of sewage and leaking sewage. Wessex water has denied any issues with the sewage pump as part of the Fortunes Well planning application and its ability to cope with any increased capacity. **Action: The Clerk has asked Cllr Patrick to request the a summary of the number of incidents/alarms information at the pumping station to be used as supporting evidence going forward, by a FOI request if necessary.**

- d. **Width Restriction Smokey Hole Lane:** Both local residents and the Parish Council had followed up issues relating to the increase in the number of large vehicles using village roads and narrow lanes, including the increased size of farm vehicles, damage to roads and blockages of drains caused by erosion of verges by large vehicles. The response from Highways was again succinct explaining that large vehicles cannot be prevented from having legitimate access and egress to the village, even if a weight restriction did apply. The PC Members, all being residents in the villages, were sympathetic to the concerns, including the protection of the historic Direction stone on the junction of Smokey Hole Lane/Eastfield Lane.
- e. **Protection of Direction Stone, Smokey Hole Lane:** Concerns have been raised regarding the safety of the Boundary/Direction Stone in relation to the large vehicles using Smokey Hole Lane. **Action: Clerk to contact Nic Wall for advice and risk assessment.**
- f. **Wall Erosion, Smokey Hole Lane:** **Action: Clerk to find out who the Land owner of the wall is and advise that the Wall needs risk assessing as to whether it needs maintenance. SCC to be kept up to date.**
- g. **Damage to The Triangle tree, Triangle and the Highway:** A number of complaints regarding a combine harvester vehicle driving over the Triangle in Lower Street and damaging the Highway, Triangle land, as well as breaking the Tree. The Clerk explained this had been reported to SCC Highways who suggested contacting the farmer concerned to discuss the damage and discuss how this can be prevented in the future.
- h. **Drains Audit and Potholes:** i) **Blocked drains at top of Poop Hill reported again x 2.** SCC Highways have advised the drains will be cleared during August. However that the spring, possibly now 2 springs are not coming out of the Highway but are coming out of the adjacent land, with a number of potential reasons why. **Action: Clerk to contact Land owners and ask for an assessment to be taken.** ii) **Hollowell Hill Spring on Highway causing erosion: SCC have installed a Spring Block which as stopped the flow of water.**
- i. **Hedges: Nothing to Report.**
- j. **Environment Champions Network, Somerset: Cllr Cockrem has joined on behalf of the PC.**
- k. **On Line Planner – previously circulated for information**
- l. **Unitary Updates: Only those previously discussed in the meeting.**

22/982

Correspondence & Matters for Wednesday 14th September 2022

Any Agenda items to be forwarded to the Clerk before Thursday 8th September 2022

Meeting closed 9.20pm

Next Meeting 14th September 2022

**Parish Council Meeting 7.30pm
Village Hall, West Chinnock**

Addendum: 22/971 to be added to June Minutes. (Final).

Dear Councillor Hewitson,

Thank you for your email. In terms of the text in red there are three issues:

Shadow Authority

There is no shadow authority as such and SSDC is certainly not a shadow authority, but continues in its existing form until 1 April 2023. The Somerset Structural Change Order provides for Somerset County Council to be a continuing authority, which means that those elected in May 2022 are in essence Somerset twin-hatted until 1 April 2023 as they are councillors for Somerset County Council to 1 April 2023 and councillors for Somerset Council from then (but with the need to bear that in mind from the date of election, so a shadow variant...).

Planning

This should have no impact on planning as responsibilities remain as they are until 1 April 2023. SSDC remains the planning authority for the majority of applications (as now) and transitional orders make provisions for any applications in progress on 1 April 2023 to transfer seamlessly to the new Somerset Council for conclusion in accordance with the policies it inherits from SSDC.

New Contracts

From 16 June 2022 a section 24 Direction is in place for the Somerset reorganisation. In general terms, under the direction, SSDC does require consent from the Executive of Somerset County Council for certain expenditure and disposals, but the Executive have issued a general consent in respect of matters covered by the 2022-23 budget set earlier this year, which means their specific consent will only be required for new matters. A more detailed report on section 24 will be going to Council in July.

I hope this is useful, but please let me know if you require any further information.

Kind regards,


Jill

Jill Byron

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Support Services

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