

# WEST & MIDDLE CHINNOCK PARISH COUNCIL

## Draft Minutes of the Parish Council Meeting Wednesday 3<sup>rd</sup> March 2021 - Virtual Meeting

Cllr Bennett - Chair  
Cllr Collins  
Cllr Tinkley

Cllr Coleman – Vice Chair  
Cllr Dewsbury  
Cllr White

Clerk: Kim Duller

6 Members of the General Public

- Public Forum:** i) Report of a faulty stile between Antrim and Broadstone farm land including dangerous barbed wire. Clerk advised the residents can make their own reports through the user friendly SCC “Report a problem with a Right of Way Somerset” web site, however on this occasion would send a screen shot of the map for resident to identify exact location and Clerk offered to report. ii) Stile on the southern corner of the Rec needs reporting. iii) Concern raised regarding damage being caused by tractors. iv) Concern raised regarding open bin on the Rec which is being used for dog waste rather than the specified dog waste bin. v) Concern raised regarding a private email, covered by GDPR which had been circulated as part of a private consultation as part of the Recreation Ground Committee. It was agreed that this was not an item for the PC to discuss and was a private matter for the Recreational Ground Committee. vi) Concerns raised regarding tractors, especially as over 200 wild flowers planted on verge in Middle Chinnock have been driven over. It was noted that tractor drivers seem to be very young and it was requested that the farmers be contacted to discuss how to improve the driving and find solutions to the current problems. vii) Request to join the Recreation ground committee. NC to contact. The Chair asked the farmers present to consider how the driving could be improved. It was suggested that tractor drivers get cars to move on to the verge, rather than the tractors. The Chair agreed this was a good idea and also acknowledged the size of the tractors was causing concern in the smaller lanes. Also noted was the increase in the number of tractors in recent weeks. It was agreed to seek positive solutions working together with the local farmers. viii) Report of Willow tree considered dangerous on entrance to Rec. PC to risk assess. ix) A number of reports regarding footpaths, bridle paths and suggestions around improving stiles and replacing them with Kissing Gates. It was agreed that Cllr Dewsbury now take on the role of Councillor lead. Clerk to brief, including footpath Maps and footpath leaflets.
- 21/774** **Apologies for absence:** Cllr Cawley due to COVID-19 and lack of access to technology.
- 21/775** **Declarations of interest:** Cllr’s Bennett, Coleman and Clerk, Recreation Ground Development Committee. The Clerk, legal transfer of the Recreation ground. Cllr Bennett, item 21/785 c. Triscombe, Cllr White item 21/781 d. i) Shiredown, Cllr Dewsbury item 21/784 Allotments, Cllr Coleman, item 21/785 g. Greatfields.
- 21/776** **To approve and sign as correct the Minutes of the Precept Planning Meeting held on 14.12.20. Resolved:** To accept Minutes after deferral from February meeting. To be signed after lockdown.
- 21/777** **To approve and sign as correct the Minutes of the Parish Council Meeting held on 03.02.21 Resolved:** That the Minutes of the Parish Council Meeting held on 03.02.21 as previously circulated were taken as read and being a correct record. To be signed after lockdown.
- 21/779** **Matters arising, not on agenda: None.**
- 21/780** **Somerset County Councillors report:** Report received & circulated.

21/781

**SSDC Councillors report:** Report received & circulated. Clerk to follow up queries with SSDC Cllr Patrick.

21/782

**Planning:**

- a. **Applications since time of the agenda: None**
- b. **Determinations since time of the agenda: None**
- c. **Planning enforcement:** JN following up Greenhams Hill enforcement queries with new enforcement Officer.
- d. **Planning queries:**
  - i) **Shiredown:** Cllr White confirmed that he had been in correspondence with the SSDC planners and they have agreed with pre-planning application, so Cllr White now submitting for full planning.
  - ii) **Smiths Hill Planning:** The Chair confirmed there was an option to appeal, however this would have been too costly for the PC, in terms of pure planning. However further agencies will be contacted regarding concerns relating to the site as part of on-going local issues.
  - iii) **12 Ridgeway:** JN had sent Cllr Tinkley a comprehensive note regarding the Article 4 Direction. Planning for 12 Ridgeway was originally gained under a general permitted development order. Article 4 Direction allows specific permissions to be put on to local permitted development, which could be specific to a village, in particular as West Chinnock is set on Hills.(In relation to Dormers). This could be actioned under local planning powers. It wouldn't stop planning/development, however it would mean that any future similar development would have to go for full planning. JN has written to SSDC Cllr Patrick. Cllr Tinkley to circulate note to Members. **No action for the PC.**

21/783

**Finance:**

- a. **Resolved:** To approve £124.21 Clerks expenses Qtr 3. **All in favour.**
- b. **To pay any routine or previously agreed invoices – None.**

21/784

**Allotments Update:**

- a. **Allotment Tenants (Including leavers, applicants) and advertising:** Advertised vacant plots on social media and Parish Magazine. One enquiry. One plot allocated without coming through PC which caused confusion and a lot of extra paperwork, but all sorted now. In process of considering what size plot to allocate depending on Parish Magazine response. 2 plot holders retired this month. Both plots have outstanding actions from the inspection, which may need to be considered.
- b. **Proposal Plot 20 – cost implication:** Currently a joint tenant has restricted access to their legacy site and unfortunately its position on the site is not conducive for access. In previous correspondence with the PC, the plotters' have requested improved access to their site. Cllr Collins has written to the tenants suggesting that they swap plots as plot 20 is at the top of the site and has direct and much easier access. There has been no response yet. PC Members to be kept updated.
- c. **Communication Received from Tenants in February:** i) Issues and confusion over pegging out of plots. Now resolved. ii) Dissatisfaction expressed at timing of the inspection during December and the timing of the request to bring plots back to the agreed standard during COVID-19. iii) Request to provide skip by one tenant for rubbish during lockdown, as they can't get to the skip. The PC felt this was unfortunately untenable as there was probably likely to be significant waste from all plots holders which would fill more than one skip. Cllr Collins is liaising with plotters on this matter. iv) Request to trim Western Hedge plot 1. (Hedge behind the shelter).

Suggestion the PC was being hypocritical asking ploholders to agree to a standard when they were not keeping their own "house" in order. Hedge inspected, there is significant brambles. Clerk to ask for a price from local contractor.

- d. **Maximum Size of Allotments:** Legal limit per Allotment holder is 40 poles, equivalent to 1012sm, beyond this size it is classed as a small holding. Currently two tenants exceed this, one has 1114sm and the other has 1490sm. The National Allotment Society has recommended 12 months notice, however it must not be done between 6<sup>th</sup> April and 29<sup>th</sup> September. **Resolution:** It was agreed that Allotments need to be bought back to meet statutory legal requirements (National legislation not PC) and consider the best way to do this with the emphasis being placed on cultivation. It was agreed that Cllr Collins would write to the two tenants, giving notice of the situation and the move towards the plots being within the statutory legal requirement within the next 12 months. Proposed Cllr Collins, Seconded, Cllr Tinkley.
- e. **Ratio of Buildings on Plots:** **Resolution:** ¼ plot; shed or poly tunnel up to a ratio of 5%, ½ plot; shed and poly tunnel up to a ratio of 5%, full plot; shed, poly tunnel and perhaps chicken house, up to a ratio of 5%. No requirement for requests for building to come back to the full Parish Council as long as they are in ratio. Proposed Cllr Coleman, Seconded Cllr Tinkley. All in favour.
- f. **Complaints Bonfires Update:** Cllr Collins confirmed he had kept Tenants informed of the current guidance through regular correspondence. There have been no further complaints.
- g. **Tenancy Agreements Review:** No significant guidance around social media use on the Allotments, so keep under review. **Resolved:** Not to make any amendments to Tenancy Agreement 21/22. Proposed Cllr Coleman, Seconded Cllr Tinkley. All in favour.
- h. **Allotment Inspection Update:** There had been some negative feedback on the original inspection date. Tenants had been informed of the re-visit date via newsletter and email in January. The next inspection was planned for the 13.03.21, however in view of COVID-19 guidance, it was agreed that the Inspections would be delayed until after 29<sup>th</sup> March 2021. Cllr Collins commented on how much positive activity is taking place at the allotments.
- i. **Issuing of 2021 Tenancy Agreements:** Clerk to issue new Tenancy agreements during March 2021.
- j. **Tenant Applications for Structures:** All requests approved and all met new ratio guidance.  
The Chair thanked Cllr Collins for taking the lead Cllr role for the Allotments and for his hard work over the past few months.

21/785

**Matters arising from the December 2020 meeting:**

- a. **Recreation Ground, adjacent field written permission for steps:** Clerk has spoken to tenants of the land. Concerns were raised by them regarding who would be liable if there were an accident on the steps, if the general public were to use them. **Agreed: Clerk to investigate further with the Parish Insurers and report back to PC.**
- b. **Smokey Hole Trees Overhang:** All letters sent to the local Landowners. Letters confirmed that Tree overhang is the landowners' responsibility.
- c. **Triscombe, Higher Street:** Cllr Tinkley has not been able to meet with tenants due to Covid-19. **Agreed: Cllr Tinkley to write to tenants.**
- d. **Locality Officer SSDC:** Cllr Collins has an update and he will contact the Clerk after the meeting. **C/F to April meeting.**

- e. **Broken Road Markers at bottom of Poop Hill:** Still to be replaced. Also broken rail. Clerk has spoken to farmer whose contractor broke the markers whilst hedge cutting and explained that the PC is willing to replace on this occasion, however would request that the farmer replace if it happens again. The farmer was apologetic. **Agreed: Markers to be replaced and the fence repaired by PC. Clerk to also speak to Highways regarding who is responsible and also the Rivers authority.**
- f. **Riverbank Collapse, Scott's Way: Cllr Bennett to contact landowner Mr Lock.**
- g. **Greatfields, Replacement Gate and Rights of Way:** Cllr Coleman left the meeting. Mr Coleman was attending the meeting as a member of the public, representing Broadstone farm. There had been some feedback from some residents, mainly dog walkers, which the Clerk explained wanted clarification as to whether there was a footpath across the land at Greatfields as well as some suggestions on use of the Greatfields Allotments site. The Chair confirmed that only the access on the land previously known as Greatfields Allotments was owned by the Parish Council, along with the Greatfields Allotments. (Now rented to Broadstone farm). The query relating to the footpath was on land which is owned by Broadstone farm, not Parish Council land. The Chair also confirmed the Parish Councils understanding that having carried out significant research on existing, as well as historic maps, there had never been a footpath on the land currently owned by Broadstone farm. Mr Coleman also confirmed the land had previously been fenced off by the Kempsters and that walkers are regularly walking through other fields in the vicinity which are not public footpaths or rights of way. Recently signs had been removed as well as fencing, with significant dog waste without being bagged being left on the paths as well as bagged, tied to trees/bushes. Recently the batteries to the electric fence were stolen twice and sheep escaped and suffered from dog worrying. Mr Coleman has now had to remove the sheep from grazing in the field and move them elsewhere for safety. Mr Coleman confirmed that he would work with the Footpaths Officer to put more accessible gates into the existing footpath on East Lane and offered to fit them if SCC would pay for them. This was welcomed by the PC. It was also agreed that there was no need to put a gate in to the access point at Greatfields and the Mr Coleman would fence up to the edge of the Wolds. If the tenancy ended it was agreed the PC and Mr Coleman would share the cost of reinstating new fencing and potentially a gate would be reinstated with the cost shared between the PC, however there was some discussion regarding replacing with a 3 strand fence, which Mr Coleman would pay for if the PC wanted at the end of the tenancy. **Resolved:** In summary it was concluded that the decision to fence off the land, due to reasons presented by Mr Coleman, was his legal right as he is the owner of the land and the land in question does not have a footpath and that Mr Coleman has the permission by the Parish Council to fence off up to the Wolds. Proposed Cllr Tinkley, seconded Cllr Collins. Cllr White and the Chair in favour, Cllr Dewsbury abstained.
- h. **Fly Tipping:** Asbestos on Foxwell Lane still in place. It has been reported a number of times to SSDC. Cllr Coleman has already mentioned this to Cllr Patrick. It was agreed to ask for support from SSDC Cllr Patrick. ii) Clerk to follow up fly tipping at top of Broadstone Farm, also previously reported to SCC and still in situ.
- i. **FWAG:** Clerk has emailed to request discussion, waiting for a response.
- j. **Corona Virus: Feedback: Chair**
- I. Local response: Ongoing.
  - II. Direct legislative impact on Parish Council: Guidance as per previous lockdown.
  - III. Recreation ground: Guidance as per previous lockdown. No further signs needed at the Rec unless there are further changes.
  - IV. Concerns at local level: Concerns relating to cars gathering in the Rec.

**Reports & Correspondence:**

- a. **Parish Work Plan:** Previously circulated. i) Well cover still outstanding. ii) It was agreed Cllr Dewsbury would take on the brief as Cllr representative for footpaths and Cllr White would take on Cllr representative for climate emergency projects. (Solar lighting initiative to be considered). Cllr Coleman to feedback on other similar initiatives.
- b. **Highways and Ditches Standing Item:** Pot holes currently being marked up, ongoing. Cllr Coleman asked for two to be reported on the lane to Broadstone farm. Chair to action.
- c. **Drains Standing Item:** The Chair thanked SCC for jetting the drains on Smokey Hole, Smiths Hill and Lower Street. All jetted apart from 2 at the top of Poop Hill, due to continuous mud run from the field. Drain at the bottom of Poop Hill hasn't been cleared; Clerk has sent pictures and has agreed with Highways to inspect. Drain at Little Silver also blocked. Cllr Collins to send pictures and location to Clerk to be able to report.
- d. **Road Closure Poop Hill:** Notification on Parish Webpage and Facebook page and community page from 15<sup>th</sup> March 2021.
- e. **Recreation Ground:**
  - i. **Recreation Ground Gatherings during the evening:** Reported to the police who will pay visits. Local residents to keep a note of any sightings and report to Clerk and police.
  - ii. **Recreation Ground Purchase:** Waiting for final confirmation, delayed due to COVID.
  - iii. **Recreation Ground Development:** The Committee met at the end of February. Visions were discussed. Next meeting planned for end of March. Next stage of process is to work up ideas and agree with Committee, then present to the Parish Council and follow up with a consultation Roadshow to the wider community to get their feedback.
- f. **Thefts:** Wood theft from Eastfield Lane reported to the police.
- g. **Return to Face to Face Meetings:** Originally May, guidance being revised. Clerk to update.

**Matters for the 1<sup>st</sup> April 2021 Agenda**

- a. The Chair requested Members to let Clerk know regarding any matters to be discussed at the next meeting, giving as much advance notice as possible.
- b. The Clerk requested Members confirmation on briefing note on river pollution and sulphates from SSDC Cllr Patrick as to whether it is an agenda item on next PC agenda. Cllr White to take a view.
- c. June meeting to be rescheduled from June 2<sup>nd</sup> 2021 to June 9<sup>th</sup> 2021.
- d. **Fire Hydrants:** have been checked today. Confirmed by Cllr Coleman

**Next Meeting Wednesday 7th April 2021 7.30pm Remote Meeting**

**Meeting closed 9.28pm**

