

**CURRY MALLET PARISH COUNCIL
ORDINARY MEETING OF THE PARISH COUNCIL**

Minutes of the meeting of Curry Mallet Parish Council
held on March 12th 2018, in the Curry Mallet and Beercrocombe Village Hall, Curry Mallet.

Present: Mr P McKeown (Chairman), Mr R J Allard, Mr D R Beck & Mr G K Townrow.

In Attendance: SSDC Cllr Sue Steele & SCC Cllr Clare Aparicio-Paul (for separate parts of the meeting)

1591. Public Participation.- no member of the public was present.

1592. To receive reports from County and District Councillors on items that may be of interest

- .1 The County Conservative Group's briefing sheet references to Children's Services and to its new 'Family Support Service' were noted; provision of the denoted incremental services would place additional demands on the SCC 2018/2019 budget, and therefore cut-backs could be envisaged in budgets allocated for other service provision.
- .2 A Private Member's Bill was to be introduced to parliament for facilitating separate precepting by the Somerset Rivers Authority (SRA). It was unclear as to what impact this new council tax element would have on the County and District Councils' council tax levies which presently included an amount for SRA.
- .3 The DEFRA Consultation 'Crime & Poor Performance in the Waste Sector' was discussed in relation to Somerset Waste Partnership and fly-tipping; Mr Allard's Environmental Health experience suggested that the blight of 'fly-tipping' would be controlled more effectively by additional enforcement manpower rather than by recourse to remote cameras placed at tipping 'hot spots', for which cumbersome administrative procedures were necessary. The permit system for disposal at recycling centres of non-domestic waste was noted to have been beneficial as deterrent against unwanted out-of-county material; however, the permit's cost and enrolment procedure were major disincentives to achieving widespread utilisation of this system.
- .4 The 'Libraries West' facility for members of Somerset Libraries, giving electronic access for downloading audio books, was noted with appreciation as it obviated the need to access books by visiting the local library in person.
- .5 Contrary to min. 1577.2, Mrs Steele noted that the Boundary Commission changes (to be effective from the May 2019 SSDC elections) would remove Hambridge parish from Islemoor Ward, but that Puckington would be added. Henceforth, the Curry Rivel community would be accorded 2 Ward members.
- .6 Presently, both members and officers of the District Council were much exercised in achieving preparedness for the new General Data Protection Regulations, to be effective from May 25th this year. All public and private organisations would need to amend their data retention procedures in order to be in compliance. Mr Townrow had sought guidance from Avon & Somerset Constabulary regarding householder details held by him for Neighbourhood Watch contact purposes.
- .7 Mrs Steele noted with gratitude the support of the farming community in conveying hospital staff to Musgrove Park in the aftermath of the March 1st snowfall. Also noted was that 'Taunton & Somerset NHS Foundation Trust' was to merge with 'Somerset Partnership Trust' (which provides community and mental health services).

1593. Declarations of Interest.

Mr Townrow declared an interest in the planning application, insofar that he lived in the house opposite. *(He therefore left the meeting while this item was being discussed).*

1594. Apologies for Absence.

Mr Frazer, due to family commitments out of the parish.

1595. Minutes of Previous meeting.

The minutes of the meeting held on February 12th were approved, as per draft V2, and each page was duly signed by the Chairman as being an accurate record of the proceedings.

1596. Matters Arising.

1375 – Popes Cross Notice Board. Deborah Matravers, a nearby Pope's Cross resident, had undertaken to act as second key-holder and to affix the Council's meeting agendas and draft minutes each month; the Chairman would transfer this key to Miss Matravers, with the Council's thanks. Neil Dove had kindly offered to cut off the old board's posts at ground level. The general verdict was that this new board was a welcome addition for residents.

1472 – Lloyds Bank Mandate Forms. Mr McKeown awaited a response from the bank, following his provision of the required documentation, in order to progress the account name-change and the introduction of e-banking.

1474 –Ladder for Access to Sheep-wash. Still awaiting action by Mr Townrow.

1573 – SCC Civil Contingencies Unit, Second Contact Person. Mr Townrow had been in correspondence with Lesley Knight of CCU, and the requisite contact details would be furnished forthwith to SCC.

1586.2 – Annual Return for 2018. The Chairman to provide his contact details to PKF-Littlejohn, the new External Auditor. In addition, he would establish interest from a possible alternative Internal Auditor.

1586.4 – Transparency Code Grant. Mr Townrow awaited a response from NALC to his application. Mrs Steele noted that both Fivehead and Hambridge Councils had been successful in their grant applications; Hambridge had been awarded £2,500, to include a contribution towards installing Wifi in their village hall (with part-payment by the Hall Committee for provision of a telephone connection).

In respect of Council e:mail communications, Mr Townrow queried whether a Hotmail account should be acquired for the Clerk's use exclusively for parish council business. Mr McKeown advised that a Council gmail account already existed.

1590.1 – First Aid Course. Change of date to June 24th was suggested as alternative to April 22nd, due to Gavin Churchill's non-availability. Re-booking the Village Hall was confirmed, and the new date would be advertised in the May newsletter issue. Mr Townrow reported Triangle Training's minimum charge of £300 (*cf.* £270 budgeted) for the full-day session, and therefore 8 or 9 participants would be needed in order to make the course viable.

1597. Village Hall Lease Renewal.

.1 Enforceability of a Trust Deed Indemnity

Given the perfunctory response from the Charity Commission, in 2015, to the Council's request for guidance and support regarding the then Hall Committee's decision to resign *en bloc*, Mr Townrow queried the enforceability of the original Trust Deed's Clause 13 (which indemnified the Custodian Trustee from any liabilities arising from mal-administration by the Managing Trustees); Rachel Saltonstall, the SSDC Property Solicitor, had earlier identified that enforceability was key to evaluating the validity of this Clause, and she would be asked by Mr Townrow to liaise with the Community Council for Somerset's legal people, or their Robert Horn, for their expertise on this issue of concern. (*Done*)

.2 Content of new Trust Deed

Mr Allard noted that provisions of the 2011 Charities Act permitted merely minor scope for amending an existing Trust Deed, and that the ACRE Model Deed broadly accorded with the pre-existing 1987 Trust Deed's clauses. Clause 4 of that Deed, detailing those organisations nominating representatives for membership of the Hall Committee, would be amended to reflect those constituted organisations presently utilising the hall's facilities. Ms Saltonstall, as legal advisor to the Council, would be asked to assess the new Trust Deed's compliance with the terms & conditions stipulated by the Duchy in its Lease between the Duchy and the Council. In this regard, Mr Allard had previously noted (min. 1582.2) that the Duchy's conditions pertaining to Painting, Advertising and Filming appeared unduly onerous. It was noted with surprise that the 1987 Lease's conditions included clauses relating to the upkeep of the building, even though the Duchy had no ownership of the building at that time.

The Chairman and Mr Townrow would aim to meet again with Ms Saltonstall as her earliest convenience, in order that the Council could agree to progress to signing the new Lease.

.3 Hall building's 'Condition of Dilapidation'

The Chairman's file note of his 'phone conversation of Feb. 23rd with Sarah Bird, Duchy Land Steward, was noted; the fixtures & fittings within the main building which were the property of the Hall Committee, as Managing Trustees, were to be listed and provided to the Duchy for future reference. This list would need to be updated from time to time. The Duchy's requirement, for 'making good' any part of the fabric damaged by these fixtures & fittings, or by their removal, was noted. Mr Allard, as Hall Committee Chairman, would write to Sarah Bird to register that the building's present and continuing state of repair would reflect the 'normal wear & tear' expected of a building currently 30 years old and having had significant usage over that period of time.

1598. Outdoor Play Area.

- .1 The SSDC Leisure Services' Manager's agreement to hold open the Curry Mallet allocation of s106 monies was note with appreciation. Lynda Pincombe e:mail of Jan. 11th referred.
- .2 Mr Allard undertook to re-peg the precise locations of the basket swing and 'Big Foot' array (posts and extent of matting for both items) over the Easter weekend, for photographing and measuring to enable the aerial montage to be drawn up for inclusion in the Hall Lease documents. Members would assist the re-pegging.
- .3 Mr McKeown would liaise with Rob Parr of SSDC Leisure Services regarding alternative installers, should Simon Williams be unavailable.
- .4 Mr McKeown would arrange for temporary 'heeling-in' of hedge saplings donated by the Duchy.
- .5 Concern was expressed that an occasional user of the hall facilities, for a commercial purpose and without benefit to the community save for contributing to the Hall Committee's income, might terminate their hire arrangement because of the ground area needed for the Play Area. Recourse to the new Lease's Land Registry plan of the Hall grounds suggested that this hirer's minimum 60ft. distance requirement could be accommodated within the residual space available after installation of the play equipment.

Should this hire arrangement cease, with consequent loss of Hall Committee income, then it was suggested that the overall community interest might best be served by increasing the Council's annual grant to the Hall Committee, albeit representing an additional cost to all householders through collection of the Council's Precept.

1599. Footpaths & Rights of Way.

Mr McKeown reported that SCC Rights of Way had disputed their ownership obligation to repair the stretch of fencing along path L8/24 adjoining the sheep-wash pond. Moreover, there had been no response from Rights of Way regarding the acceptability of wood chippings spread on the muddy stretches of the footpaths (min. 1584). Ms. Aparicio-Paul expressed willingness to provide support in the progressing of Rights of Way issues.

1600. Planning.

Application 18/00320/FUL; Wheelwright's Cottage, Demolition of Conservatory & Construction of Sun Room was reviewed; after discussion, it was agreed that the Council had 'No Observations' to be made to SSDC Planning.

1601. Finance.

- .1 The following payments were approved, and cheques were raised accordingly, -
 - Duchy of Cornwall (½-yearly rental for playing field) £52.20 (+ VAT) cheque 585 issued
 - PMP (printing Feb. newsletter 20 pages x 240 copies) £169.54 (no VAT) cheque 587 issuedCheque 586, having been made out in error was cancelled as being void.
- .2 The following items of expenditure, having previously been approved (min. 1571.3), were recorded in detail
 - HMRC (Clerk's salary payment for October & November) £92.40 (no VAT) cheque 581
 - Mr S Dale (Clerk's salary payment for October & November) £137.88 (no VAT) cheque 582
- .3 Escalation in annual printing cost the newsletter was discussed; cost apportioned to Curry Mallet in 2017/2018 was £379 *cf.* £310 budgeted and £315 in 2016/2017. It was agreed that 20 pages should be the maximum and that advertisements (for which no payment was charged) should represent no more than 5% of the content, unless editorial was lacking. Mr McKeown would liaise with Phil Talbot and with Julia Wright of Beercrocombe. Mr Townrow had apprised Beercrocombe Council's Clerk of its 2017/2018 apportionment amount of £162.41.
- .4 The Finance Sub-group would meet on March 22nd, to review the Grant Thornton Observations on the 2017 AR.
- .5 Pending a Clerk, Angie Clarke had offered to assist preparing the Receipts & Payments schedule for 2017/2018.

1602. Reports from and attendance at meetings by Councillors.

Mr Townrow reported his attendance at the Constabulary's Feb. 15th "Partner & Community Together" meeting. Various attendees had complained about commercial vehicles and cars speeding through local villages; the extent of recent thefts from local farms, of livestock and equipment, was also a source of concern.

1603. Correspondence.

It was agreed that the Council should have a copy of the NALC Toolkit for the new General Data Protection Regulations, as a document for reference. Mr Allard reported his employer's guidance that all documentation no longer needed should be shredded or electronically deleted, to avoid fines from the Information Commissioner.

1604. Clerk Recruitment.

The Chairman reported that 2 applications had been received, and that the Personnel Committee would meet to review adherence to the specification and therefore of suitability for interview.

1605. Items of Report from Members.

- .1 The extent of winter gritting undertaken by parish volunteers preparatory to the March 1st snowfall was noted with appreciation; the junctions at Lower St./Church St. and at Fieldgate/Staundle Lane were instanced.
- .2 The Marshway planings, recovered from the January 18th patching, were reported to have been utilised on March 12th for filling the road-edge craters at the east end of Marshway (see min. 1560). Thanks were expressed to Justin Adams and Arthur Long, together with valuable assistance from Neil Dove.
- .3 As noted in the February newsletter, the Musgrove Hospital MRI Scanner Appeal had been extended to end June 2018. To date, Curry Mallet donations totalled £100, and it was agreed to carry forward to 2018/2019 the Council's undertaking to match individual donations up to a maximum of £250 in total.
- .4 The recent death of Anthony Pizii, aged 69, a long-time resident of Silver St. was noted with sadness; his calmness of manner had earned him the esteem of everyone who knew him and condolences were expressed to his family and many friends.

The next ordinary meeting of the Parish Council will be on Monday April 9th, 2018 at 19:30 in the Village Hall