

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

Minutes of the meeting of Curry Mallet Parish Council  
held on April 9<sup>th</sup> 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 L W Frazer & Mr G K Townrow.

**In Attendance:** SSDC Cllr Sue Steele & SCC Cllr Clare Aparicio-Paul (for min. 1607)

**1606. Public Participation.**- yet again, no member of the public was present.

**1607. To receive reports from County and District Councillors on items that may be of interest**

- .1 Local residents were encouraged to attend the 'Flood Forum' on April 10<sup>th</sup> at Bow Wharf, Langport, to learn of planned measures by the Environment Agency and other public bodies for the alleviation of flooding. Ms Aparicio-Paul noted that the Somerton & Frome MP would, on April 22<sup>nd</sup>, be introducing the Second Reading of his Private Member's Bill to create Somerset Rivers Authority as a separate precepting entity. She reminded members that communities should participate in the current SCC Libraries' Consultation; County Councils had a statutory obligation to provide this service, although the level of that service depended on the extent of active local demand. The Council concurred with her disappointment that SCC was withdrawing financial support for the Duke of Edinburgh's Award Scheme, in response to declining interest from LEA schools to participate in the Scheme. Parish Councils were encouraged to register with the County Council their concerns at this withdrawal, as the Scheme had given many teenagers the opportunity to develop skills of life-long applicability.
- .2 The continuing support afforded to the Council by Rachel Saltonstall, the SSDC Property Solicitor, in providing guidance for negotiating terms with the Duchy's solicitors for the Village Hall's new lease, was much appreciated; her expertise, on behalf of the Council as Hall tenant and 'Custodian Trustee' for the Village Hall Committee, had been helpful in securing terms more appropriate for a community facility. The extent of future SSDC service provision to towns and parishes within the District's Wards was noted with concern, given the loss of experienced staff and reduction in manpower performance of the 'Transformation Programme'. Mrs Steele reported on the recently announced £79.5 million Dept. of Health grant for new Operating Theatres, Critical Care Unit and Endoscopy Suite for Musgrove Park Hospital, to replace some facilities constructed in the 1940s. A not-inconsiderable element of the project's overall cost reflected the need for removal of asbestos cladding, installed in the original construction.

**1608. Declarations of Interest.**

No new interests were declared, but Mr Townrow had checked with the SSDC Democratic Services Manager to establish whether the Council, *en bloc*, needed a Dispensation for approving the new Village Hall lease. As no member had a Disposable Pecuniary Interest in the lease, there was no requirement for a Dispensation. Mr Allard's interest, as Chairman of the Village Hall Committee, had been registered throughout the lease re-negotiation.

**1609. Apologies for Absence.** – none

**1610. Minutes of Previous meeting.**

The minutes (draft V2) of the meeting held on March 12<sup>th</sup> were approved *nem con*, and each page was duly signed by the Chairman as being an accurate record of the proceedings.

**1611. Matters Arising.**

**1472 – Lloyds Bank Mandate Forms.** The bank's mandate form, permitting the Chairman to access electronically the Council's accounts, was signed by Messrs Frazer & Townrow, - their being presently authorised signatories to the accounts. The account name change from 'Magna Carta 800' to 'Curry Mallet Maintenance Fund' (per min. 1472) would be executed once the present signatories had authorised this change on a second bank mandate form.

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

**1586.2 – Annual Return for 2018 & Authoritative Internal Audit.** The Chairman had spoken with Steve Altria, Clerk to Creech St Michael Parish Council and a manager within the County Council's Finance Dept., regarding his willingness to undertake this role (*subsequently affirmative & documentation being prepared for April 26<sup>th</sup> Review*).

**1586.4 – Transparency Code Grant.** The Chairman had received a cheque for £947.00, the full amount sought in Mr Townrow's application; Mr Allard would progress with 'Teapot Creative', - the village website's designer, their £140 +VAT quotation for 2 hours' training for uploading the Council's data as required under the Code. The Chairman & Mr Townrow would identify and purchase suitable lap-top, software and scanner (grant total £622 + VAT), with the remaining £222 to defray the annual cost of running the website. Once purchased, the laptop would be loaded with the Council's files, once properly collated.

## 1612. Village Hall Lease Renewal.

### .1 Enforceability of the Trust Deed's Indemnity

Arrangements had been made by Mr Townrow for Robert Horn of the Community Council for Somerset to liaise with Rachel Saltonstall, the SSDC solicitor, to seek to assuage her concerns regarding enforceability of such indemnity. Mr Townrow would be meeting with Robert Horn on April 18<sup>th</sup>, to review both the scope for amending the present Trust Deed and also the new Lease as presently drafted (version 5).

### .2 New Trust Deed

The Chairman & Mr Townrow recommended that an updated Trust Deed be drafted and submitted to the Charity Commission, to reflect both the new ownership/lease status and all the stipulations now placed by the Duchy on the Council as its tenant. As had previously been noted, it was recognised that the 2011 Charities Act afforded only minor scope for amending an existing Deed. Once the updated draft had been finalised, the Council would ask Ms Saltonstall to check that it complied with and covered all the new lease's obligations on the Council.

### .3 Review of Draft Lease

This fifth version had been presented to Farrer & Co, the Duchy's solicitors, by Rachel Saltonstall following the Chairman/Mr Townrow's review held on March 26<sup>th</sup>, and after her incorporation of the amendments thereto. It was noted that Ms Saltonstall's earlier amendments to incorporate the wording "for the purposes of community activities or use by the community", to allow for filming and advertising (clauses 3.5 & 6.13) had been accepted by Farrer's. *(Subsequent to the meeting, sole issues of contention related to the new lease's start date, the present repairs status and the break clause conditionality; a meeting with Sarah Bird, the Duchy's Land Steward, would be sought to resolve these issues).*

### .4 'Condition of Dilapidation' and Upkeep of the hall facilities.

The amendment incorporated by Ms Saltonstall, to add a sub-clause to 6.4, (to the effect that the hall building's state of repair as at Sarah Bird's January 18<sup>th</sup> inspection should be taken as base-line condition) was being disputed by Farrer's; in his capacity as Village Hall Committee Chairman, Mr Allard would contact Sarah Bird regarding this base-line condition status. (min. 1593.3 refers).

## 1613. Outdoor Play Area.

.1 Precise Location; the areas of ground comprising both safety matting and equipment posts had, on April 2<sup>nd</sup>, been marked-out with pegs to reflect the Hall Committee's wish for the basket swing to be located closer to the new hedging bordering the car parking area. Distances from these posts to the corners of the hall building had been measured so that their positions could be triangulated, in order to prepare an exact ground plan for incorporation in the Hall Lease documentation. Once the area around the pegs had been strimmed, a photograph would be taken of the proposed layout, and a photo-montage prepared by Mr McKeown. *(post-meeting note: on April 18<sup>th</sup>, the equipment's installer confirmed this proposed positioning to be satisfactory).*

.2 Installer's Quotation & preferred Mode of Purchase; the quotation of £1,632 + VAT from Play UK (Playgrounds) Ltd, having been compared with the Nov. 2017 quotation from Jaams Design, was accepted and approved, albeit subject to re-confirmation as to extent of required matting (presently 24sqm around the basket swing and 4.5sqm under 'Big Foot'). Simon Williams of Play UK had indicated to Mr McKeown that his present commitments, primarily for SSDC Leisure Services' work, would preclude starting this Curry Mallet installation until mid-August 2018. This was accepted, albeit reluctantly, by the Council.

The Council was minded to avoid the 15% handling fee charged by Play UK for their effecting purchase and delivery to site of the equipment. Rob Parr of SSDC Leisure Services would be requested to undertake the purchasing on the Council's behalf, thereby routing payment from the allocated s106 monies directly under SSDC aegis. In Nov. 2017, a local farmer had undertaken to provide storage of the purchased equipment prior to installation, and this would be re-confirmed. The Council would need to arrange for insuring the equipment during delivery, storage and transit to the hall site.

.3 The Chairman would meet with the 'Fly Fishing Course' hirer (see mins. 1546 & 1598.2), to confirm the adequacy of the residual hall grounds area (well in excess of the required 60 ft.) post installation of the play equipment.

## 1614. Footpaths & Rights of Way.

Replacement Fencing rail on L8/24; the SCC Rights of Way Service Manager's e:mail of April 9<sup>th</sup> was noted; the proposed remedy (Curry Mallet to replace the rail, SCC to reimburse the cost of materials) was agreed, subject to Rights of Way personnel thereafter inspecting the repaired stretch and confirming it as meeting their safety criteria. Mr Frazer suggested that a length of rail, surplus from last June's playing field repair work, might suffice. Re bark chippings being spread over muddy stretches of the paths (mins. 1584 & 1599); as stipulated by the Rights of Way team, Mr McKeown would liaise with the Duchy Land Steward, over whose land the paths ran.

## 1615. Planning.

.1 Application 18/01044/PAMB, Agricultural Barn's 'Change of Use' to residential Dwelling: The local planning authority's prior approval of this application, on Stud Farm land, Higher St., was noted. Members who lived in

the immediate vicinity queried whether the proposed 4 metre width of entrance was adequate at this location, and Mr McKeown would contact John Millar, the SSDC Planning Officer for the application.

- .2 SSDC Planning's discontinuation from end April, for providing Councils with paper copies of planning documents was noted; henceforth, communities would need to access planning documents directly from the SSDC website.

#### **1616. Finance.**

- .1 The following was approved, and the cheque raised accordingly, -
  - Community Council for Somerset (Training Course) £15.0 (no VAT) cheque 588 issued Mr Townrow to obtain a receipt for this payment; the training related to compliance with the forthcoming General Data Protection Regulations, effective from May 25<sup>th</sup> 2018. Any handouts would be circulated. Mr McKeown's printing and stationery expenses (in lieu of a Clerk) would be carried forward to next meeting. Cheque 579, issued to 'Tricky Warren', was cancelled, as Mrs Bowerman no longer utilised this trading name. A replacement cheque for £100.00 would be issued in her own name at the May meeting.
- .2 Contract verge-Cutting along major parish access routes; Mr Townrow was authorised to contact Wes Harris, for him again to undertake cutting along the previously designated verges. Additionally for the 2018 cut, Headwell (west side) and Redland Lane (both sides) would be included. Budgeted cost was £340 + VAT cf. £300.
- .3 NALC had advised the 2018 DCLG limit, for Councils' expenditure under section 137 provisions, to be £7.86 per household, ie. £2,020 in total for Curry Mallet (cf. £1,900 for 2017).

#### **1617. Annual Return for 2018.**

- .1 The draft Receipts & Payment Schedule for 2017/2018, as prepared by Mrs A J Clarke, was circulated; completion of the Schedule awaited receipt of bank statement balances as at March 31<sup>st</sup>, whence reconciliation against the cash book balances could be undertaken, for presentation at the May meeting.
- .2 The Annual Return documentation from PKF-Littlejohn was still awaited by the Chairman. (*received April 19<sup>th</sup>*)

#### **1618. Annual Parish Meeting.**

The disappointing levels of community engagement in recent years (attendance merely 21 in 2017) called into question the provision of a separate meeting to fulfil this statutory obligation. The Chairman would check which of the community organisations wished to present. (*Post-meeting, it was agreed to cancel the April 23<sup>rd</sup> booking*).

#### **1619. Reports from and attendance at meetings by Councillors.**

- .1 Mr McKeown, April 16<sup>th</sup>, SSDC Workshop on General Data Protection Regulations for Town & Parish Councils.
- .2 As per min. 1601.4, the Chairman, Mrs Clarke and Mr Townrow had met on March 26<sup>th</sup> to review the Observations made by Grant Thornton in respect of the Council's 2017 Annual Return submission; minor errors had been identified (date of announcement of publication preceding the commencement date, and failure to offer the statutory 30-day period for inspection of the Council's Accounts) and were noted for future compliance.

#### **1620. Correspondence.**

Mr Townrow referred to the current Consultation by the 'Committee on Standards in Public Life', relating to its Review of Local Government Ethical Standards, and noted that he would be responding in a personal capacity; under the 2011 Localism Act, the Standards Board for England had been abolished, so that County and District Council members now were solely responsible for considering complaints of misconduct by their own members. This form of self-regulation appeared inequitable.

#### **1621. Clerk Recruitment.**

- .1 The Chairman and Mr Allard would be interviewing a candidate on April 18<sup>th</sup>.
- .2 Mr Frazer's suggestion, for 2 Council members to inspect routinely and to reconcile the Cash Book entries against the bank statements, was accepted; Mr Frazer & Mr Allard volunteered to undertake this task.

#### **1622. Items of Report from Members.**

- .1 In view of potential attendees' competing priorities on June 24<sup>th</sup>, Mr Townrow requested that the First Aid re-training Course be deferred until September 23<sup>rd</sup>, and this was agreed.
- .2. At the March 26<sup>th</sup> Area North Committee meeting, Mr Townrow had spoken with Colin McDonald, SSDC Housing Policy Manager, regarding scope for SSDC financing of a Housing Needs Survey; provided that the initiative for the Survey rested with the parish rather than any third-party developer, then it was most likely that the District Council would pay the cost. Community Council for Somerset undertook such surveys for parish councils.

**The next meeting, the Annual Meeting of the Parish Council, will be held on Monday May 14<sup>th</sup> 2018, following on immediately after the Annual Parish Meeting, commencing at 19:30 in the Village Hall**