
PUXTON PARISH COUNCIL

Puxton & Hewish

Clerk: Donald Hill

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Minutes of the Parish Council Meeting on 5th April 2018 at 7.30pm in the Village Hall

Present: Cllrs Sue Popperwell, Peter Penfold, Jim Corbett, Jim Howard, Clayton Penfold

In Attendance: Cllr Tom Leimdorfer (NSC), Don Hill (Clerk)

Public Attendance: 7

028/18 APOLOGIES FOR ABSENCE: Cllr Howard

029/18 DECLARATIONS OF INTEREST AND DISPENSATIONS: The Chair, as a member of the Hall Committee, re minute 38/18 below, under a dispensation at September 2017 minute 105/17.

030/18 PUBLIC SESSION

Colin Barker

Complaint re e-mail communications from the Hewish & Puxton Village Hall Committee: Colin was aggrieved at two e-mails he received, one from the Secretary/Treasurer and one from the Chair, of the Hall Committee, in response to complaints by him about the running of the Village Hall. He considered these e-mails to be libellous and read them to the meeting. Both persons being complained of were in attendance (the Hall Secretary Treasurer is also Clerk to the Council and the Hall Committee Chair was present coincidentally). He issued a demand for apologies to be issued by each complained of party within 24/48 hours to, among other things, be in writing by post and by e-mail, and to be posted on the Council website and notice board for six months. Cllr Popperwell queried why this matter was being brought before the Parish Council when it was, properly, a matter for the Village Hall Committee. Colin explained that this was because some matters were copied to the Hall Committee members and the Parish Councillors. As this was deemed to be a Hall Committee matter, Colin informed the Chair of that committee that he would be requesting an extraordinary meeting to progress the matter. The Council Chair indicated that the the Council will note his complaint and take a concerned interest in it outcome. The complainant left the meeting.

Peter Carter

St Anne's Car Park: The Clerk explained that it was specifically "the buildings" (not "the property", as worded in the agenda) that are leased from the Diocese. The car park, a separate property entity from the buildings, is leased, by Puxton Parish Council, to NSC. It is that car park lease which is the subject of minute 34/18 below.

Access land opposite the Full Quart: Cllr Leimdorfer reported per his item at minute 031/18 below.

031/18 REPORTS - Ward Cllrs Report - Cllr Leimdorfer

The Budget was approved by Council as indicated at the Executive meeting earlier in the month. Three opposition amendments were proposed:

- (a) To reverse the cuts to Children's Centres
- (b) To utilise the government's last minute extra £577K funding for adult social care rather than put the money into 'contingency'
- (c) To reverse the increased car park charges in Weston, pending a review.

All three amendments were defeated by majority group.

As indicated at the last meeting, Council Tax will increase by 5.99%

Homelessness and the lack of a night shelter was the main topic of public participation. Weston Town Council has earmarked funding to set up a bus night shelter. Since the Council meeting, temporary cold weather accommodation was offered by Weston Quaker Meeting for up to 15 rough sleepers. Subsequently, North Somerset officers found short-term solutions for the majority. The charity 'Somewhere to Go' are looking to provide a night shelter and seek funding.

The acquisition of a significant investment property at north Worle was agreed, including the large Sainsbury store, petrol station, public house, retail shops & warehouse and car park. The expected rental income is estimated to make a net contribution to revenue of about £250K per annum.

Health Overview & Scrutiny Panel on 22/2/18 received reports on winter pressures, temporary overnight closure of Emergency Department and the Clinical Commissioning Group update.

Transforming Adult Care is a consultation document outlining how the Council intends to reduce spending on adult care because of funding pressures. It puts the emphasis on expecting informal carers (family, friends & neighbours) to do more and the Council to do less. The final document will take account of consultation responses and the need to comply with the Care Act.

Land opposite the Full Quart, Puxton (application 17/P/1028/F): The new access to the field was not constructed in accordance with the approved plans and the Enforcement team were involved. They visited the site and the applicant was informed of the action required.

NSC Staff Changes: Chief Executive Mike Jackson and Director of Development and Environment David Carter are both leaving NSC for other posts within the West Of England Region. Area Officer Jeff Shipway, who looks after Congresbury and liaises closely with the Puxton Area Officer, will also be leaving the Council.

032/18 MINUTES OF THE LAST MEETING - 1st February 2018 - were agreed, and signed by Chair.

033/18 MATTERS ARISING NOT DEALT WITH ELSEWHERE: None

34/18 RATIFICATION OF MATTERS PROGRESSED AFTER THE CANCELLED MARCH MEETING

St Anne's Car Park: PPC/NSC 1995 Section 106 Agreement and 1999 Lease to hand. Solicitor briefed. Costs will fall to NSC. DfE are now involved - their Lawyer's e-mails have been shared with Members. The Clerk has also had a subsequent telephone conversation with the Lawyer. No alterations are proposed to the lease, but an extension of it beyond its remaining 14 years is being sought (DfE standard is 125 years but any reasonable term is ok). There will be no commercial sale of the St Anne's School building, as it reverts to the Bath and Wells Diocese upon termination of its use as a school. In view of the urgency attaching to this matter, the Chair and Clerk were appointed as the signatories for the new Lease so that it can be completed without recourse to an emergency meeting, but subject to ratification at the next meeting following the signing of the Lease. This was the procedure used for the original Lease. The meeting noted and approved these actions.

Governance Documents: These were pre-circulated to Members before the cancelled March 1st meeting and were agreed via e-mail during March: that agreement was ratified unanimously at this meeting. The Chair and Clerk signed the 2018 Risk Assessment to confirm that its matters have been appropriately reviewed and are deemed a true reflection of the risk position of the Council, and also the Annual Governance Statement, confirming the Council's responsibility for ensuring a sound system of internal control, including the preparation of the accounting statements.

35/18 POLICING AND TRAFFIC

No police report. The lorry driver allegedly responsible for the Wick Lane power cable downing is not being pursued by either the police or Western Power.

36/18 NORTH SOMERSET COUNCIL MATTERS

Stonebridge Farm: Awaiting NSC update. No further complaints received.

School Transport: Issues unresolved. Publicity indicates this to be a concern for other parishes too.

A370 Footpath: Cllr Peter Penfold is very concerned that, in many places, the hedgerows on the to-Weston side of the road intrude so far onto the highway that heavy vehicles with large extended wing mirrors drive across the central line in order to safeguard those mirrors. This forces oncoming traffic towards the curb on the to-Bristol side of the road, which is peopled by pedestrians who - particularly when in groups - step off the curb into the path of the traffic because the footpath has become unusable. A seriously dangerous situation. **Clerk to relay this continuing concern to the Area Officer and Director of Environment, and get an update on the test clearance work: also to update Cllr Leimdorfer with the outcome of his enquiries.**

Puxton Road Drainage at Council Houses/Wyndham Grange & Puxton Lane Grip: Works awaited - Minute 008/18 refers. Cllr Corbett reported that, despite a grip being dug opposite the Council Houses, the road was flooded to its entire width both there and at Wyndham Grange during recent rains. **Clerk to chase progress on NSC's planned remedial actions.**

Wick Lane Ditch: Area Officer reports that there is no evidence of NSC culpability re. this ditch.

Potholes: Maysgreen Lane junction, interim repairs in hand, date awaited.

30mph Speed Limit on Puxton Road: Results have been shared with members. Essentially, the average speed along Puxton Road is 34mph with only 2% of vehicles going above 35mph and none going above 40mph. Within these parameters, some 38% of vehicles are technically speeding, but only 2% at a level that would realistically attract prosecution. As the Parish Council will be expected to pay the bulk of an estimated £8,000 to install a 30mph speed limit, Members considered a) whether such a limit will significantly slow traffic speeds which are already relatively low, as reported and b) whether the answer to a) warrants the expenditure of £8,000 of PC/NSC funds. Despite reports of excessive speeding on occasions not recorded during this test, the meeting agreed unanimously that, for now at least, it was not a project they were able to afford from their own funds. With the increasing use of GPS and the planned growth of surrounding parishes such as Banwell, however, the introduction of a speed limit at a future date will be a longer term objective. **Clerk to so inform NSC.**

East Hewish Rail Crossing: Jon Richards reports snow making it tricky to use, having to stop for the barriers on a slope then to get grip to go again; grit bins would help. **Clerk to follow through with NSC/Network Rail and arrange for a bin and its maintenance from the 2019-20 budget.**

37/18

OTHER MATTERS

BT Poles: Oldbrook bridge to Willow Farm trees: Job ref VOL013-269612756552. **Clerk to chase.**

File backups: Re security backup, **Clerk to purchase 2 memory sticks to facilitate this.**

Councillors: Lynda Redding put herself forward for co-option and the meeting unanimously agreed that she be appointed. The Clerk had previously provided her with governance and other briefing paperwork. The Declaration of Acceptance of Office and the Register of Members' Interest forms were completed and in the hands of the Clerk by the end of the meeting. Lynda will attend future meetings of the Council as a co-opted member. **Clerk to progress the administrative formalities.**

GDPR: Awaiting updates.

St Anne's Defibrillator: A contribution of £250 was agreed - to come from the Community Fund as the item is not budgeted within the financial year. **Clerk to organise.**

NSC Free Flowers Scheme 2018: Cllr Popperwell to collect and organise.

38/18

FINANCE

2017-18 Draft Final Accounts: pre-circulated with meeting papers, noted and approved.

2017-18 Audit: Processing of mandatory documentation (pre-circulated) and approval, with draft accounts, for audit. Documentation reviewed, agreed and signed off as indicated in the documentation. **Clerk to pass accounts and audit documentation to the Internal Auditor.**

Community Fund: *The Chair suspended Standing Orders to allow a discussion to include the Village Hall Chair Christine Richardson and Fundraising Committee Chair Lynda Redding.* The Council Chair and Clerk updated Members on the outcome of their remit at January minute 10/18. The Parish Council becoming a holding trustee was possible, via the updating of the Hall's existing Charity Commission Deed, which was not expected to happen until after the Hall has been purchased. The solicitor proposed the Hewish & Puxton Community Fund grant could be secured for the Fund "by way of a Charge to secure the sum of £40,000, with the registration of this with first priority at the Land Registry." This would provide the security that the Council has sought since the inception of the fund in 2016, whatever the status of Hewish & Puxton Village Hall Ltd (a company limited by guarantee), and whatever updating arrangements evolved from the existing charity. It would also provide the security for the funding to be made in the form of a 100% grant, without any element of loan involved. It was explained that the Hall suddenly, a matter of days before the date, was told that the vendor wanted to exchange contracts on April 4th - within the 2017-18 tax year. Consultations with

ACRE (Action with Communities in Rural England), the Charity Commission and the Hall solicitor resulted in a revision of the Articles of Association of Hewish & Puxton Village Hall Ltd adapted from the model ACRE village hall model for a charitable incorporated organisation (CIO). This meant that the company could be both the purchasing vehicle for the Hall, and concurrently pursue an application for the company to become a registered charity. The new Articles were registered on April 4th. As matters relating to the provision of the Hewish & Puxton Community Fund monies remained outstanding, the exchange of contracts was completed - also on April 4th, with the deposit of £1 as the necessary consideration. Christine and Lynda could not understand the need for the Community Fund money to have a charge attached to it. Lynda explained that, within the Company's new Articles of Association, the object was to serve the Civil Parish Puxton - the area of benefit - and that if, for any reason, the Company were to be dissolved, the net assets at dissolution would have to be applied to the objects of the Company - ie to the Civil Parish of Puxton as the area of benefit. Cllr Popperwell reiterated her argument for some more specific security put forward in minute 10/18. The proposed charge would secure the Parish Council as being the custodian of any dissolution funds on behalf of the Parish (custodianship was not so specifically stated within the articles). Further, and significantly, if a dissolution of the company came about due to extended liabilities, there may well be no net dissolution funds left after those liabilities had been discharged. With a first charge attaching to the Community Fund grant, the settlement of that charge, in favour of the community, would come before discharge of the other liabilities. Standing Orders were reinstated.

Members were asked whether the sum of £40,000 - already committed under September 2017 minute 112/17 - should go forward as advised by the solicitor; i.e. be in the form of a 100% grant of £40,000, with a Charge to secure the sum of £40,000, with the registration of this with first priority at the Land Registry. Members agreed unanimously that the grant should be put in place on the basis advised by the solicitor and **the Clerk was instructed to so advise the solicitor.**

Standing Order Variation: re Clerks pay, signed.

Cheque: 100212 HMRC Jan/Feb/Mar £147.80 (prior year). **100213** ALCA subscription £57.41.

39/19 **PLANNING** (*Enforcement Report March 2018*)

New: 18/P/2548/FUH Clover Cottage, Maysfield La, single story extension. **18/P/2612/FUH** Rosemary Cott, Wick La, 1st floor extension + single storey rear extension to existing garage to create an annexe. **No objections to either application.**

Decisions Due: 17/P/2567/F Heathfield pitches.

Granted: 17/P/5407/FUH Little Orchard extension. **18/P/2207/AGA** Pilhay Farm Agric store.

Appeal APP/D0121/W/ 17/3179037: re 16/P/2843/F Storage containers at Heathfield Park.

40/18 **COUNCILLORS' REPORTS**

Cllr Corbett: mentioned the continuing unsightliness of land around Travellers Rest in Maysgreen Lane. The Clerk reported that there is a new homeowner there now and that enforcement processes to improve the situation are in hand. Royal Mail describes Puxton addresses as "Hewish". Why? The Clerk undertook to check the postcode webpage (*and confirms that all homes in Puxton are addressed "Hewish"*). Cllr Leimdorfer said that Royal Mail addresses accord with the needs of their delivery system, rather than with an exact location: it important to use the correct post code.

Cllr Popperwell: reminded the meeting of Dennis Jones' charity event to be held in the summer and that some funds raised from the event will be applied to the Village Hall Save-Our-Hall fund.

41/18 **DATE OF NEXT MEETINGS**

Parish Council AGM & Ordinary Meeting: Thursday 3rd May 2018, at **7.00pm**, in the Village Hall.

Annual Parish Meeting: Thursday 3rd May 2018, at **8.00pm**, in the Village Hall

The meeting closed at 8.55pm