

# CURRY RIVEL PARISH COUNCIL

## MINUTES OF MEETING HELD ON THE 1<sup>ST</sup> SEPTEMBER, 2011 @ 7.30PM IN THE VILLAGE HALL

**PRESENT:-** Cllrs Peter Goodenough (Chairman), Stephen Beney, Janet Calder, Peter Crosland, Kathleen Gardner, Steve James, Madelaine King-Oakley, Clare Simpson and Derek Yeomans.

615). **DECLARATIONS OF INTEREST**

There were no declarations of interest.

616). **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

617). **MINUTES OF THE MEETING HELD ON THE 4<sup>TH</sup> August 2011**

The Minutes of the meeting, having been circulated to the members and posted on the Community Web Site, were unanimously approved on the proposition of Cllr Derek Yeomans, seconded by Cllr Clare Simpson and were signed by the Chairman.

618). **MATTERS ARISING NOT ON THE AGENDA**

a). **Re-Siting Of 50mph Sign – A378**

i). **Letter from Colin Fletcher, Traffic Engineer, South Somerset Area**

A reply had been received in respect of our request for the re-siting of the signs currently located just prior to the double bend before the Frog Lane junction. Mr Fletcher agreed that they were not well sited but, felt that extending the 30mph limit to a point west of The Grange would be excessive and unlikely to be effective. He felt that there might be some benefit in extending the restriction to the point where the Langport place name is positioned. This would allow the place name and speed roundel to be incorporated into the same sign and would be visible from a much greater distance.

Colin Fletcher would put this forward as a proposal but, it would be subject to available funding and it was also important the he consulted with Langport Town Council for their views.

ii). **Copy of letter to Colin Fletcher from Langport Town Council**

In response to an approach from Colin Fletcher in respect of the re-siting of the 50 mph sign, the Clerk of Langport Town Council said that it was necessary to speak to his councillors concerning this proposal but could see no reason why it should receive any opposition. Obviously, the design of any new gateway signage required careful consideration and he would ask that his Council be included in any discussions before a final decision is taken.

b). **Complaint from Terry Harris**

The Clerk had contacted Lee Walton, Planning Officer, concerning the complaint received from Mr Harris in respect of rubbish that had again been allowed to accumulate on the driveway of his next door neighbour. He advised that the rubbish referred to was of a commercial nature and the previous complaint had been dealt with under Case Ref. 07/005533/USE. He would take this matter up with the appropriate department.

Cllr Steve Beney drew attention to an extension on the back of the house which does not appear to conform to building regulations and enquired whether a planning application had been submitted for approval. This would be investigated.

d). **Grit Bins**

The Clerk drew attention to the approach of the winter and the need to consider the purchase of additional grit bins.

e). **Path leading to Playing Fields from new development**

Cllr Kathleen Gardner had spoken to a couple who were walking their dog on Westfield, drawing their attention to the notices advising that dogs were banned. They replied that they had not seen the signs and it was discovered that they had entered Westfield on a path leading from the new development. Cllr Gardner recommended that consideration should be given to installing a kissing-gate to prevent vehicles from gaining entrance to the field and that a further dog ban sign should be ordered and installed at this point

Cllr Derek Yeomans advised that he had 'phoned Yarlington Homes and had pointed out that the entrance from the site to the lane was supposed to be blocked up. He was told that it cannot be locked without a Traffic Regulation Order which depends on the entrance to the main road being approved by Highways, which has not yet been done. The entrance to Hoskins Lane will have to remain open and once the access on to the main road is approved a TRO could then be implemented. The road coming from the new houses onto the playing fields is liable to result in a secondary parking area being created on the field if we are not very careful. Yarlington Homes totally agrees that it will have to be made impossible for motor vehicles to gain access from this road and will ensure that the necessary work will be carried out as soon as possible.

f). **Westfield Development Section 106**

Cllr Derek Yeomans had spoken to David Norris who advised that at a meeting with Yarlington Homes he had been advised that all the community benefits that had been put into the Section 106 monies are going to be insisted on being paid. Cllr Derek Nelson pointed out that a development at Ilton was in the same situation and it was a long hard road.

**Adjournment to Allow Public Comment**

*David Perrin referred to the seven bridleways in existence, six of which were in this parish. He was of the opinion that the application made to the Somerset County Council was fraudulent. He enquired whether this Parish Council had ever been asked who the owners of the land were. Basically, he believed that Somerset County Council have put a fraudulent claim in and have said to the South Somerset Bridleway Association that it was alright. It would cost him thousand of pounds to fight his case. Furthermore, Health & Safety does not come into it and he did not know whether or not he owned half of Batrams Hill Droveaway. It is very narrow and if anyone takes a horse onto there he would say that a serious accident could happen. He would like to make it clear that he was very much opposed to this. He would like to know if the South Somerset Bridleway Association had gone to the Land Registry to ascertain the names of the land owners, which they are obliged to do by law, and then advise the Parish Council. He was informed that the Parish Council had not been approached.*

*County Cllr Derek Nelson said that he had tried to speak to Lawrence Evans without success. However, Marlene Masters, who is an expert in this field, has already liaised and he was happy to have a meeting with her and would take up Mr Perrin's case. He was disappointed that there were six to fight this time but this does not diminish what we have to do because I know they are important to the landowners. Derek Evans is Head of Regulations for this Ward and he has thoughts on this matter and has spoken to the County Council officers concerned.*

*Cllr Derek Yeomans said he had pointed out to the Rights of Way people that what they did was totally illegal. They could have found the names of the landowners from the Land Registry or on Google and that they had no right to go on Mr Perrin's land without talking to him first. All that has been accepted by the County Council and it is now very activated because of the 220 planning applications for ROW at present on the books which could take 20 years to clear, 197 are from the South Somerset Bridleways Association who have 'block booked' them. Cllr Yeomans said he was doing his best for Mr Perrin and asked him to be patient. He was going to demand that whenever an application was received that a member for the division is informed and that the landowner is also immediately informed.*

**Weight Restriction**

*Robert Crowley said that he was more than a little interested in the traffic through Curry Rivel. We still have far too many HGV's coming through the village. There was an excessive number of HGV's sometimes coming through at an absurd speed through the parked cars. The main problem is that, although we have had some success with the additional signs at Thornfalcon encouraging traffic to go on to the A303, he still thought there was the need to maintain a lot of pressure on the Police to enforce the weight restriction on the bridge. Cllr Peter Goodenough would speak to Sergeant Alan Bell, who was his contact, concerning this matter and come back to Mr Crowley and let him know what action can be taken.*

*County Cllr Derek Nelson asked whether the signs had yet been erected at Thornfalcon. He had spoken to the Highways Department who are interested and have to read what the situation is in respect of the existing track record and as far as Curry Rivel was concerned the track record in respect of accidents was very light. He felt that the situation was not a lot different to other villages with a main road running through them. We can only keep asking questions and requesting the authorities to do more.*

*Cllr Derek Yeomans pointed out that the bridge at Langport was supported on oak timber pillars which are gradually collapsing and if this happened, Curry Rivel would become very quiet and Langport would be isolated.*

**Taunton Road Filling Station.**

*Mrs Garland was in attendance to talk about the planning application submitted by Taunton Road Filling Station. She lived at The Turns which is right on top of the application. In 2006 when she bought her house there was a small village petrol station and a tiny shop. Now it was almost a supermarket. She supported the application to demolish the filling station but, her concern was that she might be overlooked. The private lane goes to two bungalows behind and she could see on the plan that one of the buildings would be very close to the fencing onto the lane. The existing refrigeration plant does not enable her to open her windows at night. She had requested a review of her Council Tax and the District Council had come up with a fair solution, so they were on her side. There was a derelict pub opposite her and she was surrounded by planning proposals.*

*There was Shires Garage in Langport and this meant that we would not be without an available filling station. She wished to see a larger plan and was informed that one was displayed on the table at the rear of the hall.*

*Cllr Peter Goodenough enquired whether she had submitted her views to the District Council and recommended her to do so. The application would be discussed under the Planning Report later in the meeting.*

619). **REPORTS FROM COUNTY/DISTRICT COUNCILLORS**

a). **Extension of 30 mph at Langport**

County Cllr Derek Nelson referred to the Parish Council's request for the extension of the 30 mph speed restriction beyond the bridge at Langport. He said that there was a resistance to erecting more signage and a 'bit of a battle' over the provision of brown signs but, he was of the opinion that you have to help the businesses in the area. The authorities will not supply any more and it is left to the subjective judgement of an engineer. He felt that the local members ought to be involved in those discussions.

b). **Westfield Development**

County Cllr Derek Nelson pointed out that a local gentleman could not get his mortgage because the road widening had been had organised opposite that turning. The County Council agreed that Yarlinton Homes had signed the Section 106 Agreement and the bond was in place. That will happen at the end of September/beginning of October.

c). **Road resurfacing**

Further road resurfacing will take place on Church Street and Honeylands.

d). **Peel Barton Lane development**

Cllr Derek Nelson referred to the difficulty that Mr Leggett was encountering regarding the Peel Barton Lane development. He had spoken to the relevant officer and a further email has been sent to Mr Leggett but, there were a lot of mixed messages from each side. The splays supplied have provided better visibility coming out on to the road. The widening of a small piece of road is not sufficient to stop work. It was an aggressive email which had been copied to him. It was important to try and bring the case together.

Cllr Steve Beney drew attention to the hole which had developed 2ft/3ft from the corner of the junction which had been made more accessible with the removal of the wall and hedge. There were three metal plates in the hole which were separating and he felt it was important that this was dealt with as soon as possible, bearing in mind the children go back to school shortly.

e). **The Bell Hotel**

County Cllr Derek Nelson understood that the owners of The Bell Hotel were making progress and that a modified plan was being drawn up and was now awaited.

f). **Constituency Boundary Proposal**

The independent Local Government Boundary Commission for England is carrying out an electoral review which will redraw electoral division boundaries across the county so that we achieve electoral equality where each county councillor represents a similar number of electors and that the County Council's divisions reflect Somerset's local communities. It is proposed that the County Council should have 55 councillors, three fewer than at present. One in Sedgemoor; one in Mendip and one in South Somerset District Council. We would lose the Curry Rivel Division and they would be looking for a new name. Curry Rivel and Drayton would be within the Langport Division and others would go to South Petherton and Martock. This would not happen until the spring of next year. Recommendations would be publicized on 21<sup>st</sup> February with a deadline of 2<sup>nd</sup> April. This item to be placed on the Agenda for the next meeting.

620). **COMMUNITY SAFETY**

a). **Community Emergency Plan**

Pam Harvey does not want to be involved in the initial process. When the holidays were over Cllr Peter Goodenough would gather the people that had volunteered to be in at the start of this project, with a Chairman being elected which would enable us to crack on with the plans as soon as possible before winter.

b). **Police Report**

1 x Theft of Push Bike whilst chained to railings outside on the streets.

1 x Theft of lead from a roof

1 X criminal damage to barbed wire fencing.

**Arrests**

3 x Persons Arrested and charged for scrap metal in your Area.

1 person arrested for an assault

- c). **Neighbourhood Watch**  
Mike Cook has been in touch with Godfrey and he had set up date for the 28th of the month for a meeting to discuss the setting up of a Cold Call Area.

621) **PLANNING REPORT**

a). **Applications Received**

**No. 11/02775/LBC**

Installation of a balance flue and carrying out of internal a Hoist House, Butt Lane, Curry Rivel.

*It was unanimously agreed that the Parish Council had no objections to raise in respect of this planning application.*

**No. 11/02909/FUL**

Erection of an extension to front of dwellinghouse (GR:338783). Pear Tree Cottage, Townsend, Curry Rivel.

*It was unanimously agreed that the Parish Council had no objections to raise in respect of this planning application.*

**No. 11/02953/OUT**

Demolition of filling station and construction of four houses and one flat with associated parking and access (GR:339257/125184). Taunton Road Garage, Curry Rivel.

*Following a very detailed discussion on this planning application, it was proposed by Cllr Kathleen Gardner and seconded by Cllr Derek Yeomans that the Parish Council was of the opinion that the figures contained in the Profit & Loss Account are subject to considerable doubt and that the losses which are expressed are not justified. It was considered that this facility was a valuable adjunct to the prosperity and well-being of the village and should be retained in its present form. The Parish Council, therefore, recommends that the application is refused.*

*A vote taken on this proposal resulted in 7 votes in favour (Cllrs Stephen Beney, Janet Calder, Peter Crosland, Kathleen Gardner, Peter Goodenough, Clare Simpson and Derek Yeomans), 1 against (Cllr Madelaine King-Oakley) and 1 abstention (Cllr Steve James).*

Cllr Madelaine King-Oakley had been advised at work that this application has to be viewed by various departments in SSDC and one of them is the Play Department. If the application was to be accepted they would be looking for money from the applicant under Section 106 for play equipment and she had been asked what play equipment the Parish Council had.

**No. 11/03014/FUL**

Erection of a steel framed shed for storage of materials (timber) and plant (GR:339587/124870). Old Oak Farm, Back Lane, Curry Rivel

*Following a detailed discussion during which various points of view were expressed, it was proposed by Cllr Kathleen Gardner and seconded by Cllr Clare Simpson that the Parish Council should support this application. A vote taken resulted in 7 votes in favour (Cllrs Stephen Beney, Jan Calder, Kathleen Gardner, Steve James, Madelaine King-Oakley, Clare Simpson and Derek Yeomans). 1 vote against (Cllr Peter Crosland) and 1 abstention (Cllr Peter Goodenough).*

b). **Application Approved With Conditions**

**No. 11/02370/LBC**

The carrying out of internal alterations. Hurds Hill, Langport Road, Curry Rivel, TA10 0ND

c). **Application Refused**

**No. 11/01790/OUT**

Outline application for the erection of a single storey dwelling. Land adjoining 12 Churchway Close, Curry Rivel.

d). **Appeal in respect of Application Decision Ref. 11/00059/OUT**

Planning Inspectorate Appeal Ref – APP/R3325/A/11/2156282/NWF. Appeal Starting Date – 7<sup>th</sup> July 2011

Appeal by Mr J R Kitchen

**Proposal** – Outline application for the erection of 4 no. dwellings and garages (GR:338851/24883). Location – land adjacent to Acre Cottage, Stoney Lane, Curry Rivel

The Clerk circulated copies of the minutes prepared in respect of the Special Meeting held on the 15<sup>th</sup> August to discuss the Parish Council's response to this Appeal and a copy of the letter submitted would be emailed to the members for information. It was proposed by Cllr Kathleen Gardner and seconded by Cllr Clare Simpson that this was a true record of the meeting but, Cllr Peter Crosland advised he would abstain because a vote could not be taken on something that had not been given due notice. Approval of the Minutes would be deferred until the next meeting.

622). **FINANCE REPORT**

a). **Accounts for payment**

Avon & Somerset Probation – fencing at Eastfield	£ 72.00
Clerk's Wages for month	£286.67
Cllr Kathleen Gardner re. Timpsons – keys	£ 10.00
Dancover A/S - purchase of Marquee incl.. £10 bank charges	£ 364.82

b). **Training Session**

The Clerk was a member of the Society of Local Council Clerk's and they would be holding a branch meeting at the Tiverton Hotel on the 6<sup>th</sup> September, the cost of which was £45. The agenda would include an update on current Government proposals affecting Community Councils, a review of 'Big Society' local initiatives, a skills workshop to help part-time Clerks cope with the paper mountain and a Brains Trust session. It was agreed that the Clerk should attend.

c). **Changing Room Electricity**

The Clerk had received a request for a reading of the electric meter and Cllr Kathleen Gardiner had carried this out. The current reading as at 31<sup>st</sup> August 2011 was 474244 units against 471449 as at 14th February 2011, a difference of 2795 units. The Clerk had endeavoured to register the current reading but, had difficulty in doing so. It would appear that the reading could not be registered on line because it was in excess of the figure included in EDF's estimate for the period. The next bill would be very high and the Clerk would arrange for the meter to be checked to see if there was a fault. She also felt that it was necessary to get control over who uses the Changing Rooms, who has a key and to ensure that users turn off all electrical appliances when vacating the premises.

d). **External Audit**

The Clerk advised that the Annual Return submitted to Moore Stephens, the External Auditors, had been returned approved and signed.

e). **The Ridgeway Hall Disabled Group**

The Ridgeway Hall Disabled Group wished to make a grant application and the Clerk would provide Mrs Eaves with an application form. Cllr Derek Yeomans explained the current situation, recommending support of this group and it was suggested that he could assist Mrs Eaves in her presentation.

A letter had also been received from Langport Town Council expressing concern about the removal of financial support from this group by Somerset County Council. It provided an essential meeting place for a wide cross section of local communities and that it should be the responsibility of the bodies representing those communities, from which members come, to develop a joint strategy in support of this organisation. One possible way could be through providing funding based on the level of membership from individual communities. It was agreed that consideration could be given to this proposal at a future meeting.

f). **Shopmobility**

An application had also been received from Shopmobility and the Clerk would arrange for a form to be made available.

g). **Schedule of Receipts and Payments**

The Clerk had circulated copies of the Receipts and Payments to date and at the request of Cllr Peter Crosland an additional column would be provided to include the Minute reference when payment was approved.

623). **WESTFIELD/EASTFIELD**

a). **Inspection Reports & General Maintenance**

The Inspection reports were passed to Cllr Kathleen Gardner for information. Cllr Derek Yeomans advised that he had now completed the pipe-pen on the back of the Changing Rooms and had included a small window so that you can see the panel inside.

Cllr Madelaine King-Oakley advised that the hoops in the MUGA had now been painted and would be refitted shortly.

Cllr Kathleen Gardner said that it was necessary to make a decision as to what was going to be done with the old goal post which were being stored and allowed to become rusty and damaged. It had been suggested that they could be used for practice purposes in Eastfield. Cllr Madelaine King-Oakley was of the opinion that this was unlikely because of the state of them and that they could prove to be dangerous. It was agreed that they should be removed.

The Clerk had obtained details of Super Safe Natural Turf Worm Screws with a chain that goes right round the goal post that were available from the original supplier of the Junior Goal Posts and these were priced at £52.92 each

including vat. Cllr Clare Simpson proposed that providing Jeff Haines does not have an issue with these screws that we go ahead and place an order for four of them as soon as possible. This was seconded by Cllr Kathleen Gardner. Cllr Peter Goodenough agreed to contact Jeff Haines and advise the Clerk accordingly.

Cllr Kathleen Gardner advised that Mr McQuillian who had recently purchased a house on the boundary of the playing fields was experiencing problems with footballs going over his fence. On one occasion his fence had been damaged and she had tried to contact PCSO Ian Ross to report the matter but, unfortunately, he was on sick leave. It was felt that as this was criminal damage, it was not a matter for the Parish Council to deal with. However, the Parish Council should be sympathetic and Mr McQuillian asked to keep us informed.

Cllr Kathleen Gardner proposed and Cllr Derek Yeomans seconded that a further Dog Ban sign should be ordered and erected adjacent to the new path leading in from the Westfield Development. This was unanimously agreed.

It had been pointed out that the oak tree planted adjacent to Taunton Road Garage required urgent pruning and this had been brought to the attention of John Andrew who was a member of the Twinning Association whose responsibility it was.

b). **Grass Cutting and baling at Eastfield**

Cllr Peter Goodenough advised that the grass had been cut but not yet baled. It had been suggested that the Parish Council would be better off with straw bales rather than hay bales for the Queens Jubilee. It was suggested that these could be supplied by Henry Lang and the Chairman would approach him.

c). **Resolution: 'It is resolved that the Parish Council approve the final estimate for the erection of the Barrier on the entrance to the Car Park at Westfield'**

Cllr Derek Yeomans had obtained a quotation of £820.00 plus vat for the manufacture of the barrier, with delivery four weeks from confirmation of order. A quotation had yet to be obtained for its erection but, it was considered this would be in the region of £100.

Following discussion it was proposed by Cllr Stephen Beney and seconded by Cllr Derek Yeomans that an order be placed for the Barrier. A vote taken resulted in seven in favour (*Cllrs Stephen Beney, Peter Crosland, Kathleen Gardner, Peter Goodenough, Steve James, Clare Simpson and Derek Yeomans*) and two against (*Cllrs Madelaine King-Oakley and Janet Calder*). The resolution was duly carried.

d). **Resolution: 'It is resolved that the Parish Council accept the lowest estimate for indemnity insurance that would protect future Councils against attempts to enforce the Restrictive Covenant'**

Cllr Peter Goodenough advised that he had approached Aviva and Zurich Insurance for quotations in respect of this resolution and it was considered that cover of £20,000 would be sufficient to protect the Parish Council in perpetuity against anyone coming forward to say that the land was not being used along the lines of the Restricted Covenant. The quotation for a one-off payment from Aviva was £250 and from Zurich Insurance £265.

A detailed discussion ensued during which various points of view were expressed. Cllr Peter Goodenough pointed out that the Restrictive Covenant was made between the descendants of Mr Eames and the Aller Rugby Club, whereas the Uplift Clause was between the Aller Rugby Club and the Parish Council. The proposed insurance cover was to protect the Parish Council against unforeseen problems that might face future Parish Councils. If in the future it was decided to sell the land for development, the Parish Council would have to pass half of the profit to the Aller Rugby Club and this could possibly be seen as breaking the Restrictive Covenant and the Council could be sued. The indemnity insurance would cover the Parish Council but, the insurers would have to be duly kept informed if it was decided to apply for planning permission.

Cllr Kathleen Gardner considered it completely wrong if the Parish Council went against what the Aller Rugby Club had stipulated i.e sports field or agricultural purposes. Cllr Peter Crosland was of the opinion that if the Parish Council took the land on this basis, it would be morally wrong to use the land for anything else and we should not contemplate doing anything else. Following further discussion, Cllr Derek Yeomans proposed approval of this resolution and this was seconded by Cllr. Madelaine King-Oakley.

*A vote taken resulted in five in favour (Cllrs Janet Calder, Peter Goodenough, Madelaine King-Oakley, Clare Simpson and Derek Yeomans): three against (Cllrs Peter Crosland, Kathleen Gardner and Steve James) and one abstention (Cllr Stephen Beney).* The resolution was duly carried.

e). **Sponsored Walk**

Cllr Stephen Beney had been approached by Sheila White to ask if a sponsored walk could be organised by the Scouts on Eastfield. This was fully supported but, the Parish Council would appreciate some idea of the proposed date.

624). **To open up access to IT and the internet for residents**

Cllr Steve James advised that he had spoken to Rosemary Leaf for the results of her Survey. She had received 10 replies; none of them in Parsonage. She felt there was sufficient interest to proceed with the idea and further contact would be made with her

**REPORTS FROM MEMEBRS**

a). **Taunton Road Filling Station**

Cllr Steve James enquired if the proposed development did go ahead would the small piece of land adjacent still belong to the Parish Council. He was advised that it was registered in the name of the Parish Council.

b). **Items discussed during the adjournment**

Cllr Steve James said he had no idea about what was being discussed by Mr Perrin during the adjournment and would appreciate it if some idea could be given as to what the councillors were going to be faced with. Cllr Peter Goodenough pointed out that the first item discussed was something that the Parish Council had not previously been involved in and Cllr Derek Yeomans gave a brief history concerning public rights of way to clarify the matter for the councillors.

c). **Youth Service Survey**

Cllr Stephen Beney had considered that the questions contained in this Survey were incomplete and had suggested four additional questions which could be incorporated. They had not appeared on the draft prepared and he would re-submit them.

**CORRESPONDENCE**

The following correspondence had been received and would be circulated in the 'black box' for information and action were relevant.

- a). The Queen's Diamond Jubilee – letter from Lady Gass
- b). Highways Act 1980 – the District of South Somerset (Footpath 11/21 at Fivehead) Public Path Diversion Order 2011 – SSDC
- c). Avon & Somerset Community Policing Awards
- d). Avon & Somerset Police Authority – Strategic Policing Plan 2011/2014
- e). Royal Horticultural Society
- f). Local Government Boundary Commission for England – carrying out electoral review of Somerset County Council
- g). Annual Meeting with Area North Town & Parish Councils – Wednesday 19<sup>th</sup> October 2011
- h). Somerset Association of Local Councils AGM Saturday 24<sup>th</sup> September 2011

**ITEMS FOR A FUTURE AGENDA**

- a). Clerk's Contract of Employment
- b). Youth Survey
- c). Report from the Allotments Association and confirmation of Agreement
- d). Proposal submitted by Langport Town Council in respect of the future of The Ridgeway Hall Disabled Group

CHAIRMAN\_\_\_\_\_

DATE\_\_\_\_\_