

# BATCOMBE PARISH COUNCIL

Clerk: Rob Sage

Tel: 01749 850934

e-mail: robsage@uwclub.net

## You are Summoned to the Monthly Meeting of Batcombe Parish Council to be held on Wednesday 1<sup>st</sup> July 2015 at 8.00pm in the Old School, Batcombe

*Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status and any disability), Crime & Disorder, Health & Safety and Human Rights.*

### Agenda

**1. Apologies and Acceptance of Reasons for Absence**

**2. Declarations of Interest and Granting of Dispensations**

*Councillors' Declaration of Interests forms have been sent to the Monitoring Officer at Mendip District Council. As they have not yet been published on the District Council website all interests should be declared at this meeting.*

**3. Public Participation – Open village meeting for fifteen minutes for any member of the public to raise any issue relevant to Batcombe Parish**

*The Chairman can invite members of the public to speak at this or at any other appropriate time.*

**4. Minutes of Meeting held on Wednesday 3<sup>rd</sup> June 2015** to be agreed and signed. *Enclosed.*

**5. Matters Arising** – information updates only.

*Grants - Thanks have been received for the grants agreed at the last meeting from The Village Hall Trust, from the PCC (for the burial grant), from Mendip Community Transport and from Mendip Citizens Advice Bureau.*

**6. District and County Councillors' Reports**

*An opportunity for the District and County Councillors to report on matters relevant to the parish, either in person or in writing.*

**7. Footpaths and Highways**

*The trees opposite Church Farm will be pruned in the next few weeks by Somerset Highways' contractor Arborista. As the works are required to comply with the Highways Act 1980, the tree officer at Mendip has agreed that a Conservation Area Notification is not required on this occasion.*

*Any issues regarding footpaths and highways should be raised under this item rather than left to Other Business. Potholes can be reported directly on 0300 123 2224 or via the Clerk.*

**8. Allotments**

*The Chairman's report on his meeting with the allotment holders is enclosed. As you will see from his report it has been suggested that the allotments tenancy agreement be amended to require allotment holders to remove any temporary structures they may have erected when they give up their allotment, and the Chairman is suggesting that this be considered at the September meeting of the Council. Any amendment would only apply to future tenancy agreements. The Parish Council has*

*sufficient funds from the allotment rents which are earmarked for the maintenance of the allotments to undertake regular hedge cutting and minor tree works if this was felt appropriate.*

## **9. Playing Field - Maintenance Report**

*The annual safety inspection by RoSPA will have taken place in June. The report has not yet been received. The mole has been very active. I would be grateful for a volunteer or volunteers to undertake the weekly inspection of the Playing Field in the second week of both July and August.*

*A strand of barbed wire has been placed across the gap in the Playing Field fence at head height for a small child. There were cattle in the field next to the Playing Field and the barbed wire was presumably placed there to prevent them getting into the Playing Field. As a temporary measure I have wrapped the barbs in tape to prevent any injuries. The Parish Council needs to decide whether to replace the barbed wire with a more suitable barrier to cattle. (The gap in the fence has got wider since the new fencing was put in place.)*

*We have received a report that a year ago a small child broke her foot in the Playing Field when the concrete post that was being used as the stumps in the cricket net fell over. The child's mother was concerned to find recently that this post was still being used in the cricket net although "someone from the Parish Council" was aware of the accident. The concrete post was removed immediately. I do not know who the "someone from the Parish Council" was, but if anyone is aware of an accident in the Playing Field this should be reported to the Clerk immediately. The Council may wish to consider purchasing a set of stumps for the cricket net to avoid other unsuitable items being brought into the Playing Field.*

**The Annual Fete** *The PCC (via Rob Jones) have requested the use of the Playing Field for the annual village fete on the August Bank Holiday Monday (August 31<sup>st</sup>) on broadly the same basis as last year, when the Parish Council agreed to close the Playing Field from 8.00pm on the Saturday evening and on the Sunday and the Tuesday morning to allow the preparation and clearing up after the fete to be done safely. (The Parish Council cannot close the Playing Field on the Monday as it is a bank holiday, but in practice this did not make a significant difference.) In addition this year the PCC would like permission to hold a Songs of Praise service in the Playing Field on the Sunday evening. (This has been held on previous years, although not last year).*

*The PCC have also requested that the Playing Field grass and hedge inside the Playing Field are cut back prior to the Fete. Geoff Sparkes of Gardens of Avalon is happy to do this each year and I will remind him when I next send him a cheque. (The cutting of the hedge is an extra which Geoff charges at his hourly rate – last year it cost £36.) During the Fete weekend the zip wire will be immobilised with a padlock and chain and an inspection of the Playing Field by the Clerk and Rob Jones on the Tuesday afternoon will ensure the Playing Field has been left in a safe condition for children to use.*

## **10. Planning Applications**

None at present.

### **Planning Application Updates.**

*The application for alterations and glazing of the first floor opening in the existing stone gable wall at The Old Forge, Westcombe **as amended by revised plans received on 7<sup>th</sup> May 2015** has been approved by the District Council. The Parish Council recommended refusal of the original proposal which was for a frameless window extending to the top of the gable wall. In the revised plans the window is inserted in the existing opening thus meeting the Parish Council's concerns. A copy of the revised plans can be found on the District Council's website – follow the link from the Parish Council's Planning Applications page and enter the ref no: 2015/0537 in the search engine and look under the documents tab. A copy of the revised plans will be on display before the meeting.*

*A non material amendment application for the raising of a small dormer to facilitate the insertion of a new staircase with the provision of high level windows and two roof lights above the staircase on*

*planning assent 2015/0124/HSE at Lower Eastcombe Farm has been approved by the District Council. The Parish Council is not consulted over non material amendments.*

## **11. Planning Appeal**

Planning Application No: 2014/2127/FUL – Demolition of existing dwelling and outbuildings (one retained) and replacement dwelling with conversion of traditional barn into cottage. Valley View Farm, Batcombe.

*This appeal was considered under planning application updates at the last meeting and it was decided not to modify the Parish Council's response to the application, but to write to the Planning Inspectorate asking for a copy of the appeal decision, while stating the Parish Council's support for the District Council's decision to refuse permission. Following that meeting the Chairman felt that an opportunity should be made for the Council to reconsider its response in the light of the views of members of the public and any new information that may be relevant. For the Council to reconsider a matter it has made a decision on within six months of making that decision a written motion has to be presented, signed by two Councillors. I have received such a motion signed by the Chairman and Vice Chairman, which will need to be accepted by the Parish Council.*

*The Parish Council's original response to the planning application is enclosed. The Parish Council's view was that as the new dwelling was outside the curtilage of the existing dwelling it could not be considered a replacement dwelling and so must be considered as a new dwelling in open countryside, which is contrary to the National Planning Policy Framework except under special circumstances. The case officer agreed with the Parish Council's view and refused permission on the grounds that "The proposal results in the encroachment of new residential development into the open countryside, outside of the established domestic curtilage of Valley View Farm, which would fail to maintain or enhance the environment or recognise the intrinsic character and beauty of the countryside". The case officer's full report can be found on the District Council's website. (Click on the link on the Parish Council's Planning Applications page and enter the ref no: 2014/2127 into the search engine, click on the documents tab and the officer's report is at the bottom of the list.) The case officer gave two additional reasons for refusing permission – the design of the staff cottage and an out of date ecological assessment.*

*The Appeal Statement can also be found on the District Council's website (directly below the officer's report). The basis of the appeal is that there is no written policy requiring a replacement dwelling to be within the curtilage of the building it replaces, the design of the cottage is sympathetic to the existing buildings and that the ecological statement was not out of date and provision can be made for the presence of barn owls. I would suggest that the first of these is likely to be the crucial issue. I am unaware of a written policy, but as noted in the Parish Council's original response the District Council has consistently refused permission for replacement dwellings outside of the curtilage of the existing dwelling.*

## **12. Affordable Housing**

*As noted at the last meeting the Chairman would like the Parish Council to consider the Government's proposal to extend the Right to Acquire scheme to allow tenants to buy their Housing Association home at a discount and the impact this will have on the provision of affordable housing in the parish. The Chairman would like the Council to consider writing to our District and County Councillors and on our MP regarding this issue. There is currently a Right to Acquire scheme that allows some Housing Association tenants to buy their homes at a small discount (maximum £16,000).*

## **13. Coney Wood**

*As reported at the last meeting a local land agent would be prepared to give advice on the lease of the Wood for £100 and would draw up an alternative agreement for £400. SALC have been asked whether the advice of a land agent on the lease would be sufficient or whether the Parish Council should also obtain legal advice, but have not yet responded.*

*Also as reported at the last meeting, the Woodland Trust have been informed of the Parish Council's concerns with lease. The response has been that this is a standard lease that has been accepted by other Parish Councils and community groups. Justin Milward from the Woodland Trust would be willing to talk through the lease with the Parish Council, but has indicated that the Woodland Trust's legal team would be reluctant to vary the terms of the lease, which would indicate that there would be little value in drawing up an alternative agreement.*

#### **14. Staffing Committee**

**Clerk's Contract of Employment** - *As noted at the last meeting the Chairman would like to review the Clerk's Contract of Employment. The Clerk's Contract of Employment was last renewed in 2007 on the basis of a model contract produced by the National Association of Local Councils (NALC) and the Society of Local Council Clerks (SLCC). A copy of the Clerk's current Contract of Employment is enclosed. Since then a new model contract was produced by NALC and SLCC in 2011, but this was not intended to replace existing contracts. The only significant changes (other than the fact that the new model contract required the Clerk to be given a copy of the Council's Sickness Absence Policy and Health and Safety Policy, neither of which we actually have) were that the Council had to give written consent for the Clerk to undertake other employment and in the area of pensions.*

*The Clerk's current contract contains no pension provision, which the Clerk is perfectly happy with as this was the basis on which he took on the job. New Government legislation requires all employers to have a pension scheme, but the level of the Clerk's salary means that the Council only has to provide a scheme if requested by the Clerk and would not have to make any contributions. I have asked SALC for advice on whether the Council should be undertaking any pension provision, but have not yet had a response.*

*Given that meetings of the Staffing Committee are bound by the same rules as Council meetings – Agendas, Minutes, public notification etc – it is suggested that the Council establish a Working Party to consider the details of the Clerk's Contract of Employment and report back to the Council. A new Contract of Employment would need to be agreed by the Council and by the Clerk.*

**Clerk's Annual Review** - *It would be sensible to make arrangements for the Clerk's annual review at this meeting. It is recommended that the review is undertaken by two Councillors. I would suggest a date in the second half of July or the second half of August, as there are issues regarding the Clerk's available time that need to be considered and reported back to the Council before any long term plan for the Council is considered.*

#### **15. Authorisation of Payment**

£???.00	Gardens of Avalon – Grass cutting in the Playing Field. <i>(Invoice not yet received.)</i>
£20.00	SALC – Training for a New Councillor
£957.96	The Clerk – Salary for 1 <sup>st</sup> Quarter. <i>See enclosed sheet.</i>
£95.98	The Clerk – Expenses for 1 <sup>st</sup> Quarter. <i>See enclosed sheet.</i>

#### **16. Other Business** – matters of information only.

*Our new Councillor has been booked into a training session for new Councillors that is being run by SALC at Wanstrow Village Hall on the evening of July 9<sup>th</sup> from 7.00pm.*

#### **17. Date and Time of Next Meeting:**

Wednesday 5<sup>th</sup> August 2015 at 8.00pm in the Old School, Batcombe  
if required to consider planning applications, otherwise Wednesday 2<sup>nd</sup> September 2015

*Rob Sage*