

## STOKE ST. GREGORY PARISH COUNCIL

Minutes of the Parish Council Meeting held on Monday 26<sup>th</sup> September 2022

Held at The Pavilion, Stoke St Gregory.

**This is the postponed meeting from 12<sup>th</sup> September 2022.**

**Present** – Janice Pearce (Chair), Anne Merritt (Vice-Chair), Heather Venn, John Hembrow, Peter House, Ian Upshall, Jason Morgan, Danny James, David Fothergill (County Councillor)

**In Attendance** – Kelly de Silva (Clerk) and twelve members of the public.

**A minute silence is held a moment of reflection in memory of Her Majesty the late Queen Elizabeth II**

**105. Apologies for absence** – Ann Finn, Sue Buller (District Councillor)

### **Declarations of Interests and Dispensations –**

Janice Pearce – WI CIL application – Member of the WI

Ian Upshall and Jason Morgan – SEG CIL applications – Chair and member of SEG

Anne Merritt – Youth Project CIL applications – Leader of the initiative

Danny James – Neighbour of planning application 36/22/0015

All members will abstain from any vote regarding the above declared interests.

**Public question time** – A member of the PCC (Parochial Church Committee) would like to comment on the minutes from the previous meeting regarding the CIL application for assistance to repair the churchyard footpaths. They inform the footpaths are used by a considerable number of people within the village and the building itself is a significant part of village history. They inform the blue lias stone is breaking up and this is the responsibility of the PCC. They refer to comments from the previous PC meeting – “whether or not CIL could be allocated to the property of the church” and “that the Diocese should be responsible for the upkeep.”

The PCC representative informs the Diocese make no financial contribution to the Church other than pay the Clergy. The PCC are fully responsible for the upkeep of the building and surroundings. This is paid for by the congregation, annual donations, and legacy donations. They state the church and surroundings are open to all, including school children as a safe walking route from Woodhill to the village square. The footpaths are dangerous when wet and due to the breaking up of the stone. They appeal to the PC to reconsider the application.

The Clerk informs the PC has sought advice SALC and the CIL officer regarding the application and it is a grey area. The LGA1894 S8 is an antiquated piece of legislation and CIL investment must meet the CIL regulations. The Clerk informs the CIL Officer advised “*the Parish Council needs to be able to satisfy itself, the local community, and the Council that these works within the churchyard are required as a direct result of additional usage by an increased population. The areas of the churchyard benefitting from the CIL funds would also need to be 100% accessible to all members of the public, regardless of faith etc. at all times i.e., this is essentially a public footpath.*”

The PCC representative informs the footpath is also used as an access point to the PC maintained burial ground. They request if CIL cannot be allocated, could the PC contribute £2000 for repair work to the footpaths.

The Clerk informs the points raised were considered at the previous meeting and agrees she is aware the Church proactively encourages use of the carpark and path to keep the road clear of parked cars and pedestrians safe. The Clerk informs it comes down to legislation and regulations.

A member of the public asks if the CIL Officer or SALC had referred to legislation that supersedes the LGA 1894 (S.214 LGA 1972 and the Localism Act 2011) The Clerk agrees to ask SALC – the recognised body that advises Parish Councils.

***The Clerk has requested this information from SALC since the meeting which stated -***

*There are a few pieces of post-1894 legislation that some people argue supersede the prohibition, but none of these later Acts explicitly detail this as an intention and there is an absence of caselaw. There are arguments to say that the 1894 legislation has to be taken in context of the transfer of powers taking place at the time. In fact, there have been lots of opinions issued and requests to the govt to clarify the legal position, but the matter has never been truly cleared up. You are likely to get a different opinion from each person you ask. I am happy to outline my thoughts, but if the PC is particularly concerned then it might prefer to rely on specialist legal advice. However, in light of the myriad of interpretations, I am not sure that would be much more definitive. I suggest that once the PC has considered the evidence and taken a view on what it believes is best for the parish, then if it wants to support the EOI, the PC asks its auditor whether they would object to money being used on the churchyard. If the auditor is concerned then the PC might prefer to err on the side of caution and refuse the EOI, but if the auditor accepts the arguments in favour, then the PC might choose to include the EOI – subject to the advice of the CIL Officer.*

***The Clerk has requested the external auditor PKF Littlejohn LLP offer further advice on the matter.***

A representative is present from the Tennis Club. They would like to clarify that there appears to be a misunderstanding that members of the club can only use the tennis courts – this is incorrect. They wish to clarify that youngsters have access to the courts for coaching and the general public have access to the courts for coaching. A small charge is required as the club must generate £2000 per year for a sinking fund to resurface the courts every several years.

They also wish to ask about the SSGTC CIL application submitted for £6,600 to replace fencing. They inform this figure was provided in July 2021. With the costs of materials spiralling, they ask, if the application were successful, would it be restricted to this figure or could it be increased. JP responds this will need to be discussed and is something that may be relevant to other applications where an updated quote - due to rising costs - is required.

IU advises that at this stage firm and final costings are required by all applicants as there is only a finite pot of money.

Several members of the community are present regarding planning application 36/22/0015 Chatsworth Cottage, Curload.

Issues raised regarding the application by residents from neighbouring properties include:

\*The proximity of the proposed annex is too close to a neighbouring property which would have a detrimental impact on privacy. The proposed building would also rise 2m above neighbour's fence line

\*The proposal does not meet the criteria of an annex – it is a separate building

\* The proposal lends itself too much to another holiday let in the area rather than ancillary accommodation for an elderly occupant

\*There are already issues with two holiday lets within the vicinity of this area

\*It is not in keeping with the design and architecture of other properties in the area

\*It is questioned by residents if the proposal contravenes planning policies D2 and D6

\*The owners of the lane - which the access to the proposed annex is required - are concerned about increased footfall, traffic, noise, and privacy

The owner of the property informs it is a conversion of an existing building that will be used as ancillary accommodation.

DJ asks the property owner if a planning officer agreed to the application, but a condition was imposed that it could not be used as a holiday let – would they be satisfied with this. They respond they would be – for the time being. It is planned to be ancillary accommodation, whereas in the future or with different owners it is use may change.

JP thanks the members of the public for their contributions which will be considered in the agreed response that will be submitted to SWT Planning.

The manager of the Willowset is present regarding the CIL application. They wish to raise concerns over the amount of time it is taking for decisions to be made on allocating funds to projects – citing time is of the essence for some projects.

#### **106. Planning**

**36/22/0006 The Wagon House. Meare Green, Stoke St Gregory** - Change of use of land from agricultural to residential with the erection of an ancillary outbuilding

DECISION - CONDITIONAL APPROVAL 13/07/22

**36/22/0012 Ash Grove. Stoke Road, Meare Green, Stoke St Gregory** - Demolition of garage and erection of a single storey extension to the side

DECISION - CONDITIONAL APPROVAL 24/08/22

**36/22/0013/CQ & 36/22/0014/CQ Lower Huntham Farm, Stoke St Gregory** – Prior approval for proposed change of use from agricultural building to 1.No dwelling house (class C3) and associated building operations

DECISION - PRIOR APPROVED (CONDITIONAL) 16/09/22

**36/22/0015 Chatsworth Cottage. Curload, Stoke St Gregory** – Demolition of garage and erection of a two-storey garden room with annex above

The following response was agreed:

*“Stoke St Gregory Parish Council object (6 objections, 2 abstaining) to this planning application as the design is not fit for its intended purpose of ancillary accommodation. The scale and location of the proposed build would greatly impact at least three neighbouring properties within the locality of the proposed build.”*

**36/22/0016 Dene Cottage. Meare Green, Stoke St Gregory** – Erection of a two-storey extension to the rear (resubmission of 36/22/0002)

The following response was agreed;

*“Stoke St Gregory Parish Council support (7 supporting, 1 abstaining) this planning application. The PC wish to highlight the position of the extension (boundary) against the locality of the road . Where the proposed extension is located it is close to the road. The road is getting narrower on this bend (by approximately 1m with the bank building up and with the hedge growing considerably).”*

**36/22/0017 Sunnycroft. Stoke Road, Meare Green, Stoke St Gregory** – Removal of conservatory and erection of a single-storey extension to both side and rear of the dwelling (resubmission of 36/21/0028)

The following response was agreed;

*“Stoke St Gregory Parish Council unanimously support this planning application.”*

*(7 members of the public leave)*

#### **Network Rail works at Athelney**

The Clerk reports works are ongoing. There have been no other issues reported since July by parishioners to the PC. These concerns were reported to SWT Planning enforcement on 27<sup>th</sup> July 2022 as -

1. The proposed development has an adverse impact on residential amenity
2. Works could impact the integrity of the River Tone
3. Concerns raised regarding aggregate being deposited in the Rhynes that act as a confluence between the Rivers Tone, Parrett and Sowe.

The Clerk has received no update since SWT planning acknowledged receipt of the concerns raised on 1<sup>st</sup> August 2022.

DF reports the Parish of Burrowbridge and Stathe are extremely exercised by the works. In particular traffic movements by the one-way system in place coming from Stoke and through Stathe.

PH reports there is a new compound being built which is assumingly for the crane to be erected. IU reports he has been in conversation with a Parishioner in Curload who has been impacted by the current works. They are in negotiations with Network Rail and the contractors regarding access into Curload from Stoke Road which involve alterations to their property for the crane to be delivered.

#### **107. Payment request for the Playing Fields and Pavilion insurance**

The Clerk reports the PC has historically paid the insurance for the playing fields. The sum requested is £670.97. The PC agree unanimously to pay the PFMC insurance – Motion carried.

**Clerk to add the re-imbursement to the payment schedule**

#### **108. CIL (Community Infrastructure Levy)**

##### **Parish Infrastructure Investment Plan (PIIPs)**

JP thanks IU for the excellent survey on the condition on the roads and highways. JP requests this is added to the PIIP.

IU requests the PIIP is removed from the CIL section as this will be an on-going project that will feed into CIL.

##### **Vote on allocating full CIL monies or whether to hold some in reserve**

JP asks if the full CIL balance should be allocated at once or should some be held in reserve for a later date.

PH reports the PC will continue to receive CIL payments on future minor developments and individual properties that require the levy. PH states there is no real reason to spend the entire sum at once – just a majority of it and in line within the permitted 5 years.

JP reminds the PC to consider that due to rising costs, it may be beneficial for value purposes to spend the money sooner rather than later.

AM expresses the funds should be spent as soon as possible.

DJ proposes it should be down to identifying the needs of the village; consider the cost of those needs, and establish if those needs be can fulfilled. If there is funds left great – if not, so be it. It should not be about spending the money for spending's sake.

All agreed with the proposal. MOTION CARRIED.

##### **Review of updated analysis**

JP reports IU has updated the CIL questionnaire analysis; this is published on the village website. This clearly shows what the community priorities are and should be considered when making decisions.

##### **CIL Regulations 59a & b clarification for using both**

JP informs at the previous meeting, CIL applications were considered under regulation 59a, b or both. DJ states it is not for the PC to decide if it is a or b or both – any investment should tick the box and meet the criteria of either CIL reg a, b, or both. All agree.

##### **Stage 2 applications**

##### **SEG – Creating a sustainable and environmentally conscious Stoke St Gregory - £2,500**

After some discussion on the proposal a vote is called for whether the application should be supported to receive the funding in line with CIL regulations.

JM and IU abstain from the vote as members of the SEG. 6 Parish Councillors supported the application – MOTION PASSED.

**Clerk to add allocation of CIL funding to the SEG proposal for the next meeting**

##### **SEG – Creating a community woodland - £15,000**

The PC support the application in principle, citing it is an excellent proposal and should be considered in the future for the village, but concerns are raised regarding acquiring a piece of land which is affordable and suitable for the project. It is agreed to put the proposal on hold until a piece of land can be identified for the project.

JM and IU abstain from the vote as members of the SEG 6 Parish Councillors agree to the application being put on hold until a piece of land is identified. DJ requests all avenues are explored to acquire the land if it is put on hold to realise the project.

**Clerk to add acquiring land for a community woodland to future agendas**

### **Youth of the Village – play equipment at the Playing Field - £30,000**

JP informs this investment will be the first investment in the youth of the village in a considerable amount of time. The proposal currently includes 5 pieces of equipment designed for older children. The Clerk asks for clarification - for the purpose for the minutes - that this is not a MUGA. It is agreed it is not a MUGA. AM informs on investigating a MUGA - the CIL funding would not cover the cost, but we can provide this advanced equipment.

AM states a MUGA should be considered in the future as it was an identified priority for the village and can be made possible - but it would be a long process to raise the money. PH raises concerns over where a MUGA could be sited without losing another facility at the Playing Fields which may not be appropriate.

AM informs this proposal can happen for the youth of the village now.

The Clerk informs items of expenditure exceeding £25,000 will need to be published on contracts Finder within 24 hours of advertising (Regulation 110(3) Public contracts regulations 2015).

A discussion follows raising concerns over the detail to supply a convincing case and to meet the expectations of the community for spending £30,000. It is recommended the finite details and arrangements with the PPMC for the positioning and maintenance of the equipment is defined. It is requested further consultation happens with the Youth for feedback on the proposal to identify it meets their needs. AM states whatever is provided - the kids will love it.

IU suggests other options are explored before investing half of the available CIL money. DJ agrees citing AM has done a great job researching / investigating and putting together this proposal, but does the proposal meet the aspirations of the community; or would the community be underwhelmed.

AM abstains from the vote 7 Parish Councillors support to allocate funding to the Youth Project once the finite details have been established for a finalised project and pending further consultation with the youth on the proposal to manage expectations.

### **The Willowset – Forest School area, sensory area development and introduction of sessions to bring together the young and elderly of the village - £7,539.86**

A discussion takes place to establish the positioning of the forest school, what it will comprise of and how it will mitigate the implications and additional costs of travelling to the Willows and Wetlands. It is cited the Willowset is a flagship within the community that has been impacted significantly by the new development.

Parish Councillors voted unanimously to support the application – MOTION PASSED.

**Clerk to add allocation of CIL funding to the Willowset proposal for the next meeting**

### **SSG Tennis Club – Replacement of Tennis Court fencing - £6,600 (quote from July 2021 so this is a variable figure)**

A discussion takes place to acquire the information on the current state of the fencing and how it has come to need replacing. It is asked why children cannot have access to the Tennis Courts providing they abide by a set of rules and if they break those rules – they lose the privilege. The PC is informed there have already been incidences of children with football boots on the surface of the tennis courts which will damage it. It is identified that the fences are not damaged beyond repair and cheaper alternatives such as ground pegs could be used. It is mentioned the benefits to the greater community of replacing the fencing are likely to be very limited. Parish Councillors voted unanimously to not support the application.

### **HOTV – Royal Oak kitchen improvements - £12,000**

The PC discuss the application citing the HOTV could turn the profit over a period of time to invest in the equipment. There is a suggestion of re-considering the application in the future once priorities of the community have been addressed - if there is CIL funding still available.

Parish Councillors voted unanimously to not support the application.

### **WI – Petanque Court - £2,000**

Following a discussion it is decided the PC support the proposal in principle, but more specific information would be required on the siting of the court, consultation with the Village Hall trustees, finite details and accurate costings.

JP abstains from a vote. 7 Parish Councillors agreed to support the application in principle on submission of further, finer details.

*(DF Leaves)*

HV proposes the CIL application from the Church for funding is re-visited citing the footpaths are used by a lot of villagers as a 'short-cut,' it provides safe parking/ pedestrian access for school children and is used as an access route to the PC maintained burial ground. The application would require more accurate costings and need be evidenced that it is a benefit to the whole community to the CIL Officer.

The PC vote on re-visiting the application, with 1 against and 7 in favour. MOTION PASSED.

Clerk to add the item to the next agenda for further consideration

#### **109. Transfer of allotments**

Nothing to report.

#### **110. SALC – Community planning and engagement project**

A steering group of 12 people is in the process of being established. A recent training session on communications and marketing was attended by JP, IU, DJ, and a member of the steering group. IU has drafted a form for volunteers to complete with a first meeting of the steering group planned for Monday 3<sup>rd</sup> October.

JP to circulate form to volunteers and book the hall for the meeting

#### **111. County Councillor report**

The report will be presented at the October meeting

#### **112. Adopt the Model publication scheme**

All Parish Councillors agreed to adopt the model publication scheme

#### **Adopt the unreasonably persistent or vexatious complaints policy**

All Parish Councillors agreed to adopt the unreasonably persistent or vexatious complaints policy

Clerk to publish the policies on the village website

#### **113. Young people; next steps**

Defer until the next meeting

#### **114. Dog Fouling**

Defer until the next meeting

#### **115. Cost of living crisis – Warm community hubs**

JP reports the Baptist Church, Parish Church and other local facilities have expressed an interest in offering a warm hub for the village throughout the winter months. RP from the Willowset has also expressed an interest in joining the local initiative.

JP to contact local groups wishing to participate in the warm hubs and arrange co-ordination.

The Clerk suggests that as more local residents face hardship with the cost-of-living crisis, the PC may wish to consider ring-fencing a donation to the Reeves Feast should there be more financial support needed, citing the PC did this at the start of the pandemic.

Clerk to add the item to the next agenda

#### **116. Jubilee Trees**

Defer until the next meeting

#### **117. Somerset day supporters**

Clerk to publish the information

#### **118. Donation to the Royal British Legion Poppy appeal and wreath for the service**

The Clerk reports the PC has made a donation of £100 for the previous 3 years to the Poppy Appeal.

The PC agree unanimously to donate £100 this year.

Clerk to contact the village poppy co-ordinator and deliver cheque

### **119. Broomfield Park development**

JM reports he has contacted the case officer regarding the planning application 36/21/0015 that was registered in May 2021. They assured a decision would be forthcoming in the near future.

### **120. Highways**

#### **Speed Limit in Meare Green**

Nothing to report

#### **Speed watch**

Nothing to report

#### **Purchase of 2 x Grit bins for Curload and Griggs Hill**

The Clerk reports the grit bins have been badly damaged on Griggs Hill and Curload. A replacement for these grit bins was included within the 22-23 budget for £450.00.

The Clerk requests the PC authorise the purchase of the bins as the order for salt is required to SCC by 30-09-22.

The PC authorise the purchase up to the amount agreed within the budget and the Clerk be re-imbursed.

**Clerk to purchase grit bins. Grit bin delivery to DJ**

### **121. Footpaths**

Defer until the next meeting

### **122. Stoke Environment group Update**

IU reports the SEG are working hard on the Great Big Green Week with events including a talk from the Centre for sustainable energy offering hints, tips and independent advice and the great big swap. The bulb planting has been postponed until more favourable weather conditions.

### **123. Floods**

Nothing to report

### **124. Playing Field**

Nothing to report

### **125. Heart of the village**

Nothing to report

### **126. Village website**

Nothing to report

### **127. Broadband**

Nothing to report

### **128. Consultations and surveys**

#### **Connecting our garden communities (Deadline 30.09.22)**

It is agreed the PC will complete this survey independently

#### **Local Community Network Consultation (Deadline 17.10.22)**

Defer until the next meeting.

### **129. Financial Matters**

#### **Standing Orders**

01-09-22 K de Silva – Clerks Salary 29 hours	£395.85
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#### **Payments to be authorised**

01-09-22 K de Silva - Clerks additional hours for August 26.5 x £13.65	£361.72
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05-09-22 K de Silva - Clerks expenses - Book of stamps	£7.60
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SALC - Annual subscription fee	£266.98
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SALC - Training CofC	£25.00
J Williams - Sunrise horticultural services - Grass cutting	£90.00
N Sloan - Website administration	£120.00
G Wagen and James - mowing burial ground	£42.00
SDH Groundworks - Installation of the steps on Willey Road	£2682.00
SLCC - Annual affiliation fee	£189.00

#### **Payments Received**

None

#### **Other financial items**

Bank Reconciliation for August completed by IU

#### **130. Other items for discussion**

##### **Confidential Item**

Due to the content of the item and GDPR it is resolved to hold this item in a confidential session. All agree. Members of the public are asked to leave.

*(4 members of the public leave)*

##### **Confidential Item – HR**

Defer until the next meeting.

There being no further business to discuss the meeting was closed at 10.03pm.

**The next Parish Council Meeting will be held in the main hall at The Williams Hall, Dark Lane, Stoke St Gregory on Monday 10<sup>th</sup> October 2022 at 7.30pm. Please email any items for the agenda to the Clerk (ssgparishclerk@hotmail.co.uk) or the Chair (pearcejanice@hotmail.co.uk) by Friday 30<sup>th</sup> September 2022**