

EVERCREECH PARISH COUNCIL

Clerk: Lynn Crisp

Tel: 01749 830265

E-mail: clerk@evercreech-pc.gov.uk

Minutes of meeting 02 07 24

Present:

Lesley Parham (Chair), Derek Sharp, Rob Reed, Roy Williams, Gail Wakeford, Murray Stewart, Christian Seller

4 members of the public.

Lynn Crisp – Clerk

- i) **Public Open Session** Action
See Appendix A – Village Cross
Church Square representative. What is happening with the railings around the cross?
Resident was advised that this matter is on the agenda, later in this meeting.
- ii) **County Councillor Report**
Apologies from Claire Sully.
Some redundancies have taken place. Will cost quite a bit but will be re paid in non-wage payments.
Flooding partnership with rivers authority. The Parish of Evercreech comes under the River Alam catchment area. The 2008 report produced after the floods has been forwarded.
Grass cutting is difficult due to finance, some verges will need to be cut including Leighton Lane.
Pecking Mill – chasing road safety measures.
Comment from Cllr: Pilton have their 20 mph in place. This was applied for long after the Pecking Mill road safety measures.
- Meeting open time**
7.12 pm
- 001 **To receive apologies for absence and to approve the reasons given** (LGA 1972 s85(1))
Bethan Stanley – work commitments
- 002 **Declarations of interests.** Council members to declare any interests, including any Disclosable Pecuniary Interests they may have in agenda items that accord with the requirements of the Parish Council's Code of Conduct and to consider any prior requests from members for Dispensations that accord with Localism Act 2011 s33 (b-e). (NB this does not preclude any later declarations)
- None declared.
- 003 **To approve and sign as a correct record the minutes of the previous meeting** (LGA 1972 sch 12, para 41(1))
Meeting 04 06 24
Proposed: RW
Seconded: DS
Agreed
Chair signed as a true record.
- 004 **Actions List**
Clerk updated the list.
Cllr Reed was asked to investigate business rates payable for the ex-Cricket Club Building RR
- 005 **Finance**
a. To APPROVE the Payment Schedule for July 2024
- Resolution:
Proposer GW
Seconded: LP
Agreed

Date:
Signed

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b. To REPORT income received in May 2024.

INCOME (MAY)			
Received			
A J Gallagher	REFUND	£	143.55
TOTAL INCOME FOR REPORT		£	143.55

c. To REPORT payments made via Direct Debit/BACS.

BACS PAYMENTS (JULY MEETING APPROVAL)			
STAFF	SALARY & EXPENSES - MTH 4	£	1,307.09
SALC	TRAINING 3172	£	25.00
EVERCREECH VILLAGE HALL	INV 18396	£	20.00
THREE COUNTIES LANDSCAPING	INV 6699,6700, 6701	£	2,754.00
ICCM	MEMBERSHIP	£	100.00
OSBORNE TREE SERVICES	HEDGE TRIMMING	£	720.00
TOTAL BACS PAYMENTS FOR APPROVAL		£	4,926.09

DIRECT DEBITS (MAY) REPORT			
Direct Debit (GOCARDLESS)	STORAGE	£	82.33
Direct Debit (LLOYDS BANK PLC)	PARISH MEETING SUPPLIES	£	59.05
Direct Debit (VEOLIA ES UK LTD)	WASTE REMOVAL	£	62.28
Direct Debit (BT GROUP PLC)	INTERNET	£	37.98
Direct Debit (NEST)	PENSION	£	13.78
Direct Debit (LLOYDS BANK PLC)	SERVICE CHARGE	£	3.00
TOTAL DD PAYMENTS FOR REPORT		£	258.42

d. Nominate 2 Cllrs to authorise BACS payments.

LP GW

e. Finance Update:

LP Proposed to bring item 009 (a) forward.

Seconded: GW

Agreed

009 a. Village Cross

Appendix A, supplied by resident, shows that in all probability the Parish Council are not responsible for repairs to the Cross.

Proposal to ask Somerset Council Cllr Reed to investigate ownership of the Village Cross and land asap.

Proposed: LP

Seconded: RW

All agreed.

RR

The Clerk was asked to write to resident with the update.

Due to the new information regarding ownership of the Cross, the PC did not approve the following at this time:

Clerk

To APPROVE the setting up of a Village Cross earmarked reserve.

Not approved.

Date:
Signed

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To APPROVE moving £9200 from the Community Fund earmarked reserve to the Village Cross earmarked reserve.
Not approved

To APPROVE moving £3400 from the Election Fund to the Village Cross earmarked reserve.
Not approved.

006

Planning

Greencore Update

Nothing to report.

Land off Prestleigh Road update

Nothing to report

0 Planning Applications have been received from Somerset Council.

007

Cemetery

a. Update

Grass was very long and has been now cut now. It had been left to grow too long.

Lych Gate repairs have been a success.

b. Approve any memorial requests

None received.

008

Park Inspection Reports

Queens Road Playing Fields

Consider quote from Alvian and assign any urgent repairs. (Appendix B).

Cllrs advised the Clerk which repairs they felt should be carried out and the Clerk will commission the work.

Noted that the Kings Coronation tree has been removed/stolen, again. The PC expressed their disappointment and agreed not to replace it.

Clerk

Skate Park

Photos received re guard rail. Consider response from Bencrete.

Response is still awaited.

009

Village maintenance feedback:

LP

b. Concrete planters on verge outside ex Greencore site.

Possible new sites: Prestleigh Road, Queen's Road Playing Fields, Cemetery.

CRS have kindly offered to relocate them.

Proposal to ask Greencore developers to place in new development. Possibly remove the soil at the end of the season.

Proposed: LP

Seconded: GW

Agreed.

c. Consider feedback from meeting with Somerset Council 07 06 24 re the IDVERDE contract (waste bins and dog waste bin emptying).

The contract with Somerset Council and IDVERDE will end in May 2025 and not be renewed.

Noted: No decisions can be made until costs from Somerset Council are made available. The Parish Council expressed concern that costs are known prior to budget setting.

010 a

Village Hall update

Peter Green Ltd is running a community scheme. The company will provide a fridge and new shed for the community larder scheme.

010 b

Police report

Received.

010 c

To approve the Local Council Network scheme of delegation.

Proposed: LP

Seconded: GW

Agreed.

010 d

Generator Testing

RW GW will continue to oversee this.

**RW
GW**

Date:
Signed

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- 010 e Flood Warden online sessions
Cllrs to attend if they can.
- 010 f Chesterblade Hills/Winterwell traffic signs update requested.

From Chesterblade Hills:

"I have been forwarded your email correspondence of 19th June 2024 below.

I can confirm that the signage that is the subject of your enquiry was approved by Somerset Council pursuant to: Condition 12 of planning permission 2020/2401/FUL (NB. approved under 2023/2267/APP); and condition 8 of planning permission 2022/2380/FUL (NB. approved under 2023/2398/APP). The relevant decision notices are attached."

Response from Highways:

"Thank you for taking the time to reply.

We have received confirmation by our planning department that the signs in question are located outside of the red line boundary and therefore are wholly separate to the approved planning permission.

If the businesses wish to work with us and the local Parish to consider signs on an approved route then this is something we can consider, but to reiterate, our original position remains in that these signs have been installed with no authorisation."

- 010 g Evercreech Show – Parish Council stand
Saturday 7th September 2024
Cllrs agreed to take a stand and asked the Clerk to book the place. **Clerk**

- 010 h Resident correspondence/meeting
Re budget and finance.
The resident contacted Cllr Reed and a meeting took place. The resident went through a series of mistakes they think the Parish Council made in reporting to the public. The resident feels the Parish Council are in breach of the AGAR, and that they signed to say they've done things properly. The resident informed that they would go to the auditor. Cllr Reed believes the Parish Council behaved properly, did the right thing and got the right result. The chair pointed out that at the last meeting it was agreed that the Parish Council had acted properly.
Noted that if the Parish Council do nothing, the resident will go to the auditor. The alternative is to ask the auditor to comment.

Proposal to request the auditor to look at this matter and advise accordingly. **Clerk**

Proposed: MS

Seconded: LP

Agreed. **Clerk**

Clerk to write to the resident informing them of this decision.

- 010 i Resident correspondence to Somerset Council re A371 Pecking Mill corner, Parish Council copied in.
Noted.

- 010 j Silver Time correspondence/request
Noted.

- 010 k Notice that BT will discontinue the Public Switched Telephone Network (PSTN) services by 2025.
Noted.

- 010 l 8.17 Proposal to enter closed session – staffing.
Proposed: LP
Seconded: CS
Agreed

8.20 returned to meeting.

Date:
Signed

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- 011 To note
 - a. Rights of way online sessions – SALC – emailed to Cllrs 19 06 24
 - b. Flood Warden Newsletter - Spring 2024 – emailed to Cllrs 19 06 24
- 012 Agenda items for next meeting
 - Village Cross ownership update.
 - Generator
 - Skate park response from Bendcrete
 - Bus representative
 - Bollard – Queens Road Playing Fields
- 013 Date & time of next meeting:
 - 06 08 24Evercreech Village Hall, 7.00 pm (subject to change)
- 014 Close of meeting. 8.27
 - Name Lynn Crisp
 - Time 8.27

Appendix A:

For interest I keep an eye on the PC Minutes and note current issues surrounding the village cross I was PC Chair in 2003 when Church Square was last refurbished. Exhaustive enquiries were made regarding ownership due to the likely costs. It's all here!

The Village Cross was moved from the Churchyard in 1781. Its position is seen on a map dated 1838. It's unclear if this land was a green or if it was part of the road of whatever surface at that time

The Church ceased responsibility for the Cross in 1889 when County and Districts were formed by Acts of Parliament. Parish Councils (PCs) came later. Evercreech PC remains largely as when formed in 1895 having ditched responsibility for roads to District.

It was designated a Scheduled Ancient Monument in 1957, now under Dept of Culture, Media and Arts. Consent for any work must obtain permission.

Photos circa 1900 show the Square enclosed by post and chain railings, the remains of which were removed in 1955

In 1961 the Cross was designated Grade II *

In 1965 a District Council surveyor advised that the road by the Cross was to be cambered and a protective wall be built in place of a pavement

In 1993 Mendip District Council carried out repairs to the Cross and the PC contributed £300

In 1995 It was proposed the square be registered at Land Registry in the name of the PC to ensure "ownership if people claimed rights for parking or other uses in the future"

Finding no records online, I have phoned Land Registry who confirm that the Cross remains unregistered

In 2003, having studied previous Minutes, historic maps and records, at our meeting with County they accepted that the entire area was their responsibility over which Highways had jurisdiction stipulating which areas be designated for parking

Thus, they paid the majority of the cost with a contribution of £4K from the PC and a contribution from MDC.

So, who owns the Cross and who has responsibility for its maintenance?

It is NOT this PC who has only ever made contributions to County and District works.

County agreed it was their land as it was historically part of the Highway. Both councils have carried out works to protect it and the area, not the PC. The history of the transition of Church ownership to County and District Councils which took place before the creation of the PC is pivotal. There is no evidence anywhere formally tying it to the PC

We should not accept responsibility because of likely costs but, as importantly, it would create a precedent for future maintenance and potentially huge 3rd party liability in these litigious times

I urge Cllr Reed to take this matter to County and resolve the issue with all haste.

Appendix B


Date:
Signed

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QUOTE

Evercreech Parish Council
Maeston
Enfield Drive
Evercreech
BA4 6LL
GBR

Date
10 Jun 2024

Expiry
10 Jul 2024

Quote Number
CJ-006

VAT Number
913201560

Alvian Ltd
2 Dohill Close
Bideford
Devon
EX39 4DE

QRPF Childrens Play Area
Play Area Repairs

Description	Quantity	Unit Price	VAT	Amount GBP
2m x 1m x 100mm Remove Concrete Base - Top soil and seed	1.00	265.00	20%	265.00
New sign Required - A3 Size Staincard to BS 1179 fitted to fence (Information Required)	1.00	225.00	20%	225.00
New Gate required - 1 x Easi gate supply fitted and removed items environmentally disposed of	1.00	1,979.00	20%	1,979.00
Litter Bin - Remove and environmentally dispose make good with soil and seed	1.00	67.00	20%	67.00
Roundabout Option 1 Supply and fit new bearings based on quote from Playdale	1.00	4,612.00	20%	4,612.00
Roundabout Option 2 That we grease the bearing to see if we can reinstate its movement	1.00	65.00	20%	65.00
Roundabout Option 3 - Option 2 fails we strip the roundabout to identify and remove the bearing we will quote separately for the bearing, this price includes Hese Security fence for the duration that the roundabout is out of action	1.00	825.00	20%	825.00
Large Climbing Frame - replace missing caps + Check <i>we have the caps</i>	1.00	98.00	20%	98.00
Scissors - Smooth down sharp edges	1.00	15.00	20%	15.00
Circle Seat Swings - Reinstall surface TBC	1.00	375.00	20%	375.00
Goal New sign (Information Required) & Remove Trip hazard	1.00	288.00	20%	288.00

Company Registered on 16/06/2002 - Registered Office: Alvian Ltd, 2 Dohill Close, BIDEFORD, Devon, EX39 4DE, United Kingdom.

Date:
Signed