

CHAFFCOMBE PARISH COUNCIL

Minutes of the Ordinary Meeting of Chaffcombe Parish Council held in the Village Hall on Monday 16th August 2021

1. Attendance and Apologies

Those present:

Mr K Dunthorne (Chair)
Mrs M Butler (Vice Chair)
Mr R Bale
Mr D Bracher
Mr S Robinson
Mrs L Vijeh (County Councillor)
Mrs S Osborne (District Councillor),
Mrs S Morley (Clerk)

Apologies

PCSO John Martin

In Attendance

6 Members of the public

2. Report By County Councillor

Cllr Vijeh's report was circulated to all councillors by email. Cllr Vijeh added that the Secretary of State has made the decision that Somerset will have one unitary authority rather than two. Plans are going ahead to put the new structure in place and parish councils should get involved where possible. There are community forums as mentioned in the report with one on 7th October. Parish councils are urged to engage with the process of setting up the new authority because plans need to be in place by the end of the year.

A question was asked about why the outcome of the recent informal vote to have a two-tier arrangement was not taken into account. Cllr Vijeh said that this has been very contentious and SSDC may yet pose a legal challenge. There were problems with the voting process and the Secretary of State has to consider three criteria; the votes were only one of these criteria. A further question was asked about how individuals or parish councils can influence the process of a legal challenge. The answer was to write to SSDC and say the decision should be challenged. It was also noted that the last 19 challenges have all failed and it is a very costly process.

Cllr Vijeh left at 7.50 p.m.

3. Public Voice.

Hedges - A question was asked about when it is possible to begin to cut hedges. The answer was that it is legal to cut hedges after the 1st September.

4. Report by District Councillor

The District Council is setting up a scheme of delegation so that senior officers can make decisions. By the end of the year it will be necessary to start drawing together contracts so everything is ready to go in 2023. New councillors will be elected in 2022. There will be changes of staff. It is difficult because there will be no major projects until after handover. The District Council will remain in place until it is dissolved in 2023. We do not have the final figure for the number of councillors for the new authority. There is an opportunity for parish councils to get involved.

5. Minutes of the Annual Meeting of Chaffcombe Parish Council held on Monday 3rd May 2021 via Zoom - The minutes were approved and signed by the Chairman.

6. Minutes of the Parish Meeting held on Monday 19th July 2021 - The minutes were approved and signed by the Chairman.

7. Planning Applications

App No	21/01047/FUL
Proposal	Change of use, repositioning existing garage, erection of log cabin for use in dog grooming business
Location	Sunshine Mill House, Chaffcombe Road, Chaffcombe

Chaffcombe Parish Council considered the above application and had no objections to the proposal. The application has subsequently been approved.

8. Highway Matters

(a) Drain at Kerris Vean - This is still ongoing. Highways have tried to jet it but it is blocked. It appears that SSDC have agreed with the landowner to sort it out once he has brought in his crop and an inspection was recently carried out.

(b) Drive to the Church - This is crumbling on the left-hand side. Mr Dunthorne will report it.

ACTION - Mr Dunthorne

9. Footpaths

Chaffcombe's PPLO Anthony Gray reported as follows:

"The footpath network continues to be regularly walked to ensure it remains open for use by the general public with local cutting back carried out during these walks.

Matters of current interest are as follows: -

Footpath CH5/40 Across Field from Mill House to the Sustran Cycle Track

This footpath (behind Deardens Yard) has now been re-opened with footpath signs posted at each end. It has not been possible to make the old railway access gate self-closing as originally intended so the landowner will need to fit "keep shut" signs.

I have previously reported that the new landowners have said that they intend to make application for this and the linked footpath in the front of Mill House to be closed although I have advised them that there are likely to be objections to closing these old tracks.

Footpath CH 4/5 Knapps Lane to Sprays Hill

Two volunteers in the village are to build steps up a steep and dangerous banking half way along this track to make it safer to use. The landowners have indicated that they may change some boundary fencing which should not affect the use of this footpath

Footpath CH4/14 Court Farm to The Old Rectory

The horrible squeeze gap exit from the field adjacent to The Old Rectory has been replaced by a splendid new metal pedestrian gate so is much improved.

Avishays Estate Footpath CH4/16 Proposed Diversion around the Monmouth Clock Tower

The Parish Council indicated at the last council meeting that there would be no objection to this diversion intended to remove the current blockage at North Lodge.

Avishays Estate Footpath CH4/16 Proposed Diversion along the Main Drive from West Lodge to Avishays House

Concerns were raised at the last parish council meeting about this proposal as a result of which Russell Willcox had a meeting with one councillor to establish what these concerns were which were discussed at a later meeting held at Avishays House when Mary Butler and I were in attendance.

It seems that the main issue expressed concerned the future maintenance of the footpath if diverted and the risk of it falling out of use if blocked or neglected.

I can confirm that if formal approval is given to this diversion, it then becomes a legal right of way and will be the responsibility of the landowners (Avishays Estate) to maintain as a public footpath.

My Rights of Way Manual says: (amongst other obligations) that "The Landowner must keep Rights of Way clear of obstructions and overhanging vegetation."

This obligation extends to current and future owners of the estate and in the event of the then landowner failing to comply with these legal duties The County Rights of Way team can serve notice on the landowner to carry out the works or if necessary, arrange for contractors to do this with landowners being charged.

There should therefore be no risk of this footpath falling out of use in the future for this reason.

The estate have put forward a number of reasons for making this diversion which may be summarised as follows:-

- 1 Problems with the general public during the CoVid pandemic trespassing off footpaths onto estate land.
- 2 Dogs let loose on estate land
- 3 That the estate was now being used for business purposes as well as a private home with much more daily activity on site, including deliveries and farming operations as well as the management of the estate

There were concerns that increased traffic along the main drive could result in an accident which would not be the case should the footpath be relocated as planned.

Overall, the estate considered that this proposal would be of benefit to both the estate as well as the parish in providing a protected safe footpath.

Speaking as the PPLO and also as a walker I can see no issues with this proposal.

Farming Activity Generally

There have been a number of access problems locally due to farmers not properly reinstating footpaths over farm land, principally on land when maize is being grown. My hand book states that not only are footpaths to be reinstated to a minimum width of 1 metre but footpaths to headlands must not be ploughed and maintained at a minimum width of 1.5 metres."

Mr Dunthorne thanked Mr Gray for his comprehensive report and for the work in keeping the footpaths in and around Chaffcombe clear and well-maintained.

Avishays Estate Footpath CH4/16 Proposed Diversion along the Main Drive from West Lodge to Avishayes House

Concern was expressed by a councillor about the ongoing maintenance of the proposed footpath at Avishayes to run parallel to the main drive. SCC does not have the money to maintain footpaths properly. Mr Gray replied that landowners have a legal duty to maintain the path. The proposed new path will be clearly defined with a fence so there should be no problem with identifying where it is. It was remarked that it can be difficult to enforce the rules.

The owners of Avishayes were present and wished to re-assure the Council that the new footpath will always be maintained. It will not be affected by crops and will be a permanent footpath. The field is not wet and a bridge or walkway will be put over the pond. The new footpath will be much safer for walkers because there is a lot of vehicle traffic using the main drive and there is concern particularly about the safety of dogs on the main drive. The new footpath will be separated from the main drive by a fence and will be much safer.

The owners said they are concerned to work with the parish council to get the best solution. After discussion it was agreed that the landowners would consult further with Mr Gray and with Mr Yates particularly over the issue of the pond.

Councillors were asked to vote on the new diversion subject to the ongoing discussions. 4 councillors voted in favour of the proposed diversion; 1 councillor voted against the proposed diversion. Accordingly the proposal to divert the footpath was approved by the parish council by a majority vote.

Avishays Estate Footpath CH4/16 Proposed Diversion around the Monmouth Clock Tower

Nothing has been done about this proposed diversion. It was noted that this has already been approved by the parish council. Another vote was taken and all councillors were in agreement to this diversion.

10. Flooding

Appointment of a Volunteer Flood Warden

Mr Dunthorne is currently the Flood Warden for Chaffcombe but he would like to pass this on. Tony Yates is well qualified to fulfil this role and councillors were asked to confirm Mr Yates' appointment as Volunteer Flood Warden. All councillors were in favour and Mr Yates was duly appointed as Flood Warden.

11. Sandbags and Container

Proposal to buy more sandbags and use of container

The recent flooding at Chaffcombe highlighted the fact that more sandbags are needed. 30 - 40 sandbags will cost approximately £100 - £120. It was felt important to buy bags with UV protection. They will be empty and will need filling. They are not single use.

It was also noted that things are being placed in front of the container making it difficult to get to the sandbags.

It was suggested that it might be worthwhile looking at Somerset Prepared for a grant.

It was noted that there are vulnerable properties in the village and it would be difficult to carry sandbags from the village hall to these properties so it would be a good idea to have sandbags at susceptible properties. There was major flooding in Knapps Lane with water coming down the hill.

A sub-committee was suggested to look at what is available, what can be done to alleviate the problem and to apply for grants. The next grant meeting is in October and the application must be made by the parish council.

All councillors were in favour of buying more bags and setting up a sub-committee.

The sub-committee will consist of Mr Dunthorne, Mr Bracher and Mr Yates.

12. Emergency Contingency Plans

This will be dealt with by the sub-committee.

13. The Pound

The Information Board will be made by Roland Butler.

14. Orchard Plot

The top gates need two new posts. John Pudduck will do the repairs. It was agreed to use either metal or hardwood, whatever John feels is best. The lock on the bottom gate is broken and Mrs Butler will liaise with John.

ACTION - Mrs Butler

15. Broadband

Geraldine Wills has been liaising with Open Reach and she contacted the complaints manager. Everything is on track and should be done before the one year anniversary in March 2022. Open Reach are obliged to do it by next March. Mrs Wills will be contacted before work starts so that she can liaise regarding road closures and also regarding wires and poles and where things will go. She is concerned about the vouchers if houses are sold and whether the existing vouchers can be substituted with the new owners.

16. Jubilee in June 2022

This was discussed at the Village Hall trustees' meeting. For the last Jubilee an event was held on the field with games, a BBQ etc. and the trustees thought this would be a good idea for this Jubilee. The insurance cover was checked last time and the parish council's insurance covers such events but bonfires can be difficult to cover. Mrs Butler will work on the details.

ACTION - Mrs Butler

17. War Memorial

Luke Grafton will clean the Memorial on 18th, 19th and 20th August. He will need water and electricity.

18. Accounts

(a) The balance at the bank as at 31/07/2021 = £11,446.84.

(b) The following cheques were raised:

000373 - £ 61.96 - SALC Subscription
000374 - £ 149.90 - Salary and admin expenses
000375 - £ 37.60 - HMRC, paye

19. Matters and items to report

(a) Dog fouling - There is fouling regularly on the green by the phone box. A resident offered the use of a motion operated camera so that the owner can be identified. The Clerk was asked to make a sign.

ACTION - The Clerk

(b) Refuse Collections - There have been problems at Lydmars and also at Avishayes with collection of both general refuse and recycling, despite numerous phone calls from residents. The Clerk to write to SSDC and Somerset Waste.

ACTION - The Clerk

(c) Chard Reservoir Warden - A new Warden has recently taken over at the Reservoir. It was agreed to invite her to the November parish council meeting.

ACTION - Mr Bracher

(d) Flytipping - Mr Yates will report recent flytipping.

ACTION - Mr Yates

20. Next Meeting - The next Ordinary Meeting of Chaffcombe Parish Council will be on Monday 15th November 2021 at 7.30 p.m. at the Village Hall.

The meeting finished at 9.20 p.m.

Ken Dunthorne - Chairman Chaffcombe Parish Council.