

## **MILBORNE PORT PARISH COUNCIL**

### **Minutes of the Full Parish Council Meeting held on Tuesday 2<sup>nd</sup> April 2019 at 7pm at the Town Hall**

**Present:** Mr J Oldham (Chair), Mr. R Douglas, Mr R Tizzard, Mr T Carty, Mr P Lock, Mrs M Lock, Mr J Edmonds, Mr. M Ritchie, Mr. A Fletcher, Mr. C Laughton, Mr. T Campbell, Mr. M. Lancaster and Mr. W Wallace (part time)

#### **Public Question Time:**

There were twelve members of the public in attendance.

A gentleman read a prepared statement which he asked to be appended to the minutes. Towards the end of the statement the text contained a question which was answered that advice was received in writing. The subject of the statement was regarding the closed meeting. Mr. Oldham explained that council also did not like closed meetings, however, there were two reasons that the meeting had been closed to the public. One was that legally/commercially sensitive information was being discussed and the other that disclosure would have breached the GDPR regulations.

Mr. Tizzard, later in the meeting, asked to what the £5000 in the statement above referred. Mr. Oldham said it was to provide the possibility of paying for cover for the clerk in her absence.

A lady asked to see some minutes of other closed meetings held in 2016. She also asked about the letter which features on item 12.2, querying the delay in response. Mr. Oldham stated that it had been submitted to our insurers immediately on receipt.

A gentleman asked why we were asking advice of our insurers. Mr. Oldham commented that legal advice was part of the services covered by the insurance policy. A lady then asked if we were covered for actions that were deemed unlawful and how would any costs be defrayed if that were not the case. Mr. Oldham stated that he did not know the answer to that question. (Mr. Oldham has since determined that this is part of our cover.)

A lady mentioned that Frome were attempting to be carbon neutral by 2020 and referred to some correspondence she had seen concerned that the charging points that Milborne Port were installing would be insufficient at 7kW. Mr. Oldham stated that this information was incorrect and that the charging points were of 22kW capacity each. He further confirmed that these charging points had been installed at no cost to the Parish Council.

#### **Receive reports from County, District and Parish Councillors**

Mr. Wallace commented on the upcoming district council elections which limited his ability to comment on matters. He did offer assistance with two issues of walls being demolished without permission and Mr. Oldham commented that they were in the hands of the planning department. He commented that there was no update on the subject of the pedestrian crossing.

Mr. Wallace stated that he had sent a statement in full support of the primary school extension to the SCC regulation committee.

Mr. Wallace then excused himself as he had another appointment and left the meeting.

Mr. Edmonds expressed his concern on the extent of potholes in the village. There followed a short discussion on this matter and the possibility of taking over the matter from County. It

was agreed that Mr. Campbell would approach county to try to encourage them to action.

**Action: Mr. Campbell**

Mr. Oldham commented that next Tuesday, members of the council would play host to the annual parish meeting and that on Saturday 13<sup>th</sup>, there was a village litter pick.

1. **Apologies for Absence:** Received from Ms. S Dyke. Reasons for absence accepted. Mr. Crudgington was absent without apology.
2. **Declarations of Interest:** Messrs. Douglas and Lancaster regarding agenda item 8, Mr. Oldham regarding item 11.2 and Mr. Carty re item 5 of the action list.
3. **Confirm the minutes of meeting on 5<sup>th</sup>/12<sup>th</sup> March** These were signed as a true record by Mr. Oldham. Council asked him to sign also, the unredacted copy.  
**Action: Mr. Oldham**
4. Mr. Lancaster asked to be added to the list of attendees of the open spaces meeting.
5. **Review action list** The action list was reviewed and updates will appear on the revised list.
6. **Canadian Solar Grant utilisation:** Mr. Oldham handed out voting sheets for councillors to fill in their assessments. He drew attention to the fact that one or two of the suggested projects appeared to want monies to be granted to third parties and this would not be possible. Mr. Tizzard raised the point that some of the projects had potential access to alternate funding provision by the way of S106 funds. Mr. Oldham said that this was part of the scoring grid and Mr. Tizzard enlightened the meeting as to which projects might be eligible for such funding, suggesting that it would not be sensible to allocate Canadian Solar funds where this alternate funding may be made available. After some clarification of issues with some of the suggestions, council members filled in the sheets. Once filled in, Mr. Douglas began analysing whilst the remainder of the meeting proceeded.

At the end of the meeting, the status of the voting was considered but is noted here for consistency. The ranking of the proposals is shown below. However, Mr. Tizzard suggested and it was agreed that we should not be bound by the pure numerical result. This was agreed, so the decision will be finalised next month by the new Council.

**Rank Proposal**

- |    |                                       |
|----|---------------------------------------|
| 1  | Springfield road car park resurfacing |
| 2  | Revive                                |
| 3  | History and Heritage                  |
| 4  | Church Paths                          |
| 5  | Drinking fountains                    |
| 6  | Defibrillators                        |
| 7  | Swift Boxes                           |
| 8  | Football club                         |
| 9  | Outdoor gym                           |
| 10 | Village shop                          |
| 11 | Glovers Trail                         |

7. **Plastic Free Community Status:** Mr. Fletcher spoke to this stating that gaining plastic free status was a seven step process but did not mean eliminating the use of all plastic, however, required the involvement of individual businesses and

organisations such as the WI and the school to be engaged with the process. Already some of the milestones have been achieved (Church House stopping single use plastic, and the upcoming litter pick).

Mr. Oldham asked what the impact of accreditation to this would be, to which Mr. Fletcher said that at the moment there was none but it may be considered that since government was encouraging this, a loss of funding might be possible if we did not achieve accreditation.

There was some discussion about the status of recycling by Somerset Waste Partnership and Mr. Oldham stated that at a presentation by them, they had the replacement of their recycling lorries planned in a £15m investment.

**Motion: to move forward to plastic free accreditation** was proposed by Mr. Fletcher. This was seconded by Mr. Tizzard and carried unanimously. Those council members willing to assist Mr. Fletcher on pushing this forward were invited to let him know of their willingness.

8. **Naming scheme for the road of the Gainsborough development.** Mr. Tizzard had done some work on this including consulting with other groups in the village and proposed three names for the roads inside the development. The suggestions reflected notable landscape features visible from the development. The names are: Crackmore Drive, Vartenham Close and Hanover View. These were agreed unanimously.

**Action: Mr. Oldham to inform streetnaming.**

9. **Allotment regulations.** In the absence of Mr. Crudgington, Mr. Oldham spoke to the request which was based upon the view that fresh produce is in short supply in the village shops. He mentioned the 1924 allotment act which specified that allotment produce should be consumed largely by the allotment holders. Mrs. Lock asked if the allotment holders had been asked about this – they have not. Mr. Edmonds pointed out that holders could give surplus produce away. Mr. Carty suggested that we should leave things as they are.

**Motion to change regulations to allow allotment holders to sell their produce.** This motion was dismissed by a large majority.

## 10. Finance

- 11.1 The financial statements from the RBS system were not available but Mr. Douglas had carried out a brief analysis, and although there is currently about £79,000 in the bank, £30,000 of this is earmarked for the Canadian Solar use and cheques will be written this evening for just over £8,000 which will leave an end of year surplus of £41,000, and that £10,000 had been agreed to be used to support spending in the next financial year. Hence an effective closing balance of £30,000 roughly 34% of precept which seems reasonable.

Mr. Carty mentioned that he was concerned about the capability for understanding forward commitment for spending, and Mr. Oldham stated that in looking at the system with Mr. Douglas and a representative of Rialtas, that we now understand how to do this.

Mr. Edmonds mentioned the difficulties that some might have with the increases previously agreed. This prompted a short discussion.

## 11.2 Payments

The following payments by cheque, including a late addition and three that had been missed by Mr. Oldham when preparing the agenda were approved. The cheque for our cleaner is because the standing order has not yet gone through.

KM Dike Nurseries Grounds maintenance February (inv 500)	£1128.98
B.E. Powell erection gate (inv 643)	£360.00
Wincanton Print election leaflet: (inv 106538)	£192.00
Wincanton Print election flyer (inv 106537)	£133.00
David Gay fitting new town hall lock (inv 811)	£50.00
SSDC Rates cemetery (ref 048897)	£888.16
SSDC Rates Town Hall (ref 067969)	£297.21
SSDC dog bin emptying March (inv 06000039141)	£254.40
SSDC playground inspection (inv 04510104119)	£127.20
Sherborne Utilities (inv 876)	£3954.00
J Oldham reimbursement for website hosting	£100.85
J Oldham reimbursement for extra town hall keys (Spillers)	£25.10
Midwest Stationers – office supplies (inv. 51123)	£66.30
A Parker – hedge trimming (inv. 15)	£120.00
Westcotec – additional brackets for SID (Inc. 9729)	£120.00
PJ fire safety – safety audit (inv. PS579)	£392.60
Emily Francis – Town Hall cleaning March	£100.00

## 11.3 Direct debit to BT noted

## 11.4 Following receipts noted

Cash for allotment tenancy	£19.00
Bank payment for allotment tenancy	£38.00
Burial fee (cheque)	£100.00
SSE – wayleave fees	£87.97

Mr. Oldham reported that Mr. Dungey had tendered his resignation as cleaner of the Springfield Road Toilets and his standing order payment needs to be removed. A replacement has been found for Mr. Dungey and his approval will be put to council next month.

Mr. Tizzard asked to see the council tax bills so that he could review for any discounts that might be available.

## 12 Correspondence

- 12.1 The letter from the resident regarding sale of land was considered. A member of the public stated that he believed that any sale could only go ahead if the sales proceeds were reinvested in a capital project for the residual land. He suggested that the Parish Council should have a copy of the trust document and it was agreed that Mr. Tizzard would look at that and the resident's letter in order to generate a draft response.

### **Action Mr. Tizzard**

- 12.2 The correspondence from solicitor Rowles Davis was noted as the matter has been submitted to our insurers for legal advice.

**13. Newsletter**

It was agreed to post information about the election, SW in Bloom, the litter pick, annual Parish Meeting, change of date of the next PC meeting, status of the Canadian Solar process and the annual Parish Meeting next week.

**14. Next full meeting of Council:** This was confirmed as Tuesday 14<sup>th</sup> May 2019. Note this a week later than normal to enable proper organisation following the election.

Draft

The appendix below is the content of a speech in public question time by a resident. It was not debated by council, nor does it form part of the minutes of the meeting proper. However, at his request, and with his permission, it has been included in full in the interests of transparency.

## **MILBORNE PORT PARISH COUNCIL MEETING, 2 APRIL 2019**

### **STATEMENT MADE DURING THE PUBLIC QUESTION AND COMMENT TIME**

1. I personally have no objection to my remarks being recorded, if anyone is minded to do so, and I'll speak first about your heavily-redacted draft minutes of your 12 March meeting.

2. I do understand the need for secrecy in some aspects of your business, and have already sought to assure your Chairman and his deputy that I will not fan the flames over what lies behind the redactions in paragraph 5. They know how and why I have come to gain some understanding of the matter, and indeed, late last week I reluctantly had new information to give them. I assume that they will since have briefed all others who need to know. I therefore restrict my comments to a personal expression of disappointment and disgust, and to say how unhappy I am that this could cost our community £5000. Speaking rhetorically, I have to ask whether we residents should already be steeling ourselves for another swingeing increase in your precept next April.

3. Let me now turn to the redactions in paragraph 4. Here my concern is over what we, the mere public, are being prevented from knowing. Redaction to maintain an essential confidence is one thing. Redaction to hide an embarrassment is something else, and I fear that some of the redactions in paragraph 4 may do just that. "What are you trying to hide?" becomes a very reasonable question.

4. I am now better-placed, actually as a result of the aforementioned "paragraph 5 affair", to express an opinion as to what it is that you might be trying to hide. Through my incidental involvement in that matter, including a reporting session with a competent authority at Wincanton, I got to read the solicitor's letter referred to on the first page of the draft minutes of your meeting of 5 March. This turns out to be an extremely detailed analysis from an experienced legal professional, and an expert in highway and related law. The letter really ought to be seen by everyone who thinks they know anything at all about your shelter project. I first told you last summer what I thought, and that it was time then for you to stop digging the hole you're in. I even gave up significant chunks of my time, in the weeks that followed, to try and help you extract yourselves from that hole before it buried the lot of you. You've so far failed to listen, and like others who've tried to guide you, I seem to have failed too.

5. I see from the latest draft minutes that a member of the public – one who I know gave this Parish Council extended and exemplary service when he served among your ranks - made yet another "impassioned plea" as you put it, for you to take the shelter down. What I cannot see from the draft minutes is any record of how that was received by other councillors, yet I am told that some of you were in open agreement, but that yet again reasonableness was out-voted or out-gunned by those who appear least keen to lose face. Why couldn't I read any of this in the unredacted parts your draft minutes? Again, what are you trying to hide, and why such intransigence? But above all, just when are you going to start listening to what those who pay for you to be here and who are saying louder than ever, "take the shelter down"?

6. But could it be that your multiple failures over the shelter are now about to bite you in the collective bum over what you can or cannot now do in relation to the Canada Solar Grant process? If I was an organisation or individual who had, at your express invitation, worked hard to put together an

application - one that had real merit and could deliver our community many tangible benefits - but which may not now succeed because of your mishandling of the shelter affair, then I would be sorely aggrieved for my bid to die on the altar of your expensive wooden folly. Indeed, I might well cry foul. So too might those businesses that otherwise stood to benefit.

7. But of course, anyone who did make such an application will probably never be any the wiser, because you've redacted most of your paragraph 4. People like me are expected simply to trust your wisdom, yet experience repeatedly tells us how risky that can be.

8. I spoke to your Chairman and his Deputy immediately after your 5 March meeting, saying that I was amazed that the shelter story hadn't reached the attention of the media. I also added that I thought that this was probably a good thing, as experience shows that when the Press begins to dig, other awkward things can become subject to scrutiny too. Incidentally, I note that your web-site has never said which of you is designated as the first point of contact for Press and FOI enquiries, but if it's ordinarily the Clerk, might I now suggest – particularly in view of the paragraph 5 affair - that a named Councillor be nominated instead.

9. I close with just one direct question, about the advice you received in relation to the solicitor's letter. I know better than to ask what the advice was, but we are all entitled to know the mechanism by which advice was delivered to those who attended here on 12 March.

Was it

- a) in the form of a letter from your advisers, circulated or provided to each attendee; or was it
- b) a paper prepared by one or more of your number, on the basis of a conversation or consultation with your advisers; or was it
- c) an oral report or reports, based upon advice received?

This evening Chairman, a, b or c is the bare minimum we need to hear from you and your colleagues.

I have delivered this prepared statement *verbatim* and provide you now with printed copy. As with past-practice, I look for it to be appended to the Minutes of this Meeting, and to that end, and to assist the Clerk, I shall also email the data file.

Howard Pell

2 April 2019