

## North Cadbury & Yarlington Parish Council

Clerk: Mrs Rebecca Carter, Portman House, North Barrow, Yeovil, Somerset, BA22 7LZ

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“Draft” Minutes of the Parish Council (PC) Meeting held in The Reading Room, North Cadbury on Wednesday 23<sup>rd</sup> January 2019 commencing at 7.00pm

**ACTION**

**Councillors Present:** Cllr M Hunt (Chairman), Cllr D Handley (Vice-Chairman), Cllr B Board, Cllr A Brain, Cllr R House, Cllr A Keys-Toyer, Cllr M Martin, Cllr A Montgomery, Cllr A Rickers and Cllr P Wood.

**In Attendance:** D.Cllr H Hobhouse, Mrs R Carter (the Clerk) and seven members of the public.

- 19/07. Electors Question Time/Comments:** None.
- 19/08. Apologies for absence:** D.Cllr N Weeks and Cllr A Bartlett.
- 19/09. Declarations of Interest:** None.
- 19/10. Police Community Support Officer (PCSO) Report:** None received. The Chairman reported that the next monthly ‘Beat Surgery’ would be held in the Reading Room, North Cadbury, from 7.30pm to 8.00pm on Monday 28<sup>th</sup> January 2019; residents could meet PCSO 9289 Emma Reeves to talk about any issues or concerns and receive crime prevention advice. The next surgery would be held on 25<sup>th</sup> February 2019 and the Chairman hoped residents would be encouraged to attend.
- 19/11. Report from County and District Councillors:**
- D.Cllr Hobhouse** reported that South Somerset District Council’s (SSDC) Income Generation and Transformation process was going well and they were looking into other methods of green energy generation. D.Cllr Hobhouse apologised to the PC regarding the way SSDC handled the Appeal in respect of application decision reference 16/03476/FUL - Land OS 8735 Sandbrook Lane North Cadbury. He believed it was ‘idiotic’ to send a temporary officer to represent and speak on behalf of SSDC at the Informal Hearing held in December 2018 and advised that the Chief Executive and Chief Planning Officer awaited the PC’s letter of disapproval. **(D.Cllr Hobhouse left at 7.10pm)**
- 19/12. Minutes of the Parish Council meetings held on 28<sup>th</sup> November 2018 and 14<sup>th</sup> January 2019 were received, agreed and signed as a true record.**
- 19/13. Matters Arising from the Minutes:**
- Highways and Footpaths Report.** Cllr Brain previously circulated his detailed Highways and Footpaths Report, which can be found at Attachments 1 and 2.
- 19/14. Somerset County Council (SCC) Rights of Way (ROW) Parish Paths Consultation:** Following on from item 19/13, the PC discussed at length the list of SCC’s prioritised ROW submitted for the PC’s consideration, which Cllr Brian previously circulated. Cllr Brain consulted with Mrs S Fone, Parish Paths Liaison Officer (PPLO) and two parishioners who strongly believed that to prioritise the Parish’s ROW would lead to unused, or even lesser used, footpaths to fall into disrepair and eventually disappear. They insisted that all footpaths should be afforded the same priority to prevent historical rights of way being lost. The request by SCC for the PC to provide a prioritised list of ROW was found to be unacceptable. The PC also discussed Landowner responsibilities regarding stiles, gates and footbridges, which was confusing and required clarification. The PC recognised that SCC’s resources are finite and it would appear prudent for them to try and obtain the PC’s view on each route’s priority, however, the PC was unable to accept that all ROW do not have the same priority and, hence, importance. In so doing the PC would be seen as underwriting acceptance that

some of the Parish’s valued and historical ROW could be allowed to disappear over time. **RESOLUTION: The PC gave the proposal to categorise the Parish ROW, based on 'priority', detailed consideration and agreed unanimously that it did not want to underwrite any process which could lead to the historical ROW being lost and would respond to the consultation accordingly prior to 31<sup>st</sup> January 2019. The PC agreed to look into a number of self-help approaches to assist in funding the maintenance of the Parish’s ROW including sponsorship of stiles and Landowner Responsibilities.**

Clerk

ABr / PPLO

**19/15. Planning:**

- a. Appeal decisions re Land OS 8735, Sandbrook Lane, North Cadbury, Yeovil, Somerset.
  - i. Appeal A Ref: APP/R3325/C/17/3190705 – **ALLOWED**
  - ii. Appeal B Ref: APP/R3325/W/17/3190704 – **ALLOWED**
  - iii. **The PC agreed unanimously to approve the letter of disapproval from the PC to the Chief Executive at SSDC, which the Clerk agreed to post recorded delivery.**
- b. South Somerset District Council (SSDC) Decisions:
  - i. **PA 18/03435/FUL.** Regularisation of Planning Use Class A1 (Shops & Retail) & B2 (General Industry) to include part Change of Use to B1 (Business), recladding of host building and the creation of 4 No. dormers, reorganisation of site layout & replacement of building with new office building and associated works at Town And Country Retail, Fir Tree, High Road, Galhampton – **PERMITTED WITH CONDITIONS.**
  - ii. **PA 18/03078/COL.** Application for a Lawful Development Certificate for the erection of rear and side single storey extensions, construction of a porch, loft conversion and rear dormer at Higher Farm, Woolston Road, North Cadbury – **PERMITTED.**
- c. PA 18/04085/COL. Certificate of lawfulness for the existing use of dwelling without agricultural occupancy condition at Ferndale Farm, Galhampton Road, Galhampton. Representations, if any, as the adjoining parish to Castle Cary to be received by 29 Jan 19. **The PC agreed unanimously that it had no observations on this PA.**

Clerk

Clerk

**19/16. Finance and Accounts:**

- a. The Clerk distributed and presented the draft precept for 2019/2020. The Parish Council commended the Parish Clerk for her preparation and presentation of the Precept, the detail of which reflected great credit on her ability as the Responsible Financial Officer. **After a brief discussion it was agreed unanimously that the PC would increase the precept from £12,000 to £12,500. It was agreed that the PC would discuss the future policy on precept levels at its next meeting on 27<sup>th</sup> February 2019.**
- b. The Finance Report for period 28<sup>th</sup> November 2018 to 23<sup>rd</sup> January 2019 was received and approved.
- c. Payments Approved:
 

SSCAT Bus Grant	£200.00
Clerks Expenses Dec 18 to Jan 19	£58.58

Clerk

**19/17. Police Community Support Officers (PCSOs) contact procedures:** The Chairman reported that he attended the initial ‘Beat Surgery’ in December 2018 at which he informed PCSO Reeves of the issues and delays when reporting non-urgent incidents by calling 101. He was advised that efforts were being made to improve the waiting time, however, there were other ways to contact the police. The PC were advised to phone the PCSOs on their mobiles or email [emma.reeves@avonandsomerset.police.uk](mailto:emma.reeves@avonandsomerset.police.uk), however emails and phone messages would only be accessed when on duty. There were occasions when the PCSO Team were all off-duty with mobiles switched off. The Chairman advised that when reporting incidents via ‘101’ residents should ask to have a message conveyed to the PCSO via their neck number i.e., 9289 for PCSO Reeves.

**19/18. Cllr A Keys-Toyer gave his report on Somerset Association of Local Councils (SALC) AGM held on 18<sup>th</sup> December 2018:** Following the AGM procedures, the main presentation was on the important points that Parish and Town Councils should be aware of for the local elections in May 2019. Mr J Robinson, SALC Secretary also spoke at length about the significance to councils of the Purdah Period. **The Clerk agreed to ensure the Purdah Period was followed.**

Clerk

**19/19. Correspondence circulated:**

- a. SSDC Rural Housing Action Plan 2019-21 Consultation – closing date 25 Jan 19.
- b. Somerset County Council (SCC) Project ‘The Somerset Wood’ to be sited within the parishes of Cheddon Fitzpaine & West Monkton as a lasting memorial to those from Somerset who fought and fell in the First World War. Request for Parish and Town Councils to sponsor future maintenance of a tree(s) in memory of relatives and friends (£25 per tree). **The PC agreed the unanimously not to sponsor a tree/s.**
- c. Planned works to ‘Brookhampton Bridge’, Sandbrook Lane – Spring 2019 (dates TBC).
- d. SALC Guidance on Local Elections 2019.
- e. SALC PowerPoint Presentation on Local Elections 2019.

**19/20. Items of Report and Future Business:**

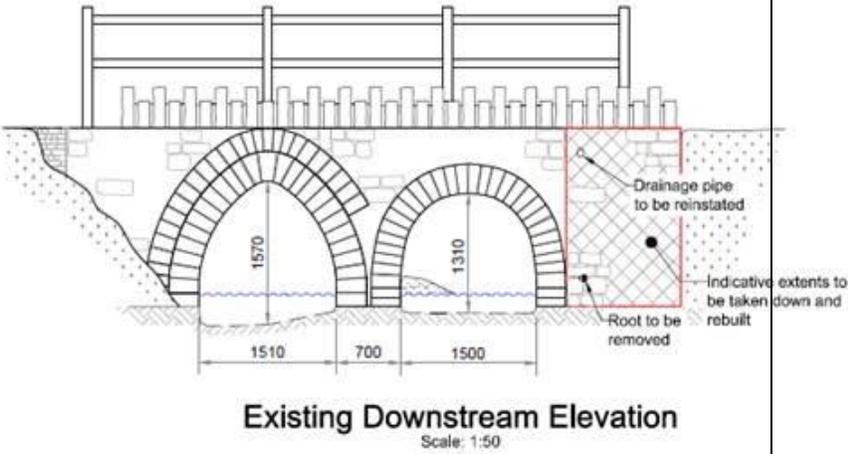
- a. Cllr Martin re-iterated the requirement to include ‘policy on precept funding’ on the agenda for the next meeting. Clerk
- b. Cllr Board reported that parking in the vicinity of the primary school had worsened, especially in Sandbrook Lane; there has been a slow increase in vehicles parking without any thought for residents, farmers or emergency services. **The Clerk agreed to write to the Head Teacher asking her to remind parents to park considerately and lawfully; to park within 10m of a junction is an offence and contravention of the Road Traffic Act.** Clerk
- c. Cllr Montgomery suggested that the PC asks Highways to consider including Cary Road and Parish Hill, North Cadbury in its gritting network as it was a bus route with sharp bends. **The Clerk agreed to ask Highways.** Clerk
- d. Cllr Wood reported that the Holly Tree at 10 High Street, North Cadbury had been felled, which was within the Conservation Area. **The Clerk agreed to ask the SSDC Tree Officer if permission had been granted.** Clerk
- e. **The Clerk confirmed that nine councillors would like to attend the Emily Estate tour/site visit on Monday 28<sup>th</sup> January 2019 and agreed to advise the Estate Secretary accordingly.** Clerk

**19/21. Date and time of next meetings:** Wednesday 27<sup>th</sup> February 2019 in Galhampton Village Hall commencing at 7.00pm.

There being no further business the meeting closed at 8.40pm.

SIGNED..... DATED.....

**North Cadbury & Yarlington Highways Report – January 2019**

<p><b><u>Brookhampton Bridge in Sandbrook Lane</u></b></p>	<p>Sandbrook Lane will be closed for around a month, starting sometime in May, to allow remedial work to be undertaken to Brookhampton Bridge (600m south of Corkscrew Lane). Crestmoor Construction has recently been appointed and we will be kept informed of the start date and programme completion when they are agreed.</p> <p>The works will comprise;</p> <ul style="list-style-type: none"> <li>- Vegetation removal.</li> <li>- Localised repointing where required.</li> <li>- Localised piecing-in of masonry in the arch barrel.</li> <li>- Pouring a new concrete invert in each span to reinstate the scour damage that has occurred to the previous inverts.</li> <li>- Rebuilding the downstream wing wall to address the existing bulging masonry.</li> </ul> <div style="text-align: center;">  <p><b>Existing Downstream Elevation</b> Scale: 1:50</p> </div>
<p><b><u>Three Ashes Junction/Cary Road</u></b></p>	<p>The chevron, demolished after a previous accident at the corner approaching the Three Ashes junction, has been identified by Traffic Management as a safety defect and should be re-erected shortly.</p> <p>I have notified Traffic Management that a second chevron has been demolished during the Christmas period.</p> <p>(I guess that not everyone is complying with the reduced speed limit of 40mph...)</p>
<p><b><u>Drains in Lower Back Way/ Sandbrook Lane</u></b></p>	<p>Following improvements to the drainage in the lane patching work will be considered from April 2018 – Ongoing.</p>
<p><b><u>Lower Back Way Opposite Sycamore Cottage</u></b></p>	<p>As above. Patching will be considered from April 2018 – Ongoing.</p>
<p><b><u>Sandbrook Lane Right of Way Erosion</u></b></p>	<p>On the stretch of lane leading past “the Cabbage Patch” water is leaving the lane though the hedge into the field, in two places on the east side, making the footpath (part of the Leland Trail) unpassable.</p>

	<p>SCC need to determine where the local gullies outfall to then identify a solution – Ongoing.</p> 
<p><b><u>Highway Erosion Sandbrook Lane</u></b></p>	<p>The edges of the lane are eroding in a number of places.</p> <p>The latest response from SCC is that the verge erosion remediation would be arisings placed and compacted and the verge re-established on top of that. This is awaiting budget allocation for the program.</p> <p>The latest update is that other options are being considered as there may be something more suitable.</p> 
<p><b><u>Drains in Hearn and March Lanes</u></b></p>	<p>Drain pipe damage, close to the junction of Galhampton Manor, will benefit from repairs in the near future.</p> <p>Works are pending. However, this is now unlikely to occur during the 2018/19 financial year as local budgets have largely been allocated to other higher priority work.</p>
<p><b><u>Highway Erosion in Hearn and March Lanes</u></b></p>	<p>Patching will be considered from April 2018 - Ongoing</p>
<p><b><u>Highway erosion in West Street Yarlington</u></b></p>	<p>Leaving Yarlington along West Street the road surface is starting to break up. This is subject to Enquiry 420038 and has been placed on a 'jet patching' scheme between Sept 24th and Dec 12th. At the date of this report some patching has been carried out and remainder sites have been inspected in order to identify suitability for 'jet patching'. The next available date for this repair method is February 2019 and it is on that program.</p>



**Highway Erosion on the lane joining West Street to Stoke Lane**

The lane joining West Street to Stoke Lane is also breaking up.

Subject to Enquiry No.420029. This has also been placed on a 'jet patching' scheme between Sept 24th and Dec 12th. As with West Street it was inspected in order to identify suitability for 'jet patching' and to program a date. As above, the next available date for this repair method is February 2019 and it is on that program.

Councillor House mentioned Pound Lane in Yarlington as needing attention at the last Parish Council meeting and this has been brought to the attention of Highways.



**Highway Erosion in Stoke Lane in the Vicinity of Yarlington Mill Farm**

With reference to the map on the following page:

Section A is periodically cleaned on a planned program and sometimes cleaned reactively however SCC are now aware that works are required. Funding will be available during the 2019 Financial Year to effect repairs. This will include underground filter drains to try to capture the springs which seem to be here.

Section B, part of the surface water drainage outfalls to here however the ditch is the riparian responsibility of the landowner (Emily Estate) and needs to be cleared by them. A meeting was recently held with the landowner and they have agreed that the hedgerows and ditches are to be attended to.

On completion of these works patching will be undertaken.



10/19/2018 mx4.somerset.gov.uk/rmx4-webapp/RMX/printtemplate.htm



http://mx4.somerset.gov.uk/rmx4-webapp/RMX/printtemplate.htm

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## **North Cadbury and Yarlington Parish Council Rights of Way Initial Report - January 2019**

Since volunteering to be Parish Council representative for Rights of Way I have held several meetings with Susan Fone, as Rights of Way Liaison, and have undertaken a quick tour of some of the issues with Rights of Way access within the North Cadbury and Yarlington Parish. This is very much work in progress due to the number of routes and the problems therein. I have also had initial contact with Eve Wynn, the DC's Rights of Way officer.

### **Survey**

Susan Fone has been consulted on the request by the County Council to prioritise footpaths to enable the CC to direct funding towards rights of way which have greater use. There is great concern that in so doing some lower priority historical routes will fall into disuse through lack of maintenance and eventually disappear. However, rather like the maintenance of the highway finger posts, it is insufficient for simply a decision to be made as to whether we fight for these to be retained, resources including funding need to be identified as it is clear that otherwise the CC will simply make a decision for us.

### **Problem Areas**

#### **4X4s**

The bridleway off of the A359 has been destroyed by recreational 4X4 driving clubs and accessible only by specialist vehicles. SSDC Rights of Way Officer, Eve Wynn, has visited the site and declared it to be worst example of damage that she has seen in the 16-years.



I understand that the landowner/farmer currently accesses the adjacent fields from other gateways without having to use this green lane. Therefore it would appear that between walkers, horse riders and the 4X4 users only the last of these now have access. Whilst the definition of who can use the route does not specifically exclude 4X4 recreational drivers, stating that motorised vehicles can use them, this was meant to refer to people driving in support of their work in the vicinity. So 4X4 recreational use is not within the spirit of what was intended. There will, perhaps, need to a redefinition of who can use the route coupled with physical obstructions to prevent the abuse (removable if required by landowners/farmers) together with a programme of repair to perhaps clear the ditches and to level and stabilise the route using hardcore and perhaps a topsoil and grass cover. Naturally this will then need to be maintained (however, apparently, the DC already undertake the hedge cutting in the route).

This route is a restricted byway and is therefore under the remit of the Rights of Way department. Eve Wyn is in discussions with a senior rights of way officer on the next steps, i.e. installing bollards.

## **Stiles & Cross Compliance**

We are approaching the time of year when land will be cultivated for the coming cropping season and we need to ensure that rights of way are either reinstated following cultivation or temporary diversions are put in place. Once I feel that I properly understand the issue and the boundaries I intend to speak to relevant landowners/tenants in the parish to see if we can work together to ensure that rights of way are both recognised and kept accessible during the cropping season.

There are a number of broken stiles in the parish. As a landowner myself I am bemused that there now seems to be an assumption that landowners are responsible for their installation and maintenance. I'm not sure my farm liability insurance includes my personal installation of structures which provide field access to members of the public. Historically this has been a responsibility of the DC. From my limited research in obtaining guidance I have only found weasel words in DEFRA guidelines such as 'where the landowner is responsible for stiles'. It would appear that as DC funding is withdrawn, once again, we are left with a vacuum. This is perhaps why we have a hotchpotch of stiles, some professionally manufactured and properly installed and others home-made of dubious structural integrity, and all at different levels of repair (or disrepair).

In going forward, we first need to clarify and get agreement of how we improve the situation. First of all, access across fields and byways, between stiles, is the landowner's responsibility. That is a given. Where crops are grown the landowner has to reinstate the footpath unless a temporary reroute is applied for, and granted, until the crop is harvested. This is all the more important in some of larger fields and for some crops which become impenetrable such as maize. Also, where fields are strip grazed and temporary fencing (usually electric) obstruct routes, provision for public access needs to be maintained at all times. Finally, and irrespective of any future decisions on the prioritisation of rights of way, landowners have no right to make an executive decision on which rights of way are suitable for walkers and riders and obstruct them. I see this as of dual benefit as it is in everyone's interest that the public can transit speedily and efficiently across farmland (with established Rights of Way) with minimal damage to crops.

This approach can be adopted by landowners/farmers at relatively little cost, cost which is, I understand, mandatory and already factored into our Single Area Payment.

This leaves the issue of provision and maintenance of stiles. Whatever is happening at the moment is not always working and will not work until there is a viable and resourced policy is defined. Options are under consideration include volunteers sponsoring a stile. This may include landowners (who qualify for a grant), but as a provision for public use, I would hope that frequent walkers would be prepared to contribute. There are three elements to this, provision, installation and maintenance. Maintenance of good quality and properly installed stiles should be minimal for the lifetime of a stile if used properly and perhaps limited to keeping clear of undergrowth, something landowners perhaps may address (however, it has to be said, that frequently used routes do not often suffer from overgrowth). Therefore, sponsorship may be limited in most cases to the purchase of the stile (roughly £70+VAT for a standard wooden stile to £170+VAT for a metal gate providing disabled access). This does not address provision of share rider and pedestrian gates which will be more expensive to purchase and install.

I have spoken to the Castle Cary Ramblers to discuss whether they can assist with installation of stiles on the assumption that they had previous experience, training (and any required 'clearances'). I was informed that they are an informal group without any funding however some members did adopt parts of routes to assist in keeping them clear. At their next meeting, in a month, my contact said that she will ask if anyone will be prepared to 'adopt' parts of routes in our parish and will ask any volunteers to get in touch with me. Subsequently I have written to 'The Ramblers' (the current name for 'The Ramblers Association') to ask what assistance they can provide us particularly for the installation of new stiles. I await their reply.