

Minutes of the **Town Council Meeting** held at Greenfylde School, Silver Street, Ilminster on Tuesday 22nd September 2015 at 19:30hrs.

Present:

Mayor Cllr R Neave

Councillors F Albin, P Burton, J Fagan, C Goodall, V Keitch, A. Shearman, S. Storey, S Shepherd, J Sothern and T Walker

In Attendance:

Officers: Miss J Norris (Town Clerk) Mrs D Speed (Administration Officer Finance), Miss A Tolland (Administration Officer),

35 members of the public attended the meeting, 11 of whom spoke during the public participation session.

Speaker 1 –

Tony Walker gave a PowerPoint presentation on behalf of the Rotary Club of Ilminster, who wish to provide an Ilminster History Board. The ideal would be to erect it outside the building occupied by Milford & Dormer if the requisite licences and permissions can be obtained. A mock board was available to give an indication of the type of information that would be displayed. Confirmation was required on where it could be placed. The Rotary Club are willing to fund the project if the Town Council agree to arrange the purchase and then maintain and insure the board. The current information board about the Monmouth Rebellion is in a poor state of repair and the information board could be viewed as a successor item.

Speaker 2 –

John Waldie, Secretary of the North Winterhay Lane Action Group spoke against the designation of a footpath adjoining Winterhay Lane; he gave details of the complex history of public use of Winterhay Lane North, highlighting two contradictory reports produced by Somerset County Council.

Speaker 3

Darren Duffield, a farmer in Winterhay Lane spoke next, suggesting that it may not be necessary for the whole length of Winterhay Lane North but that it may be possible to reach a compromise. Mr Duffield said that Green Lane is a dead-end, which could be resolved by allowing formal permission for use of the lower end where there is a perfectly good footpath useable by residents, which he considered to be a more interesting and safer walk, with more picturesque views. Mr Duffield highlighted the working farm status of the area, asking for respect for the heritage of the farmers who maintain it and their contribution to the community.

Speaker 4

Mrs Kim Turner spoke first about Winterhay Lane and her support for the designation of a public right of way. Mrs Turner confirmed that when she was a District and County Councillor she had met with the Secretary of the North Winterhay Lane Action Group and his wife at their house to discuss the footpath issue. Mrs Turner said that she had a great deal of paperwork about the footpath, including records of her meetings when she was a Councillor which she was willing to make available if so requested. Mrs Turner expressed her concern that the Town Council were revisiting the issue. Secondly Mrs Turner expressed her concern that the grass at the Wharf Lane Recreation Ground had been cut when the Fair's arrival was imminent and

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usually it was left long to help the heavy fair vehicles get grip when moving on and off the site. Mrs Turner said that should there be damage to the ground she hoped that the fair would not be blamed and lose their deposit.

Mrs Turner said that one of the goalposts has been removed from the children's football pitch by the toilets and the remaining holes were hazardous.

Lastly, Mrs Turner requested that she remain a member of the Play and Paths sub Group (of the Open Spaces Review Group) that she had previously sat on as a District Councillor.

The Mayor confirmed that the football posts are being refurbished which is why one has been removed in the short term and that Mrs Turner may remain on the Play and Paths Sub Group. The Mayor also explained that the Open Spaces Team had been trying to make sure everything was neat and tidy prior to the Fair's arrival and would not be cutting the grass again until after the Fair had left.

Speaker 5

Simon Ashdown expressed his sadness regarding the amount of tension surrounding the issue of Bumpy Lane. His family have lived in Ilminster for around 30 years and used the path during that time. He then cited an incident in which he had been verbally abused by Mr Duffield saying that members of the public cannot walk on that land. Mr Ashdown said he understood there were legitimate issues and causes for concern such as uncontrolled dogs, but why shut a public right of way. Mr Ashdown then said he understood that after 12 years of use without objection it became a legal footpath, was that not the case.

The Mayor responded to Mr Ashdown's question saying that she was not in a position to give legal advice.

Speaker 6

Jo Wade spoke in favour of the designation of a public footpath adjoining Winterhay Lane and focused on paths being omitted from the definitive map when it was drawn up, and possibly that was the case with Bumpy Lane particularly as it lay within two different parishes. She cited the 1993 Green Lane Report and there was evidence that the path had been in use by the public for over six decades. She reported that there was no evidence of Green Lane being a cul-de-sac. There was evidence that no "private" signs had been erected prior to 2012.

Speakers 7 & 8

Riley Woodard and Tilly Wade, spoke about the Bumpy Lane footpath, expressing their enjoyment of using the path, a path also used by their great grandad. They said they used to use it a lot, miss being able to do so and that it is sad they are not allowed to use it now

Speaker 9

Mrs Doreen Bonning who was born in Winterhay Lane spoke next. Mrs Bonning had used the path since 1939 as a public thoroughfare and it had been used unchallenged for many decades. Mrs Bonning pointed out flaws in the evidence that the land was private and not used as a footpath and continued with information, historical facts and evidence that Bumpy lane had been used as a public right of way.

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Speaker 10

Gemma Watkins spoke, claiming that Bumpy Lane has been used as a public footpath for decades until 2012 when “private” signs were erected. A petition with 392 names claiming the lane was a footpath had been compiled.

Speaker 11

Angela Crouch spoke referring to the fact that the disputed route offers residents a safer route into town. The owners of a farm for 100 years had never restricted public access. Miss Crouch believed that after 20 years of being used as a path, it is adopted as such.

The Rev Nigel Done then delivered the thought for the day.

The Mayor then brought the meeting into formal session.

95 Apologies for Absence

Apologies for absence were received from Councillors Fowler, Kinder and Swann.

96 Declarations of Interest

The declarations of interest outlined in the table below were made by Town Councillors

Name	Agenda Item	Minute No	Interest	Nature of Interest	Action
Cllr Storey	Agenda Item No. 10 Winterhay Lane	104	Personal and prejudicial	Active member of the Winterhay Action Group	Left the room
	Agenda Item 17 Football and Community Facility Tender Acceptance Agenda No 18 Football and Community Facility Project Contract	111	Personal, pecuniary and prejudicial	The Councillor's husband potential future employment	Left the room
Cllr Walker	Agenda Item 11 History of Ilminster Information Board	105	Personal and prejudicial	Member of the Rotary Club leading the information board project	Left the room
Cllr Val Keitch	Item 12 Fairtrade Signage	106	Personal		Spoke and voted
Cllr S Shepherd	Agenda Item 11 History of Ilminster Information Board	105	Personal	Rotary Club member	Spoke and voted

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Minutes**RESOLVED**

- (i) to confirm the minutes of the meeting held on 18th August 2015 as a correct record, subject to minute 70 being amended to spell Councillor Shearman's name correctly.
- (ii) to note the office Action Plan relating to the Town Council Meetings

Issues raised during consideration of the minutes and the action plan included:

- the lateness of some meeting documents makes it difficult for Councillors to read them before the meeting
- Winterhay Lane (Ref 27) The Town Clerk confirmed that Somerset County Council officers are preparing the paperwork to go to the Secretary of State for a final decision. The County Council Officers are expecting that there will be a Public Enquiry. The reason it was on the agenda because to do so was proposed, seconded and voted on at the previous Town Council meeting and this was possible as more than 6 months had elapsed since the Town Council had last considered its stance on the matter.
- Letter of Intent regarding the Football and Community Facility contract a question was asked if any money had been obtained from the grant funders should the contractor make a payment claim. The Town Clerk responded that the letter of intent enables the contractor to do work to prepare for moving onto site.
- Lookout point – It had been agreed this would not be progressed until the Senior Open Spaces Warden started work. In the meantime it had come to light that the temporary warden would be undertaking some drystone walling as part of his outdoor ranger course and contact had been made with the dry stone walling association who would be interested in the development of the look out point as a training exercise.

98 Mayor's Announcements/Engagements

- A)** There were no announcements made relevant to Town Council and Mayoral activities and engagements
- B)** The Mayor's engagements between 18th August and 22nd September 2015 had been published on the agenda for the meeting. In addition the Mayor had visited the Air Cadets for an inspection on 8th September 2015 and visited Greenfyld School on 22nd September.

Cllr Goodall pointed out that she had not been able to attend the battle of Britain memorial Service in Ilminster due to another commitment.

Cllr Walker confirmed he had been able to attend the Wadham School Presentation on the 17th September 2015.

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99 Mayor Cadet

Following the Mayor's visit to the Air Cadets they have offered to provide a Mayor Cadet to accompany and assist the Mayor on official engagements. The Mayor intended to accept this offer as she felt it was a positive way of engaging with younger people and getting them involved with the Town Council and democracy generally.

100 Police Report

This agenda item provides an opportunity for the Police to report on any matters relevant to policing in Ilminster. A report had been circulated prior to the meeting. Issues raised during consideration of this agenda item included:

- The re-location of the police from their present accommodation to the medical centre and concern that this will not be accessible to the public
- The need for the Police to be pro-active in the hours before the carnival to prevent delays caused by parked vehicles obstructing the route
- The recent Partners and Communities Together (PACT) meeting had discussed the Fire Service community safety plan which would be circulated to Town Councillors

101 Report from District Councillor

District Councillor Goodall reported on the following issues:

- Councils are having to look for different ways of working and are investigating joint working as a way of saving money.
- Westland Leisure Complex – the facility is to close on 30th September. The Complex has many attributes, including a cricket pitch, model railway, tennis courts. They have an open day on 26th September. A petition about the closure was submitted to the District Council. A feasibility study has been commissioned to look at the possibility of the District Council running the complex and the matter will be considered further when that study is available.
- Refugees. District Council is awaiting more information. The Leader of the District Council has issued a statement saying that the District Council will play its part to make a positive contribution to assist refugees
- Flooding. The District Council preferred option is for the creation of a Rivers Authority Board with precepting powers.
- Winter weather – people concerned about high energy bills can contact the home energy team for information by telephoning 0800 082 2234. The Town Council will be given the contact information with a request that it is placed on the notice boards and Town council website on the website.
- Chard Swimming Pool. There are a number of concerns about the condition of the swimming pool, particularly the changing rooms. The ownership and management arrangements are somewhat confusing as Somerset County Council own the facility.
- The Gold Star Awards evening in conjunction with the Western Gazette will be held on 27th October at the Octagon Theatre, Yeovil.
- A local charity is to take over the scrap store and move it to Market Street, Yeovil. South Somerset District Council will operate the community equipment hire service. Details will be put on the South Somerset District Council website. website.
- The District Councillors were asked about any District Council contributions to fund superfast broadband in South Somerset. it is

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understood that Somerset County have pulled out of the most recent project and are looking for alternative suppliers. Councillor Keitch will report back to Town Council with further information.

102 **Report from County Councillor for Ilminster**

County Councillor Vijeh's written report had been circulated with the agenda.

Cllr Vijeh apologised that the Footpath at Winterhay Lane issue had been going on for far too long, with no submission made to the Secretary of State for a decision. This was down to staffing availability. Cllr Vijeh is willing to act as mediator, together with Rev Done, if it would help local people reach a compromise.

Neroche is now designated as an Ilminster School and would like to be included with the other Ilminster schools for participation in meetings and events such as PACT

Broadband – County Council are in the process of renegotiating a contract. There is still commitment to ensure that broadband is rolled out across the county.

There is confusion about the current status of Neroche Primary School and its relationship with Ilminster as it is not part of the three tier system and the catchment area is not for the whole of Ilminster. A Town Councillor commented that they had been disturbed to see flyers for Neroche School stating that Swanmead was underperforming. It was suggested that clarification of the current position regarding Neroche School and the catchment area is sought and reported to the Town Council.

103 **Reports from Representatives on Outside Bodies**

Councillors had no comments on the reports circulated either with the agenda or at the start of the meeting.

In addition to the written reports, Councillors received the following information orally:

- Ilminster Arts Centre, Cllr Keitch has a meeting with representatives from the Arts Centre twice a year. The Arts Centre has a very exciting programme and experiences a successful summer programme. The cafe now has a 5 star food hygiene rating.
- Councillor Keitch had missed the last twinning meeting due to another event, but hopes to attend the next one.

104 **Winterhay Lane Footpath Designation**

This item was on the agenda following a successful proposal at the previous Town Council meeting that the Council re-considers its stance on the designation of a public footpath at Winterhay Lane.

Issues discussed during consideration of the item included:

- The Town Council had previously made a decision to support the footpath designation and as no new information had been presented it seemed to be futile exercise to discuss the matter again
- The Town Council has been regularly checking progress on the submission of papers to the Secretary of State for a final decision on the footpath designation and, in accordance with a previous Town Council resolution, had written to a number of people / organisations including the Police and Crime Commissioner and the Chair of the Somerset County Council Regulation Committee.

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- When the Town Clerk spoke to the Somerset County Council Rights Of Way Officer dealing with the preparation of papers to be submitted to the Secretary of State she had been told they were actively working on the submission and it was hoped the work would be completed by mid September.
- County Councillor Vijeh was asked to check on progress and hasten the work
- The Town Clerk was asked to re-circulate information on the status of the footpath until the Secretary of State makes a decision.

RESOLVED that the Town Council's stance remains that it supports the designation of Winterhay Lane North, known locally as Bumpy Lane, as a public footpath.

Notes

- (i) Cllr Storey declared a personal and prejudicial interest in this agenda item and left the room whilst it was discussed and voted upon
- (ii) A recorded vote was requested and taken on this item which is attached to these minutes as Appendix 1

105 The History of Ilminster Notice Board

The Town Council considered its stance on the provision of a History of Ilminster Information Board

Issues raised during consideration of the item included:

- A licence may be needed from the District Council to site this board in the suggested location
- The cost of any licences required, both immediate for erection of the board and any annual renewals
- The information Board must be sited somewhere suitable bearing in mind the Conservation Area status of the centre of the town
- The need for any notice board to meet Equalities Act requirements and standards.
- There will be costs for artwork and design as well as purchasing the notice board
- All the costs to purchase and erect the information board, including licence fees / planning permissions would be met by the Rotary Club making a donation to the town Council.
- The Rotary Club would like the Town Council to meet the cost of insurance and future maintenance.

RESOLVED to defer a decision on the Town Council's stance regarding the provision of a History of Ilminster Information Board until more financial information is received.

Notes:

- (i) Councillor Walker declared a personal and prejudicial interest in this agenda item and left the room whilst it was discussed and voted upon
- (ii) Councillor Shepherd declared a personal interest in this agenda item.

106 Fairtrade Signage

The Fairtrade Committee for Ilminster had written to the Town Council requesting support for suitable road signs indicating Ilminster's Fair trade status on the approach roads to the town.

Issues raised during consideration of the item included:

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- The type of sign suggested is the brown sign like those advertising attractions
- There is currently no information about the cost of the signs
- The Fair Trade Committee are willing to fundraise to raise enough money to pay for the signs
- Ilminster is the first fair trade town in South Somerset
- The Town Council has not been asked for a financial contribution
- The signs may well encourage people to visit the town rather than driving past

RESOLVED that in principle the Town Council supports having signs erected, indicating the Town's Fair Trade status, on the main roads into the town

107

Queen's 90th Birthday Celebrations

The Town Council were asked to consider ideas and suggestions to celebrate Her Majesty The Queen's 90th birthday in 2016.

Issues raised during consideration of the item included:

- Whatever is chosen should be a celebration for all of Ilminster to enjoy
- Whatever is chosen should be accessible and inclusive
- Mayors from other places could be invited
- The Millennium was a week of celebration which took 4 years of planning ,and included a big party in the middle of town and a commemorative mug for children

RESOLVED

- (i) that a Committee be formed to:
 - recommend the type of celebration to Council
 - plan the celebration agreed by the Town Council
 - that the Committee reports to the Town Council and has no decision making powers
- (ii) that the Committee comprises Councillors Storey, Neave, Shepherd, Keitch, Walker and Goodall
- (iii) Councillor Storey will take the lead to organise the first Committee meeting.

108

External Audit

The report of the External auditor on the 2014/15 Annual Return was considered.

RESOLVED to note the report

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109 Update on Internal Audit Reports

The Town Council considered progress to implement the action plans arising from (a) The Internal Audit Report for Financial Controls 2014/15 Annual Return and (b) The Internal Audit Report on the Football's Community Facility Project; the updated action plans had been circulated prior to the meeting

RESOLVED to note the progress on implementing the action plans.

110 S106 Offer Letter for the Football and Community Facility Project

Issues raised during consideration of the item included:

- The draft offer letter had been received in an email to the Town Clerk this afternoon

RESOLVED

- (i) that a Town Council meeting be arranged for 29th September to consider the offer letter
- (ii) that the Town Council meeting takes place immediately before the Open Spaces Committee meeting.

111 Football and Community Facility Project Formal Tender Acceptance

The meeting considered a report prepared by the Town Clerk outlining the checks carried out by the Contract Administrator, confirmation from the grant awarding bodies of their satisfaction with the tender process and the requirements of standing orders regarding signing contracts.

RESOLVED

- (i) That the tender in the sum of £573,340 is formally accepted
- (ii) That the Town Council enter into a JCT Intermediate Contract with the company who submitted the lowest tender

112 Football and Community Facility Project Contract.

RESOLVED that Councillors Shepherd and Walker are nominated to sign the contract on behalf of the Town Council and the signatures are witnessed by the Town Clerk

113 Football and Community Facility Bank Account

The Town Council was asked to confirm the establishment of a discrete bank account and the associated operating protocol for the Football and Community Facility project
Issues raised during consideration of the item included:

- The meaning of the word 'discrete
- The account is to be used solely for the Football and Community Facility
- Any two of the councillors who are already able to sign the Town Council bank account would be mandated to sign cheques for the Football and Community Facility project account.

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RESOLVED

- (i) To confirm the establishment of a discrete bank account for the Football and Community Facility project
- (ii) To approve the bank account operating protocol as attached to these minutes as Appendix 2

Note: discrete means separate or individually distinct

114 SDC Consultation on Statement of Community Involvement

The Town Council was asked if it wished to submit any comments for South Somerset District Council's Statement of Community Involvement.

Issues discussed during consideration of this agenda item included

- The Town Clerk explained it was a consultation about the method of future consultations on matters such as the Local Plan
- It appears that people / organisations who had commented on the draft Local Plan had been contacted by email or letter inviting participation in the consultation
- Proposed it is e-mailed out and have replies back by 2nd October

RESOLVED

- (i) to send the communication from South Somerset District Council to all Councillors
- (ii) to defer agreeing any comments to be submitted to the Town Council meeting on 29 September 2015

115 Project Plan

No changes were made to the Project Plan.

The meeting closed 21.45 hrs.

Chair's signature & date

Appendix 1

not



Recorded Vote Sheet			
Date: 22/9/15			
Meeting: Town Council			
Vote taken on <u>Whiteley Lane Footpath Designation - Proposed</u>			
	For	Against	Abstain
Albin, Fred			✓
Burton, Philip	✓		
Drayton, Rob	_____		
Fagan, John	✓		
Fowler, Julie	_____		
Goodall, Carol	✓		
Keitch, Val	✓		
Kinder, Don	_____		
Neave, Rose	✓		
Shearman, Andrew	✓		
Shepherd, Stuart			✓
Sothorn, Jo	✓		
Storey, Sophie	_____		
Swann, Roger	_____		
Walker, Tony	✓		
	8	0	2

Stuart
 2nd Burton
 1st Support

Appendix 2

Football and Community Facility Project Bank Account – Operating Protocol Approved by Council 22/9/15

Banking Arrangements

1. A Football and Community Facility current bank account is to be set up with the Town Council's existing bank. This will be linked to the Football and Community Facility Reserve bank account (a deposit account) and the current account balance will automatically be kept at £100
2. The bank mandate will require the signature of two authorised signatories. One from the Ilminster Town Council and one from Ilminster Town Football Club.
3. Cheques drawn on the Football and Community Facility bank account will be signed by two Councillors and one member of Ilminster Town Football Club.

Overall Account Management

4. The Contractor will supply a cash flow sheet which will be used to check relevant orders.
5. The Town Council working with the Football Club and the Contract Administrator will develop a time line projection incorporating timings such as: when claims will be made to funders; anticipated valuation dates; provisional payment dates; VAT reclaim dates.

Authorisation of Payments

6. To confirm an order, a purchase order must be sent giving the joint names of Ilminster Town Council and Ilminster Town Football Club including their respective logos.
7. Once invoices have been received they will be verified and signed by the Responsible Financial Officer (or person designated by the RFO)
8. Payments in respect of the JCT Intermediate contract will be made in accordance with the contractual terms.
9. The cheque signatories shall each initial the cheque counterfoil and also the matching invoice to indicate agreement of details shown
10. A schedule of payments for authorisation will be made which will be presented to the Town Council and the Football Club for approval.