

COUNCIL MINUTES

A Meeting of the Parish Council held on **Wednesday 3rd February 2021**
at **7:30pm** by Zoom Virtual Platform

Present: Cllrs Lucy-Rose Andrews, Alan Butcher (Chair), Chris Dyke, Juanita Glass, Mark Leach, Rachel Thompson MBE

In attendance: William Newton Newey, Parish Clerk, twenty members of the public

PPC21/014 **Apologies for absence:** Cllr Adams

PPC21/015 **Declarations of Interest**

Cllrs Glass and Thompson declared an interest in item PPC21/23d Dursdon Drove. They had applied for a dispensation to remain and vote which had been granted by the Clerk.

Cllr Leach declared an interest in item PPC21/021a.

PPC21/016 **Public Forum**

The applicants of a planning submission to be considered wanted to assure councillors that the additional application was to deal with matters inadvertently omitted from their previous application. Their previous application remained unchanged.

A parishioner raised three items. They referred to the issues at Dale Farm and said that a further issue had been reported. This was a strong smell from the farm; this was believed to be common with dairy farms. The second item was two boulders which had been placed to protect Priddy Pool which had been moved by the Highways Department during recent drainage works. They wondered if the boulders could be returned to their position by the Pool. The third item was the edge of the highway next to the Postbox on the upper Green (next to the entrance to the Church, School and Village Hall). This had become very rutted and muddy and they wondered if the Council might arrange for some hardcore or other surfacing in this area.

Several people spoke about Dursdon Drove and its use by 4x4 and other motor vehicles. One person was against re-classification of the Drove from being a By-Way Open to All Traffic (BOAT) but felt that some action needed to be taken in respect of anti-social behaviour, deliberate damage and unthoughtful use of the Drove. Other residents spoke of regular disturbances late at night and abuse received from the drivers / riders of vehicles. The snow was thought to have made the situation worse with more late-night activity. One resident spoke of having rubbish thrown at their family and the deliberate spraying of pedestrians by the way vehicles were driven through standing water. The issue of the damage to the bio-diversity of the Drove as a green corridor was also raised. A Traffic Regulation Orders (TRO) had been suggested restricting access at specific times or periods. Alternative measures such as use of S59 of the Police Reform Act were also suggested. It was noted that the most damaged sections of the Drove were in the neighbouring St Cuthbert's [Out Parish] Parish.

PPC21/017 **Council Reports**

a) **Somerset County Council**

Cllr Pullin said that any change in the status or re-classification of Dursdon Drove would likely take 20 years. He said that he had walked the Drove and there had been involvement by the Rights of Way Team in respect of the By-way. He said that it might be necessary to involve the Highways Department as well. The BOAT could be restricted as for access only and under any TRO the police would have power to stop and prosecute drivers / riders of motor vehicles. He felt that S59 mentioned in the public forum could be difficult to use. He accepted that the Drove was a mess and he was sorry for residents. He acknowledged that the situation was dangerous for other users of the Drove, especially children and ponies.

Cllr Pullin reported that the Covid-19 vaccination programme was going well, with £1m people in the south west having received at least one dose of a vaccine.

b) **Mendip District Council**

Cllr Killen said that he had been in discussions with the owners / farmers at Dale Farm. He was aware of issues that had been raised and confirmed that the lighting times had been adjusted.

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Covid-19 had changed priorities as far as Mendip District Council was concerned. The three priorities were the Vaccination Centre at the Bath and West Showground, the provision of statutory services and participation in the county-wide strategy for economic recovery.

Planning offers had been deployed to support the vaccination centre but they had been recalled to the Planning Department as there was a need to deal with the increasing backlog of planning cases. Discussion continued about phosphates and this had also delayed a number of applications. A resolution to the issue of phosphates was being actively sought. The Enforcement team would be restricting their activities to tree and listed buildings.

Mendip Markets continued to operate but not currently on Saturdays.

Additional Covid-19 restriction grants were being processed but there was still time to submit new applications.

Somerset Waste Partnerships would be starting at an earlier time and there had been an increase in fly-tipping.

In answer to a question about Dale Farm, Cllr Killen said that he was in dialogue with the owners / farmers.

PPC21/018 **Police Report**

A report from a local PCSO had been received and it was noted that this included a reference to the issue with 4 x 4 vehicles and Dursdon Drove. PCSOs had made themselves visible on the Drove and the Village Green as a deterrent. Cllr Thompson noted that there was no response to the photographic evidence supplied to the Police. It appeared that the PCSO's covering Priddy were based in Wells (as part of the Wells Rural Beat Team) but the Police Officers serving the Village came from Cheddar. The advice to contact the Police on 101 in respect of any incidents was repeated.

PPC21/019 **Parish Paths Liaison Officer.**

There was no report from the Parish Paths Liaison Officer

PPC21/020 **Acceptance of the Minutes of previous meetings:**

The minutes of the meeting held on 6th January 2021 were agreed as a true and correct record.

PPC20/021 **Planning**

Cllr Leach left the meeting

- a) **2020/2626/FUL** Relocation of existing timber stables and separate feed store and installation of new timber stables with 4 stalls for private use. Laurel Farm Pelting Drove Priddy Cheddar Wells
Cllr Glass noted that the application was related to the previous application made in respect of Laurel Farm. Her only concern was that the parking shown might constitute a change of use.

In answer to a question by the Chairman, the applicants said that there was no change in the designation of the land. For some fifty years it had been used as a horse arena with hard standing and sand. There was no parking attached to the stable's application and no additional parking.

It was resolved to support the application

Cllr Leach rejoined the meeting

- b) **2021/0082/FUL** Conversion of 2no. barns to provide 1no. 2-bed dwelling and 1no. bed dwelling. Dutch Barn and Stable Barn At Former Hunt Stables Roemead Road Chewton Mendip Wells BA5 3DB

The Chairman noted that there had been development on the site for some seven or eight years. Cllr Leach also noted what he described as considerable development and wondered if it could be justified outside the village boundary where there was no existing community or infrastructure. He also queried the increase in road traffic. Cllr Leach did not think the design inappropriate and that it was a use for an otherwise redundant building. Cllrs Dyke, Andrews and Thompson also supported the re-use of a redundant building. Cllr Thompson noted that the plan showed the former stables as a proposed two bed dwelling and the former barn as a proposed four bed and not one bed dwelling. She also queried the lack of a design statement and the questioned choice cladding materials to be used.

The Chairman noted that the application to convert another redundant building on the site had been refused but that this had been overturned at appeal.

It was resolved to support the application.

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The Chairman would liaise with the Clerk as to comments to be included in the response to Mendip District Council

Planning Cases Decided

The following decisions were noted

- c) **2020/2488/FUL** Erection of 3 stables, tack room and storage building Land At 352745 151675 Nine Barrows Lane Priddy Cheddar Somerset – **Withdrawn**

The Clerk had received a letter from the applicant but it was agreed that the subject would not be discussed until a further application had been received. It was felt that reading of the minutes of the previous Council meeting would indicate the views of the Council and its decision not to support the application.

PPC21/022 Clerk's Report

- a) **Bus Shelter – Parish Council Noticeboard**

The Clerk had circulated details of replacement oak and glass, lockable noticeboard of appropriate size to be fixed to the side of the bus shelter. Councillors felt that the cost was too great and discussion of the matter was deferred until a local solution could be explored. The Chairman felt it was important for a replacement to be in place by the end of March when the Annual Governance and Accounts Return, and other statutory notices had to be posted.

PPC21/023 Parish Council Matters

- a) **Traffic Calming Advisory Group**

In the absence of Cllr Adams, Cllr Leach confirmed that it was planned to submit a report to Council at its March meeting.

- b) **Dale Farm**

Cllr Killen had addressed this subject in his report. He undertook to continue the dialogue and facilitate discussion between residents and this local business.

- c) **Dale Lane and Nine Barrows Triangle**

There had been damage to the verge, a dry-stone wall and triangle in which the finger post stands. The Council had previously decided not to kerb the triangle as it was not felt appropriate to kerb the countryside. The fact that cars and other vehicles were parked in the vicinity of the junction was noted.

Cllr Thompson noted that there was very little damage to Dale lane considering it was in frequent use by two farms. It was believed that the size of vehicles serving dairy farms had increased considerably during the twenty-year period when the farm had not been home to a dairy herd. Cllr Thompson noted the fact that dairy tankers had a right to use the highway. Cllr Killen said that he would include this issue in the conversation and it was better to seek pragmatic solutions before positions became entrenched.

- d) **Dursdon Drove**

The Chairman began the discussion by giving a summary of what he believed was the situation and the position as regards a Traffic Regulation Order.

A Traffic Regulation Order (TRO) would reduce or prevent some of the issues in a short time frame. It had been agreed the Council at its February meeting that a TRO should be sought. To that end, he and Cllr Thompson had met with Mr Rob Coate of Somerset Rights of Way. He felt the best way to take the matter forward was to form a small working group, which he would chair.

Cllr Dyke felt it was important to involve St Cuthbert's [Out Parish] Parish Council as the majority of the damaged section of the Drove was in that parish. She said that she had contact other villages and councils with similar problems and that TROs were only one approach which had been used.

Cllr Thompson said that in the Bath and North East Somerset area, there were a number of TROs, some of which were permanent and only lifted for a few days each year. As far as barriers were concerned, these required a five-foot gap and needed to be agreed with landowners who might have need for legitimate access.

Cllr Glass supported the idea of a group which could look at the range of legislation. She believed that the Bath and North East Somerset TROs had been successful in restoring bio-diversity.

It was resolved to create a working group and invite representatives from St Cuthbert's [Out Parish] Parish Council to join the group.

The Clerk was asked to issue an invitation to join the group.

The Chairman then addressed the matter of changing the status of Dursdon Drove as a By-way Open to All Traffic (BOAT). To close the BOAT, it might not be necessary to

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prove it was not a highway as Section 118b of the Highways Act 1980 allowed for the stopping up of certain highways to prevent criminal activity. However, this process would require the involvement of the police and courts and ultimately the Secretary of State. The Chairman, again, noted that the Drove did not lie entirely within Priddy Parish.

Extinguishing access rights was a significant matter and had major implications. The Chairman said that the Parish Council did not have the mandate to commit a large proportion or all its fund to such an activity. Such a mandate might need to be established by a Parish Poll. He also advised that the meeting could not come to a substantive decision about the stopping up or re-classification of the Drove as it would require special resolution which would have had to been submitted to the Proper Officer in advance of the meeting. He advised that any discussion of stopping off or re-classification be deferred until a TRO had been tried and greater involvement sought from the Police.

In passing he noted that East Water Lane had also been included in the visit by Mr Coate and action was being taken by the Rights of Way team at the County Council. Actions in a proper legal framework should see a barrier installed by the autumn of 2021.

Cllr Leach was glad that the Council had accepted that the problems with the Drove existed. He thought it was appropriate to continue to “think outside the box” and felt that Cllr Pullin had been unnecessarily negative in his view that re-classification would take twenty years. He had been concerned that there had been meeting of which all Councillors had not been aware but was keen to move forward and consider all options.

Cllr Thompson said that she supported the TRO approach and seeking greater involvement by the police. She asked if other green ways could also be considered, including Back Lane Nordrach, Ubley Drove, Dark Lane, East Water Lane and Welch’s Green. The Chairman said that the topic of Restricted By-Ways and Bridleways was on the agenda for later in the meeting.

Cllr Glass supported the formation of a working group and queried if a Parish Poll was required to seek parishioners view as to what they wanted the Parish Council to do.

Cllr Andrews and Cllr Dyke both supported the TRO approach and Cllr Dyke said that there should be more communication with the Police.

Cllr Glass asked the Chairman to read a letter received from residents on Dursdon Drove who had not been able to join the meeting as they had no internet access, their telephone cable having been severed as part of the damage to the Drove.

It was agreed to defer any further discussion of the re-classification or stopping up of the Drove.

The Chairman felt it was necessary to involve a more senior police officer in the dialogue about the incidents and problems with Dursdon Drove. He accepted that the force was stretched in terms of resources and that it might have higher priorities but a higher-level input would be helpful.

Cllr Thompson said that the first step was always to ring 101 but that local PCSO’s had also given residents their numbers so that they could be contacted at the time of incidents. If there was a serious danger, it was appropriate to dial 999. Cllr Thompson noted that the issue of inappropriate uses of BOATS, Restricted By-way and Bridleways was an issue throughout the Mendip Hill AONB and supported the proposal to seek the involvement of a more senior police officer. Cllr Thompson stated that there would be a need to collect evidence to build a case for any action.

It was noted that discussion with the Police had been part of the work of the Traffic Calming Action Group and it was wondered if Cllr Adams would be able to suggest a more senior Police contact.

f) **Sustainable Recreation on the Mendip Hills**

Cllr Thompson said that this project consisted of visitor counting and visitor education. It was felt that the Parish Council had nothing further to offer.

h) **Gatherings and Events on the Village Green**

The Council’s position that no permission had been or would be granted for gatherings until further notice was confirmed. The matter was to remain on the agenda for Council meetings.

i) **Village Green Signage**

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This item was deferred to the March meeting of the Council

j) **Nine Barrows Lane**

Cllr Thompson wished to formally record thank to Somerset Highways Department for the work it had undertaken in respect of gullies and ditches in Nine Barrows Lane.

PPC21/024 **Financial**

a) **To receive accounts and a bank reconciliation.**

The accounts and bank reconciliation were noted.

To authorise the following payments

b) Reimbursement of Hosting and Domain Fees [WD Newton Newey] (£134.38)

The payments having been approved, the Clerk would send the cheques and paperwork to the Chairman and Vice Chairman for signature.

PPC21/025 **Matters of Report**

a) **Code of Conduct Explained**

The Clerk asked councillors to note the slides from recent training circulated to them.

b) **Decline in Insect Numbers**

A report by Somerset Wildlife Trust had recorded a decline in insect numbers. This had been drawn to the attention of the Council asking a possible link to pesticide use. It was agreed that the topic should appear on the agenda for the next scheduled meeting of the council

c) **Emergency Road Closure: Roemead Road**

Closures 08:00 to 16:00 from 21st February to 5th March to allow for tree works related to Ash die back disease

d) **Right to Regenerate**

The Clerk asked councillors to note a consultation by the Ministry of Housing, Communities and Local Government in respect of land owned by local government and other public bodies.

e) **Local Authority Re-organisation**

The Clerk had circulated notes of meeting hosted by St Cuthbert's [Out Parish] Parish Council on local government re-organisation in Somerset.

f) **Dark Lane**

Cllr Thompson wanted to record that there had been an issue with motorbikes on Dark Lane and asked that it be formally included in the list of 'lanes' to be for which Somerset County Council would provide signage.

g) **Traffic Calming Posters**

Cllr Andrews noted that some of the posters had fallen down. It was confirmed that arrangements had been made for the to be re-fixed.

h) **Remote Meetings**

The Chairman noted that the legislation which allowed Parish Council to meet remotely (by virtual platform) was due to expire in May. He asked that the subject of meetings, including the Annual Parish Meeting and the Annual Meeting of the Parish Council be included on the agenda for the next scheduled Council meeting.

PPC21/026 **Date of Next Meeting: Wednesday 3rd March 2021**

This meeting would also be held virtually on the Zoom platform

PPC21/027 **Resolution to exclude the Press and Public**

It was resolved that, in accordance with Standing Order 24, the press and public be excluded from the remainder of the meeting due to the confidential nature of business to be discussed.

PPC21/028 **Bridleways and Restricted Bridleways**

The discussion centre on East Water Lane and steps to restrict access by 4 x 4 vehicles. It was noted that the five-foot gap required for carriage drivers would be wide enough for 4 x 4 vehicles but that a locked barrier could have a key to which only carriage drivers would have access.

It was agreed that the barrier, used on School Lane at the time of sheep fairs could be relocated and that working group would be set up to facilitate this activity. It was agreed that boulders or rocks, which were available free of charge, should be placed at Granny's Garden (Nine Barrows Lane) and the stream beyond, the landowner having given permission. A digger and transport would be required and it was agreed to replace the boulders at Priddy Pool at the same time.

There were concerns that there were other points at which access could be gained to

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East Water Lane and it was agreed that the subject of additional fencing would be investigated.

It was resolved to set a budget of £750 was set for the transportation and placing of the boulders, and installation of the barrier.

The Clerk confirmed that signage was to be erected in East Water Lane and he was asked to write to the County Council about motor vehicles prohibited signage on Dark Lane and Ubley Drove.

The meeting closed at 9:25pm.

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(Chairman)

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(Date)

William Newton Newey, Parish Clerk
9th February 2021