

**DRAFT Minutes of the Urchfont Parish Council (UPC) Meeting held on Wednesday 18<sup>th</sup> April 2018 in the Conference Room of Urchfont Village Hall**

**Present: Councillors:** Mottram (DM – Chairman), Day (GD – Vice Chairman), Thomas (RT), Mitchell (NM), Donald (BD), Hill (TH), Kemp (MK), Hawkins (RH), Creasey (GC), Cowen (LC) and Stevens (DS)

**Clerk to the Council:** Lunn (BL)

**Councillor for Urchfont & The Cannings:** Whitehead (PW)

**Members of the Public (for all or part of the meeting):** Sandra Johnston (SJ) - UPC Planning Administrator, no members of the public attended.

1. **Welcome by the Chairman**
2. **Apologies:** None
3. **Declarations of Interest:** None
4. **Time set aside for Public Participation and External Reports** – No members of the public present
5. **Minutes of the Meeting of the Council held on 14<sup>th</sup> March 2018**

Proposal	Proposer	Seconder	Resolution
To approve and sign the minutes as a true and accurate record of the meeting	TH	RH	Unanimously agreed

6. **Action List Status Review and Update Reports from the Minutes of the meeting held on 14<sup>th</sup> March 2018** – BL stated that no actions remained outstanding as such, most would be updated under Items in this agenda. However, the following updates were received.

**Actions: FC/86/17 & FC/11/18** - Bench Repairs - DS reported on his bench repair tasks, he had subsequently found that the cemetery bench was of a different design and slat dimensions to that in the Recreation Ground and he was now seeking the materials. RT offered to assist with this task and DM requested that the repairs are completed before the Best Kept Village Judging dates in mid-May.

**Action: FC/102/17** – Fly-Tipping - TH reported that the materials in Stonepit Lane had been removed but those in Wedhampton remained, the owner stating that he will be using the materials shortly. TH will maintain a watching brief.

**7. Finance**

- a. **Financial Statement and Bank Reconciliation as at 31<sup>st</sup> March 2018** – BL reported that the financial year end reserve amounted to £13,135 + £5,286 carry forward of project funds = £18,241 bank balance. These final figures had been used to modify the 2018/19 budget agreed at the March meeting.

Attention is now being given to preparation of the Annual Governance and Accounting Statement, which will be submitted for approval at the May meeting, together with supplementary information required for the internal and external audits.

- b. **Budget 2018/19** – BL presented the final budget for 2018/19 which is based on £53,641 overall income + £13,500 target Reserve = £67,141 (predicted normal income, including carry forward from 2017/18) + £17,256 expected CIL income during the year = £70,897 overall predicted income.

BL advised, however, that this budget contains insufficient funds to cater for all the projects that councillors had proposed based on ball park estimates for 2018/19, the deficit being around £12k. For this reason it was agreed that the Finance Group should consider prioritisation of projects.

**ACTION: FC/28/18 – BD/DM/BL**

**c. Wedhampton Defibrillator Project** – BD reported that the new defibrillator had been delivered and installed. NM explained that the Defibrillator Group (NM, Clare Milanes, Alison Taylor and Anthea Donald) oversee day to day checks required on the five units installed, provide training and initiate fund raising opportunities as appropriate. Funds are held on behalf of this group by the Parish Trust. This is not a straightforward task in that the units are of different types/makes and require replacement of essential parts such as batteries and pads at different times. As requested, she had completed, with the help of BL, the forward looking cost sheet estimates covering the next ten years based on current non discounted prices. This reflected an average maintenance cost of around £350 per annum (current budget £300) and an average annual replacement cost of £900. NM requested confirmation that the defibrillators scheme is sponsored by UPC, this she received but with the caveat that UPC should not be responsible for all costs in particular for the replacement of the defibrillator(s). It was suggested that the latter should be gained via applications to the Scarecrow grant scheme and other funding opportunities on an annual basis and based on predicted defibrillator shelf life. Longer term arrangements to be discussed further at the May meeting. LC thanked NM for clarifying what had previously been unclear, but asked whether any liability would rest with UPC if a unit failed for whatever reason. BD confirmed that UPC would not be liable in the event of a failure of the defibrillators; there was no obligation for the Parish to take them on in the first place, but they are seen as a potential life saver if and when they can be used.

Proposal	Proposer	Seconded	Resolution
To transfer all defibrillator account monies from the Parish Trust (£740) to UPC as a contribution towards the current replacement Wedhampton defibrillator. PC to pay the balance of £135 (Total Cost £875 + VAT)	DM	BD	Unanimously agreed

**ACTION: FC/29/18 – NM**

Proposal	Proposer	Seconded	Resolution
To increase defibrillator maintenance budget under running costs to £350 per annum with immediate effect	BD	DM	Unanimously agreed

**8. Lead Councillor, Working Groups, Clerk & other written Reports (See Appendix attached on website only)**

**a. Clerks Report** – BL sought guidance on the sale of land at The Croft, what did the Council wish to do about the section of the grass area which has not been sold to The Croft Resident. PW suggested on the basis that this land was probably originally owned by Kennet, UPC should register it as 'green space'. Councillors agreed and suggested that this could then house the displaced litter and salt/grit bins.

**ACTION: FC/30/18 - BL**

**b. Councillor Reports** – DM noted the requirement for new lead councillor(s) to be appointed to take on the Pond Green Area (Pond, Electrics, Christmas decorations) and trees initiatives following the resignation of RT. He pointed out that the trees initiative is 'Right Trees in the Right Place' not as quoted in the report as 'wrong place'. RT will continue to pursue the perceived not fit for task Christmas lights issue.

**ACTION: FC/31/18 - DM**

**9. General Data Protection Regulation (GDPR)** – BL gave a presentation on the implications of this Regulation which supersedes the Data Protection Act 1998 with effect 25<sup>th</sup> May 2018, although the Commissioner of the Information Commissioners Office (ICO) has been quoted as saying that this date "is perceived as the start of a journey not the destination". The new complex Regulation is currently 'one size fits all' in terms of its requirements for new policies, procedures, privacy / consent documents and compliance requirements, but NALC is

currently campaigning for reduced application for Parish Councils. A basic set of eight documents is proposed, BL has prepared a bespoke set for UPC based on a toolkit supplied by the National Association of Local Councils (NALC). UPC as an entity will become the Data Controller. The Regulation also requires the appointment of an independent Data Protection Officer which currently cannot be the Clerk or any councillor, this may have to be an external appointment unless a dispensation is given. The changeover will be enacted by a Data Protection Bill which is currently in Parliament and is expected to be agreed before 25<sup>th</sup> May.

Because of the complex nature and potential implications for UPC, GD and BL attended a Society of Local Council Clerks (SLCC) briefing in Swindon today given by a NALC solicitor. The briefing basically confirmed the 'one size fits all' details given above, but also highlighted lack of clarity on some aspects and the significant concerns being expressed by many if not all parish and town councils in terms of Regulation complexity and potential cost implications for small organisations. GD emphasised the fact that this Regulation is coming and action needs to be taken by UPC to at least be seen to go some way towards compliance by the implementation date, including publication of some documents; although based on an EU initiative, the requirements are expected to remain largely unchanged post Brexit.

Discussion centred on the impacts of such legislation on a small organisation such as UPC and whether it needs to implement all the requirements. BL pointed out that many organisations large and small are now seen to be preparing for the Regulation by, for example' writing to individual contacts seeking agreement to continue to 'stay in touch' and providing privacy documentation.

It was agreed that BL should circulate the bespoke versions of the toolkit documents to all councillors in preparation for further discussion on implementation at the May FC meeting.

**ACTION: FC/32/18 - BL**

**10. Farmers Field** – MK commented that she has been heartened by the interest shown in the initiative by members of the public, in particular by those having or representing children. The main issue highlighted at present is about dogs being allowed into the Field and the perception that this would deter a lot of visitors because of dog waste left by inconsiderate owners. DM was of the view that this is being dictated by a small number of irresponsible dog owners, many other owners would welcome the opportunity to visit the Field with their animals. RH expressed the view that more consultation is needed in general to ensure that what is being proposed for the Field is what the Community actually wants and that funds needed will be justified. MK confirmed that it is still the intention to hold an open house / barbecue event at the site later in the year to solicit community views.

Proposal	Proposer	Seconded	Resolution
To delay any decision on dogs being allowed into Farmers Field until a later date when further consultation has taken place, until then dogs will continue to be barred from the Field	NM	RT	Unanimously agreed

**11. Outstanding Interaction with Wiltshire Council**

**a. Proposed Quid Pro Quo arrangement with WC for assuming grass cutting and litter bin emptying roles in Urchfont** – BL confirmed that he had rejected the first WC version of the proposed agreement on the basis that it bore no resemblance to the discussions with PW. A second version has been issued which is better but is still seen to require further amendment to better reflect the actual tasks to be undertaken and to protect UPC / Community interests. It was agreed that a meeting should be arranged between BL/GD and GC to document the desired changes before submission back to WC; a meeting would then be preferred with WC Officers to finalise the agreement.

**ACTION: FC/33/18 – BL**

(Post Meeting Note: BL/GD/GC met on the morning of 19<sup>th</sup> April and agreed desired changes to the proposed agreement, this was sent to PW on 20<sup>th</sup> April)

**b. Proposed Crookwood Lane Lay-by upgrade** – A revised drawing had been received from WC, it was agreed that DM and BL should now draw up a draft ITT with the intention of seeking quotes for the work from at least three suitable contractors.

**ACTION; FC/34/18 – DM/BL**

c. **PROW Urchfont School** – BD confirmed that Richard Broadhead (WC) has promised to ensure that the case report is sent to the Secretary of State by the end of April and will then set up a meeting of interested parties locally to discuss the way forward.

**12. Village Pond Risk Assessment** – discussion postponed to May meeting

**13. Footpaths to/from Wedhampton and A342 crossing** – discussion postponed to May meeting, no further progress at this point.

**14. Best Kept Village Competition 2018** – DM confirmed that the application to CPRE had been submitted and acknowledged. He will be corresponding with all volunteers to ensure actions and activities are progressed in preparation for initial judging from 14<sup>th</sup> May to 10<sup>th</sup> June.

**15. State of Footpaths and Bridleways** – discussion postponed to May meeting

**16. Parish Meeting 13<sup>th</sup> April** – The meeting was attended by around 32 members of the public and 11 members of UPC. All presentations were well received, with a few questions being raised on fly-tipping and potholes.

**17. Update on Current Parish Issues not covered by above agenda items** – RT commented that the task of updating the Pond Green electrical certification remains outstanding with RT Harris despite hastening. It was agreed that BL should now take on progression of this issue.

**ACTION: FC/35/18 - BL**

**18. External Meetings**

a. **Parochial Church Council (PCC) AGM** – GC reported that he had attended this meeting and that he will provide a written report for the next meeting.

**ACTION: FC/36/18 - GC**

b. **Devizes Parkway Initiative** – GD reported that he had attended a further meeting on this initiative, he will circulate a report. He pointed out the original target date of 2022 had now been moved back to 2026.

**ACTION: FC/37/18 - GD**

c. **GDPR Briefing** – as reported at Item 9 above

**19. Councillors' Reports and Items for Future Agenda** – Item 5c (longer term defibrillator arrangements) and Postponed topics at Items 12, 13 and 15 above.

**ACTION: FC/38/18 – BL**

**20. Resignation of Councillor Royston Thomas** - DM expressed thanks to RT for the 15 years loyal and dedicated service to the Council and wished him well for his retirement. A small presentation was made to mark the occasion. In response RT thanked fellow councillors and staff for the gift and their support over the years and pointed out that, as he is not leaving the Community, he will try to be available to assist the Council and/or provide advice based on his experience.

**Date of Next Meeting: 9<sup>th</sup> May 2018 (Annual Meeting) in Urchfont Village Hall Conference Room commencing at 7.00pm**

**Meeting Closed At 10.00pm**

Draft minutes prepared by Clerk to the Council 10<sup>th</sup> April 2018

**A. CLERKS REPORT – APRIL 2018**

**1. UPDATE ON CLERK ACTIONS FROM FC MEETING ON 14<sup>th</sup> March 2018**

**FC/22/18 – Reminder to PW regarding Quid Pro Quo Arrangement for grass cutting and Litter Bin Emptying** – reminder sent 15<sup>th</sup> March.

**2. GROUNDS MAINTENANCE AND LITTER COLLECTION CONTRACTS** – Mark Goddard signed the two new 5 year contract documents on 29<sup>th</sup> March 2018 and has subsequently supplied a copy of his insurance certificate.

**3. IMPENDING COUNCILLOR VACANCY** – Electoral Services will issue the formal Notice of Vacancy when I notify them that I have received the letter of resignation from Royston after the April meeting, subsequent reaction from residents will determine whether an election has to be held or a new member can be co-opted. Expressions of interest in becoming a councillor to fill the vacancy in due course have been called for in the March and April edition of Redhorn News and on the website; no interest has been received to date.

**4. BUDGET 2018/19** - The budget presented at the March meeting has been updated based on final end of year results. The updated version is attached to your agenda and is at Item 5b to formally note its adoption.

**5. ROAD TO REDHORN VEDETTE** – Whilst WC took note of my earlier report regarding potholes and resurfaced a stretch at the beginning and end of this road, the centre section was not included in the works. This section is now badly breaking up with several very large potholes covering most of the carriageway. I have submitted a further report via the 'My Wiltshire' App.

**6. SALE OF LAND AT THE CROFT** – UPC has been notified that the grass area on the right hand side of the entrance to The Croft containing a litter bin and salt bin has been sold by Aster to an adjoining householder. The new owner has asked that the bins be removed to a new location to facilitate fencing of the whole corner site. Before this relocation is undertaken, I have been asked by the Chairman to make enquiries to confirm the sale, what conditions are included and to establish the extent of the grass area that has been sold. To date enquiries via the Land Registry indicate that the sale took place in October 2017, but that only part of the grass corner plot was sold, enquiries continue.

**7. FLY-TIPPING IN URCH31 FOOTPATH / BRIDLEWAY** – As requested I have written letters to all 12 householders whose properties share a boundary with URCH31 to seek assistance in eliminating this illegal practice of dumping garden waste and non-biodegradable items. Discussion on the general condition of footpaths / bridleways and whether further action is required is at Item 11 on the agenda.

**8. GENERAL DATA PROTECTION REGULATIONS (GDPR)** – You will receive a briefing at Item 7 of the agenda. As mentioned before in my last report, this regulation replaces the Data Protection Act 1998 with effect 25<sup>th</sup> May 2018. The new and somewhat one size fits all complex regulations require significant new policies and notices to be prepared and publicised prior to the implementation date, but the question being widely asked is to what extent the regulations apply to relatively small parish councils like UPC. The Vice Chairman and I will be attending a briefing given by the Society of Local Council Clerks (SLCC) in Swindon on the 18<sup>th</sup> April at which it is hoped that some clarity and guidance will be given. In the meantime I have prepared draft UPC policy, privacy and audit documents based on SLCC templates in the event that it is deemed necessary to comply fully or to some defined extent with GDPR.

Bob Lunn

**Councillor Reports**

**Pond Area**

Following the multiple bulb failures over the Christmas period, a complaint was made on behalf of UPC to Festive Lights (FL) about the bulb failures. FL requested return of all the festoons and bulbs for investigation. Yesterday I

received their report which denies any responsibility on the part of FL. Their reason was that as one of the connectors had been removed and replaced with a "C Form" industrial mains voltage socket they view this as being tampered with and therefore any guarantee is void. I have replied taking issue with this and have said this has nothing to do with bulb failures. Basically, as an outside light, the bulb design is not fit for purpose as the design is vulnerable to moisture ingress. At the time of this report, I have not received a reply, but I will keep the Clerk informed. The Council will need to decide whether to continue using the existing festoons and bulbs possibly with a new set of bulbs which will need to be "home modified" to improve the seal around the neck of the bulb, or to find an alternative source of lights for the pond. The Christmas tree lights are not an issue and there is no reason why these cannot continue to be used.

I will be happy to provide some training to the Councillor nominated to take responsibility for the Pond Electrics/Christmas Lights/Scarecrow Festival electrical supply and the Councillor allocated responsibility for topping up the pond level as necessary during the summer.

### **Trees.**

Since a meeting in Devizes before Christmas, I have not heard anything more from Wiltshire Council about their initiative to plant trees in commemoration of the end of WWI. The UPC idea to plant a commemorative tree on Paddock Green was met with at best a lukewarm reception by some of the local residents and this initiative will need to be discussed and/or followed up.

During the winter, Will Corke undertook some work on trees at the playing field identified in the tree survey as moderate (needing works within 3 months). The report identified 17 trees around the village as low priority (needing work within 6 months or so). This will need to be followed up with work commencing once the nesting season is over. The hard copy of the tree survey report is with the Clerk.

"Right tree, wrong place" initiative needs to be re-allocated.

**Royston Thomas 11 April 2018**