

Minutes of the Annual General Meeting of the Town Council's Service Delivery Committee held on 2 June 2009, in the Town Council Offices, Park Road, Shepton Mallet.

Present: Chairman – Councillor Jeannette Marsh(JM).

Members - Cllrs Bartlett(JB), Champion(RC), Marsh T(TM) and Shearn(NS).

Mr Wayne Frapple (Quadron Services). Steph McMenamin (Hitchen Lane Allotment Representative)

Three members of the public and one member of the press were in attendance. The Chairman opened the meeting, welcoming members and the general public. A brief was provided on Health & Safety requirements including emergency evacuation and assembly point procedures.

SD1. 09/10 Election of Chairman

Resolve: Councillor John Parham was proposed by Cllr JM (Chairman) and as there were no other nominations, Councillor John Parham was duly re-elected Chairman of the Service Delivery Committee.

SD2. 09/10 Election of Vice-Chairman

Resolve: Councillor Margaret Robinson was proposed by Cllr JM (Chairman) and as there were no other nominations, Councillor Margaret Robinson was duly re-elected Vice-Chairman of the Service Delivery Committee.

SD3. 09/10 Committee Membership

The Clerk confirmed the non-compliant resolve made by Council 5 May 2009 in respect of membership Minute 11. 09/10 b – Resolve membership has 10 and Standing Orders (S/O 91) states maximum 9.

Resolve: Proposed by Cllr JM, seconded by Cllr NS, by a vote of 4 For and 1 Abstention that a recommendation is put to Council at the 7 July 2009 meeting that Standing Orders are amended to include for maximum 10 members of the Council to be elected to the Service Delivery Committee at each AGM with the existing Offices of the Chairman & Vice Chairman of the Council, all Committee Chairman(s) and all Portfolio Holders being automatically included within the total 10 maximum membership.

SD4. 09/10 Public Forum

Resolve: Proposed by Cllr NS, seconded by Cllr JB, by unanimous vote, that the meeting be adjourned for the matter to be transacted.

Notes of the matters raised were recorded for internal use, action and included; Shepton Mallet Football Club Lease Extension (Mr Will Dunscombe). Others nominated to speak at point of consideration included Mr Will Dunscombe (Cenotaph Restoration Project) – Mr Dodd and Steph McMenamin (Hitchen Lane allotments).

Resolve: Proposed by Cllr RC, seconded by Cllr JB, by unanimous vote, that the meeting now be brought back into session.

SD5. 09/10 Apologies for absence – Cllr Inchley, Kinison(health), Parham (work), Robinson.

Resolve; that the above apologies are accepted.

SD6. 09/10 Members Declarations of Interests

Collett Park – All Cllrs present declared a Personal and Prejudicial Interest in the Shepton Mallet Recreation Ground Trust (Collett Park) due to being Trustees of the Charity as per dispensation afforded by the Standards Committee for the life of the current Council.

Kenotaph - All Cllrs present declared a Personal and Prejudicial Interest in the Shepton Mallet Kenotaph Trust due to being Trustees of the Charity as per dispensation afforded by the Standards Committee for the life of the current Council.

Hitchen Lane Allotments – The Clerk declared an Interest in the matter as his residence adjoined the area in consideration and offered to leave the room at the point of consideration if required.

Resolve: Proposed by Cllr RC that the above Declarations are recorded and that the Clerk remain in the meeting during the consideration and resolve of the Hitchen Lane Allotments matter.

SD7. 09/10 Minutes

The Minutes of the Meeting of the Service Delivery Committee held on the 7 April 2009 were considered for accuracy and content.

Resolve: Proposed by Cllr RC, Seconded by Cllr JB, by a unanimous vote that the Minutes of the Service Delivery Committee Meeting held on 7 April 2009 be approved as a true record and signed by the Chairman.

SD8. 09/10 Matters Arising – No matters were raised.

SD9. 09/10 Collett Park Portfolio Matters

a)	Contractors Report	Written report was distributed to all members.
	Resolve;	Mr Wayne Frapple provided a summary of his written contractors report (attached to these Minutes) and that he had now taken over management of the contract from Mr David Littlewood who was no longer with the company. His report was in a different format and being comprehensive with detailed images was most welcomed. Cllr NS raised enquiry as to spraying to control weeds in the borders. The Clerk confirmed that the monthly park inspection had taken place this morning between the Portfolio Holder, himself and the Parks Contractors. The Committee received update to the matters raised including the poor condition of the stone walling forming the parks boundary with Somerset Close properties. Other matters considered by the Committee included number of vehicles being allowed within the park and the various reasons for same, the anti social behaviour being portrayed within the park, complaints being received as to senior youths playing football close to or within play areas causing damage to play area fencing, others playing prohibited hard ball games such as cricket within the park, amount of littering taken place, young people in the lake chasing wildlife with parents watching and not taking any action. Cllr JB considered that additional signs should be erected to prohibit football and hard ball games within the park. Proposed by Cllr JB Seconded by Cllr NS, by a unanimous vote that the Park Contractors Report dated June 2009 is accepted. The signage around the play areas including that to prohibit football and hard ball games are to be reviewed on completion to the installation of new play equipment which was planned to take place before the end of June and should look to have signs in place prior to the schools summer holidays.

Resolve;	<p>Proposed by Cllr RC Seconded by Cllr NS, by a unanimous vote that the Clerk is to discuss with the Drifters Model Boat Club their requirement to take vehicle into the park with a view to seeking a more formal and written agreement than the existing verbal understanding with the aim to reducing the number of vehicles, to ensure least damage by vehicular traffic, drivers to use great care and attention and for the least disruption to the other users of the park and the general public. The Council remain supportive to the use of the lake by the Drifters Boat Club and appreciative of all their previous work in the park.</p> <p>The Clerk is to write to Mendip Housing stating that the retaining wall holding up their land / properties at Somerset Close was in need of urgent repair and to seek their action and timescale to correct matters. Should they consider that they were not liable for the stone boundary retaining wall then they should supply evidence to support their consideration.</p>	
b)	Graffiti to Boundary Walling	<p>Owner of wall approved temporary blanking out of graffiti completed by Town Council. Owner to have plasterwork repairs carried out during early June 2009. To consider Community Project to repaint the wall following this work which are to be subject to agreement with owner. Andrea White confirms interest in the project and wishes dates / time to discuss the finer details.</p>
Resolve;	<p>The Clerk provided update and the Portfolio Holder provided written proposals that the project should proceed without the need to come back to Council for further consideration.</p> <p>Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that a working group with executive powers to progress the project consisting of Cllrs JM, NS and MR in consultation with the Clerk and that date and times are given to meet with Andrea. Subject to available budget there was no need to obtain further approval from Council to the design but that the Committee and Council should be kept fully informed.</p>	
c)	Anti Social Behaviour in Collett Park	<p>Written concern received via MDC from a resident regarding children riding bicycles in the lake, disturbing ducks and their nests and also other problems of trees being pushed over and uprooted.</p>
Resolve;	<p>Matter had been previously discussed under the Contractors Report matter. In addition to Cllrs JB comments Cllr MR had spoken with the PCSO about the behaviour and suggested that Cllrs may wish to keep an eye on the park once the park keeper had gone for the day.</p> <p>That the matter is noted.</p>	
d)	Play Equipment	<p>Update following resolve of Council and meeting with Record RSS Play Equipment suppliers and installers. Executive resolve made in consultation and agreement with Jane Abrahall and Andrea White (Young Peoples Group). Locations of new equipment still to be agreed.</p> <p>Annual Independent Play Equipment Inspection due – Recommend this is delayed until Record RSS have completed their installation and then this is undertaken by Wicksteed leisure at a cost of £45 per play area. Previously classed as two areas but they may wish to class as three if this is to include the new equipment.</p> <p>Play Area Fencing – Quotation and report received from Quadron Services. Following a site inspection by the Clerk it was recommended to the Committee that a site meeting be held to review the situation first hand prior to any repairs taking place.</p>
	<p>Mr Dunscombe considered that if the Council had proceeded with the Kick-Wall play equipment this may have alleviated the problem of footballs being kicked against the play area fencing.</p>	

	Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the Clerk is to chase Record RSS Play Equipment to enquire when a meeting can be held to agree the position of the new play equipment and to enquire when it is to be installed. The Annual Independent Play Equipment Inspection is to be ordered with Wicksteed Leisure at a cost of £90. A site meeting is to be held with all Committee Members, Quadron and the Clerk at 4pm on Monday 8 June 2009 to inspect and review the Play Area fencing. In the interim the Clerk is to obtain budget prices per running metre of fencing types as possible replacement. Meanwhile the parks contractor, Quadron, are to keep a close eye on the matter with daily inspection and correction or removal of any identified hazards.
e)	Hot Air Balloon Launching	Request by pilot operator of the Cancer Research UK Hot Air Balloon to continue to launch from Collett Park. Further details requested by the Clerk in regard to Insurances, Pilots License, Site Risk Assessments and indication of proposed dates / times subject to weather conditions.
	Resolve;	Cllr MR provided a written report with the recommendation that the request be supported. Proposed by Cllr RC, Seconded by Cllr JB by unanimous vote, that permission is granted for the Cancer Research Hot Air Balloon to use Collett Park for launching of designated flights ensuring no disruption, noise or inconvenience is caused to users of the public park and adjoining residents. Email notification (prior to or directly following the event) to the Town Council offices would be much appreciated.
f)	Collett Festival	Update to organisation of this years Festival to be held Saturday 13 June 2009.
	Resolve;	Cllr MR provided a written report confirming that matters were in hand and progressing but that she requested support from members to undertake tasks such as car parking and stewarding for the event. The Clerk provided a summary of matters that were organised but confirmed that the actual display running list and times still had to be finalised. That the matter is noted.
g)	Urgent Tree Works	The Clerk reported urgent tree works following high winds being ordered on grounds of health & safety. The works completed by All Tree Services to an Atlas Cedar and a cost of £112.50. The works were currently being verified by the Council Tree Consultant. The Clerk requested approval of the invoice and informed he was proceeding to set up priority procurement tree works with the contractor for future consideration and use when needed.
	Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that retrospective approval is given to the Clerks actions and the invoice from All Tree Services at a cost of £112.50 is approved.

SD10. 09/10Footpath Portfolio Matters – Cllr TM

a)	Footpaths	Update as required. Current contract being undertaken by Adrian Crozier, reports all work for May completed.
	Resolve;	Proposed by Cllr RC, Seconded by Cllr TM by unanimous vote, that the matter is noted.
b)	Goldhill Community Woodland	SCC Phil Stone (Countryside & Coast Manager) confirms visited site and that steps have deteriorated, remedial works will take place in next couple of weeks.

Resolve;	Cllr TM was pleased to be informed that SCC would be undertaking remedial works to the steps. Proposed by Cllr RC, Seconded by Cllr TM by unanimous vote, that the matter is noted.
c)	Station Road Embankment
	Cllr RC enquired when maintenance work was to take place. The Clerk informed that although the land owner had indicated that they would support financially towards the work again this year the invoice sent out in April had still not been paid although a further copy reminder had been sent out late last week and hence the works order had not been placed. However Quadron Services had cut the grassland, around the Cenotaph in the area where the enhancement works were to take place which was much appreciated. Two options were available, one to order the works now and prior to any monies being received or to wait until the funds were received. Mr Stride informed that there was still one large tree limb also upon the embankment land following tree works carried out previously.
Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the works order is not placed until the funding is received and that should this not be received by the next meeting of Council scheduled on 7 July then the matter is to be placed upon the agenda for further consideration.

SD11. 09/10 Properties Portfolio Matters – Cllr RC

a)	Hitchen Lane Allotments
	<p>Letter of concern received from Duchy of Cornwall to allotment holders parking and obstructing access to Hitchen Lane properties. Email distributed to those tenants on email, flyers put on vehicles parked in the area, copy provided to properties involved and response emailed to Duchy of Cornwall. Proposed matter also to be included in next Allotment Newsletter.</p> <p>12/5 Letter on same matter received from a resident of Hitchen Lane requesting that vehicular access which has increased and a cause of disruption and disturbance is not permitted over the section of un-adopted section of tarmac. (Resident is to attend this meeting to speak in person).</p>
Resolve;	<p>Steph McMenamin (Allotments Tenants Representative) spoke in support of the Allotment Holder but did agree that traffic had increased due to number of tenants increasing by some number due to a reduction in plot sizes and that on some occasions certain allotment holders had parked without due care. The new residential development off of Hitchen Lane had also restricted access and parking within Hitchen Lane itself.</p> <p>Mr G Dodd spoke of his concerns to the infrastructure of the un-adopted road, possible damage to his house, the sewer drainage system under the road and also private land adjoining. He stated the increase in traffic was disruptive and unacceptable especially when passing only inches from his house windows. He had received the written support of the Duchy of Cornwall that the un-adopted highway should not be used by vehicles and also written support of the current land owner that vehicles should not be parked upon the private land area. He wished the Council to inform all allotment tenants that they have no legal right to use the un-adopted road or private land, instead they should use the adopted highway of Hitchen Lane for access to drop off or collect supplies and then access the allotment site as pedestrians only as permitted by the proven Right of Way across the un-adopted road and private land.</p> <p>Proposed by Cllr JM Seconded by Cllr RC by unanimous vote, that the Council write to all Hitchen Lane Allotment Holders confirming that their current Tenancy Agreement did not make provision for vehicular access or parking to the allotments and that a complaint had been received regarding unlawful use of un-adopted road and private land by vehicle</p>

	<p>owners/drivers along with written support of the Duchy of Cornwall and current land owner of the derelict land between the un-adopted road and the allotments site stating that they had not provided or granted such permission. The current Right of Way afforded pedestrian access only. The Allotment Tenants are to be further reminded that any vehicles or drivers should keep to the adopted highway section of Hitchen Lane and ensure compliance with the highway code at all times. The Council further considers that any further action which may be taken by the land owners in question against any such further breach by vehicles / drivers would be a direct civil matter.</p>
<p>b) Cenotaph Repair & Restoration</p>	<p>Final contract meeting with Architect and Stakholders held 12 May 2009. Action instructed to Architect;</p> <p>1 - Salt Deposits - Enquire to both Ellis & Co and Clivedon Conservation their consideration as to reason for the increased salt deposits on the easterly and front elevations, its likely cause and possibly what might happen to this in the future or how the situation could be rectified? Email received indicating that Cliveden may charge fee to provide inspection and written report.</p> <p>2 - Brass Plaque (defect) - Request Ellis & Co under the existing contract to carry out remedial works to the lower lip edges to both plaque's and then to re-wax the lower plaque to enable us to obtain evidence as to where the staining to the lower plaque is most likely to be coming from. If Ellis can complete this before the 2 June then this will enable us to report to Council that the work is fully completed and also enable the contract payment to be approved and signed on that date.</p>
<p>Resolve;</p>	<p>Mr Will Dunscombe (Friends of the Cenotaph) confirmed he had been in touch with qualified people from Portland Stone one of whom worked for the British Museum and was very interested in the Cenotaph and had offered to provide expert advice in the matter and contact would be made at the end of this week. They were even aware of the original quarry that the stone had been cut. Mr Dunscombe requested the Committee to defer any contract payment until this expert advice had been obtained. Cllr RC read the response received from both the Architect (Beech Tyldesley) and the contractor (Ellis & Co) and the Clerk update members with the contractual requirements providing recommendations that the contract payment as authorised by the Architect is approved but that the signed cheque is held until the timely and expert advice / opinion is obtained from qualified persons at Portland Stone. Cllr JB then left the meeting not to return.</p> <p>Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the contract payment and cheque to Ellis & Co for the sum of £8,235.32 is approved but held by the Clerk until advice / opinion for the reason of salts appearing on the face of the stonework had been verified by experts from Portland Stone.</p>
<p>c) Cenotaph Enhancem't Project</p>	<p>Illman Young Architects appointed. Initial meeting programmed Monday 8 June at 10.30am in SMTC Offices. To consider working party for the project (suggest Cllr Champion, Marsh J, Lockey) and a representative from the Royal British Legion (Chris Francis – Chairman) and one from the Friends of the Cenotaph).</p>
<p>Resolve;</p>	<p>Proposed by Cllr JM by unanimous vote, that a Working Group is formed consisting of Cllrs RC, Lockey, (Cllr NS or JB), Mr Chris Francis (Royal British Legion) and Mr Taffy Stride (Friends of the Cenotaph) to meet with Illman Young Architects on Monday 8 June at 10.30am in SMTC Offices to progress the project. Cllr JM gave her apologies for the meeting.</p>

SD12. 09/10 Administration Portfolio Matters

a)	SALC	Agenda received for next meeting to be held at Pilton Village Hall, Monday 15 June 2009 starting at 7.30pm. Copy provided to Portfolio Holder.
	Resolve;	Proposed by Cllr RC Seconded By Cllr NS by unanimous vote, that the matter is noted.
b)	Standards Update Training for Cllrs	Donna Nolan, Monitoring Officer for MDC will provided two training sessions on this important matter. Both sessions will start at 6.30pm Tuesday 23/6 Beckington Village Hall Monday 13/7 West Pennard Village Hall Confirm attendance direct to Geoff Thompson (MDC) 341396 or Geoff.Thompson@mendip.gov.uk
	Resolve;	Proposed by Cllr JM by unanimous vote, that the matter is noted and that the new member (soon to be elected) should be invited to attend.
c)	Risk Assessment Review	Listing already provided to all Cllrs. Portfolio Holders previously requested to meet with the Clerk to discuss. (further copy attached).
	Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the Risk Assessment Review dated 26 May 2009 is approved and a further annual review date is set for July 2010.
d)	Internal Controls Review	Listing already provided to all Cllrs. Portfolio Holders previously requested to meet with the Clerk to discuss. (further copy attached).
	Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the Internal Controls Review dated 26 May 2009 is approved and a further annual review date is set for July 2010.
e)	Statutory Legislation, Policies & Approved Documents	To review list and approve with a further 5 year review period. (copy attached).
	Resolve;	Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the Statutory Legislation, Policies & Approved Documents listing dated 26 May 2009 is approved and a further three yearly review date is set for July 2012.
f)	SCC Pension Committee	SCC advise re-election of Committee and request consideration if to nominate someone from the Town Council by 15 June 2009. Terms of Reference and expected commitment provided.
	Resolve;	Proposed by Cllr JM by unanimous vote, that Cllr Shearn is to be nominated subject to his continued wish to participate following review of the Terms of Reference and expected commitment documentation provided.
g)	Website	Update to progress of changeover and the current extension of hosting with Market Town currently for the months of June & July 2009.
	Resolve;	Proposed by Cllr JM by unanimous vote that the matter is noted

h)	Royal Bath & West Society	The Clerk reported that due to nil receipt of membership renewal the current membership had lapsed for the current year. An executive decision at short notice had been not to correct the error for this current year. The Clerk requested consideration to make recommendation to Council that all future annual subscriptions renewals be made by way of Direct Debit to save this matter arising in the future.
Resolve;		Proposed by Cllr JM that the matter is noted at this time and to be reviewed in due course when the next renewal of membership was received.

SD13. 09/10 Finance

Consideration was afforded to Approve **June 2009 Accounts** for payment by Cheque, Direct Debit, Confidential Salary Payments and Income as per Appendix "A" attached to this agenda.

Resolve; Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the **June 2009 Accounts** for payment by Cheque, Direct Debit, Confidential Salary Payments and Income as per Appendix "A" attached to these Minutes are approved and signed by the banking mandate holders.

SD14. 09/10 Agenda for the next meeting – Tuesday 4 August 2009.

No matters were raised.

The Chairman thanked members for their attendance and closed the meeting at 9.30pm.

Cllr J. Parham

Chairman

Signature; _____

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A P P E N D I X " A "

Cheque No	Payee	Code	Goods Supplied	Total Payment
02-Jun	Market Town Ltd	4022	Website Hosting - May 09	£ 69.00
02-Jun	Ellis & Co	4300	Cenotaph Restoration/Cleaning Project	£ 8,235.32
				£ 8,304.32

CONFIDENTIAL PAYMENTS

02-Jun	Mr G Brown	4000	Town Clerk - June Salary 2009	£ 1,600.46
			Grand Total	£ 9,904.78

Cllr J.M. Marsh
Chairman

Signature_____

Date_____

Cllr N.F. Shearn
Vice Chairman

Signature_____

Date_____