

Minutes of the Meeting of the Town Council to consider Service Delivery matters held on 10 August 2010, in the MDC Council Chamber, Cannards Grave Road, Shepton Mallet.

Present: Chairman - Councillor Jeannette Marsh

Members - Cllrs Bartlett(JB), Champion(RC), Curtis(JC), Height(BH), Inchley(CI), Lovell(ML), Lockey(CL), Marsh T(TM), Parham(JP), Robinson(MR) and Shearn(NS).

Mr Wayne Frapple and Garry Jeffries (Quadron Services Limited).

Four 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. A request was made for mobile telephones to be switch off or too silent.

SD14. 10/11 Public Forum – None requested.

SD15. 10/11 Apologies for absence – Cllr Dunscombe, Gilham and Marvin.

Resolve; Proposed by Cllr RC that the above apologies are accepted.

SD16. 10/11 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.

Resolve: Proposed by Cllr JM that the above Declarations are recorded.

SD17. 10/11 Minutes

The Minutes of the Annual General Meeting of the Service Delivery Committee held on the 1 June 2010 were considered for accuracy and content.

Resolve: Proposed by Cllr JP, Seconded by Cllr BH by a vote of 9 For and 3 Abstentions that the Minutes of the Annual General Meeting of the Service Delivery Committee held on 1 June 2010 be approved as a true record and signed by the Chairman.

SD18. 10/11 Matters Arising – No matters were raised.

SD19. 10/11 Footpaths – Cllr Terry Marsh

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| a) | SM 21/41 Footpath | The Council considered support to the land owner Dr Yuri Sokolov for proposals to amend the current definitive footpath line to where it is currently being walked from The Quarr to Kilver Street. Cllrs Marsh J & T and the Clerk had met on site with the owners and walked the current footpath line. This matter was previously reviewed but with incorrect information as it is evident that the definitive map line has not been walked for some extended time and indeed breaches a vintage / heritage / protected orchard. The owner undertakes to maintain the current walked footpath. SCC however require the definitive line footpath to be cleared of any obstructions (apart from the orchard trees) before they |
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| | | would consider a diversion order to the now walked footpath line. (Report was provided to all Cllrs) |
| | Resolve; | <p>Dr Yuri Sokolov presented his proposals and confirmed that as requested by Clare Haskins of SCC the existing obstructions had now been removed from the definitive line. He had now submitted a request for the amended diversion order to SCC for consideration. Cllr CI raised concern as he considered the Orchard had not been planted 30 years ago and he wished the definitive line to be upheld. Cllr TM explained fully that the proposed diversion would only realign the definitive map line to where the actual footpath is and was currently being walked.</p> <p>Proposed by Cllr TM, Seconded by Cllr JB by a vote of 11 For and 1 Against that the Town Council fully support Dr Yuri Sokolov application to SCC for the diversion of the definitive line to SM 21/41 Public Right of Way to be realigned and positioned to where the footpath is actually being walked at present. This line is shown on mapping provided and runs from the existing kissing gate at the Quarr in a direct line following the field fencing line to where the existing stile was at the other (eastern) end.</p> |

SD20. 10/11 Collett Park Portfolio Matters – Cllr Colin Lockey

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| a) | Contractors Report | <p>Report attached.</p> <p>Items for consideration;</p> <ol style="list-style-type: none"> 1. Independent Play Inspection - £45+VAT 2. Relocate Dog Litter Bin - £40+VAT 3. Review Timed Closure of Public Toilets 4. Public Toilets Refurbishment / Upgrade / Repairs 5. Depot Building Removal and Replacement Storage Container 6. Stone Walling – refer agenda item (e) <p>Total 2010/11 (all C/P) budget remaining £776 and also nett income of £642 from Collett Festival could be used if needed.</p> |
| | Resolve; | <p>Wayne Frapple presented the contractors report.</p> <p>Proposed by Cllr MR, Seconded by Cllr JP, by a unanimous vote that the Park Contractors Report dated August 2010 is accepted.</p> |
| | Resolve; | <p>Proposed by Cllr RC, Seconded by Cllr MR, by a unanimous vote that the Independant Play Inspection is ordered through Quadron Services using the same independant facility as MDC at a cost of £45 plus VAT.</p> |
| | Resolve; | <p>Proposed by Cllr RC, Seconded by Cllr JP, by a unanimous vote that the work to relocated the existing dog litter bin at the Park Road entrance to the Bowling Green Lane entrance is approved at a cost of £40 plus VAT.</p> |
| | Resolve; | <p>Proposed by Cllr NS, Seconded by Cllr RC, by a vote of 7 For and 5 Against that the Public Toilets remain at the current closing time of 6.30pm daily but that a public notice is displayed warning that if further acts of vandalism take place then the toilets may well close earlier at 4.30pm in the future. The situation is to be closely monitored and all incidents recorded and evidence taken of any such vandalism during the hours of 4.30pm to 6.30pm for the next month period and the matter then be reported to the next meeting of this Committee or Council to reconsider the matter further.</p> |
| | Resolve; | <p>Proposed by Cllr JP, Seconded by Cllr JM, by a vote of 10 For and 2 Against the Clerk is not to proceed with any work or architectural services to the Public Toilet building / facility within Collett Park. The matter to be placed on the agenda for the next meeting of Council for consideration with other matters to included, the Civic Hall / Town Council Offices, the West Shepton Playing Fields and the current earmarked reserve funds</p> |

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| <p>Resolve;</p> | <p>held. Proposed by Cllr BH, Seconded by Cllr NS, by a vote of 6 For, 4 Against and 2 Abstentions that Quadron remove and dispose of the existing collapsed building in a legal and safe manner and provide an appropriate base and metal structure storage garage at nil costs to the Town Council. Once erected the building will become the property of and for the sole use of the Town Council and should the building require relocation for any reason during Quadrons contract with the Town Council then they will undertake this again at nil costs to the Town Council.</p> |
| <p>b) Waste Disposal and Transfer</p> | <p>Following review of services from Collett Park Depot, Connaught Environmental Ltd have agreed to provide one 1100 litre waste collection bin and dispose and transfer waste on a weekly basis at no charge to the Town Council to support the current partnership working and provision they have within our depot. The current services and trading account with Veolia Environmental Services have been cancelled with immediate effect which should provide annual cost savings of £600.</p> |
| <p>Resolve;</p> | <p>Proposed by Cllr RC, Seconded by Cllr JP by unanimous vote, that Connaught Environmental Ltd are thanked for their offer and partnership working which the Town Council accepts at nil costs and the waste disposal service and financial account with Veolia Environmental Services is to be cancelled with immediate effect.</p> |
| <p>c) Football Fixtures</p> | <p>Shepton Mallet Youth Football requests use of Collett Park for organised games throughout the season as per previous years. No costs implications involved. Marking out and specific maintenance will be undertaken by Quadron under direct agreement and payment with the Football Club.</p> |
| <p>Resolve;</p> | <p>Proposed by Cllr RC, Seconded by Cllr MR by unanimous vote, that the fixture listing as submitted by the Shepton Mallet Youth Football team is approved. A reminder is to be sent for distribution to all the teams (both home and away clubs) as to the agreed provision of car parking facilities within Whitstone School and that no parking is to take place within the residential area of Collett Avenue or Kyte Road.</p> |
| <p>d) Bandstand Marathon</p> | <p>Super-act to arrange for Sunday 26 September from 2 to 4pm. Possible repeat band from Ansford School. Super-act requests our attendance and provision of chairs etc.</p> |
| <p>Resolve;</p> | <p>Proposed by Cllr JM that Cllr Height, Cllr Shearn and if available Cllr Lockey would make prior depot access arrangements and attend to and provide the required support and infrastructure on Sunday 26 September.</p> |
| <p>e) Collett Park Ground Care Contract</p> | <p>Initial meeting of Working Party (Cllrs JP & CL) had taken place with MDC. Invitation to partnership and that our existing Ground Care requirements including trees, aviaries, play equipment, possibly the Park Keeper and toilets as well as Garston Street Land, Goldhill Woodland, Station Road and the Cenotaph area could be included within MDCs new contract as a qualified Appendix. Our existing depot could also be taken into the equation. Memo 102 setting out points from the meeting previously distributed to all Cllrs. MDC requested the Town Councils consideration to the decision whether or not to commit to going with MDC's procurement prior to the end of August 2010. (MDC report attached)</p> |
| <p>Resolve;</p> | <p>Proposed by Cllr JP, Seconded by Cllr RC by unanimous vote, that the Town Council accept the invitation and commit to partner MDC in their new Ground Care contract procurement for all the existing Ground Care requirements of the Town Council. The Town Council are to be kept fully informed of progress in the matter.</p> |

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| f) | Collett Park Boundary Walling | Sister Anne raises concern to alleged lack of maintenance to the stone boundary wall between Collett Park and the Church. Ownership and liability is not proven and it would appear calls for shared liability. Quadron have been requested to ensure any vegetation, growth of ivy, rubbing by tree limbs is eliminated and then to carry out a survey. Following this remedial work identified plus two other locations of collapsed walling options and estimates had been obtained for the required works. |
| | Resolve; | Proposed by Cllr MR, Seconded by Cllr RC by unanimous vote, that the estimate from Race Brothers of £600 to repairs to the walling from Park Road entrance to Bowling Green Lane and for two further areas of collapsed walling between Bowling Green Lane and the Shelter to be repaired at a cost of £350 is approved. The total order of works at a cost of £950 plus VAT is to be placed and the work put in hand. |
| g) | Church & Soul Survivors Event | Request to use Collett Park for organised events of music, BBQ and soft drinks for aged 0 -18 years on Friday 13/8, Sat 14/8, Wed 18/8 and Thurs 19/8 from 2pm to 5pm. (Copy email provided to all Cllrs) |
| | Resolve; | Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote, that the organised Events for Frid 13/8, Sat 14/8, Wed 18/8 and Thurs 19/8 from 2pm to 5pm by the Churches and Soul Survivors is approved subject to them ensuring that any parking does not cause obstruction and that no vehicles are permitted within the boundaries of Collett Park. |
| h) | Collett Park Trees | Annual Inspection of trees and written report received from Stephen Clark (tree consultant) works identified (planning application already submitted). Two trees require decay assessments, 2 trees to be felled, 8 trees to be crown thinned and lifted, 2 further trees require dead wood to be removed. Estimate all works including required assessments, the above works and annual consultancy fees will be within current budget of £5,000. Request consideration to proceed (be advised no work undertaken last year). |
| | Resolve; | Proposed by Cllr RC, Seconded by Cllr JB by unanimous vote, that all the identified and required tree works resulting from this year's tree survey are to proceed within the current budget of £5,000. |

SD21. 10/11 Properties Portfolio Matters – Cllr Terry Marsh

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| a) | Whitstone Road Allotments | Damage to crops due to Badgers. Sett is upon the Allotment site adjacent to the old railways boundary. Site inspection had been carried out and qualified advice obtained from Mr Adrian Coward. A meeting was now to be arranged with both Adrian Coward and interested Allotment Holders to discuss at first hand the problems and how best to manage both the situation and their individual plots. |
| | Resolve; | Proposed by Cllr TM by unanimous vote, that the matter is noted. |
| b) | BT Payphones | Matter transferred from Community Development – Three redundant payphone kiosks are now transferred to the ownership of the Town Council at Downside, Charlton Road, Cannards Grave. |
| | Resolve; | Proposed by Cllr JM that the matter is noted and that Cllrs JM, JB and JC arrange to carry out a survey and inspection to all three kiosks and report the findings and any recommendations to the next available meeting of Council for a resolve as to the way forward. |

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| c) | Cenotaph Update | Update to progress and problems from Illman Young Landscape Designs in respect of SCC consultation, MDC unable to discharge planning conditions until 6 September 2010 due to back log and requirement to set out contract and tender packages. Expressions of Interest to tender for the works had been received from various contractors. |
| | Resolve; | Proposed by Cllr TM by unanimous vote, that the matter is noted. |
| d) | Bloor Homes Allotment Offer | Cllr TM informed that today Bloors had responded to the Councils previous enquiry and that although they could not increase the size of the land being offered as allotments they would, subject to approval of the Tree Officer be prepared to remove the Horse Chestnut tree. Cllr TM considered that the provision was still not adequate and that he did not support the felling of the tree. |
| | Resolve; | Proposed by Cllr RC, Seconded by Cllr NS by unanimous vote that the Town Council reluctantly had to decline the kind offer of Bloor Homes for allocation of land for the purposes of allotment for the reasons that the area proposed was inadequate, unsuitable and not practical or viable to cultivate and manage. |

SD22. 10/11 Administration Portfolio Matters – Cllr John Parham

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| a) | Town Council Offices | Current lease to expire Feb 2011. 8/12 resolve of this Committee that Cllr Parham to negotiate possible 5 year extension to existing lease. |
| | Resolve; | Cllr JP informed that he had received an email today which confirmed that MDC were proposing to provide a further one year extension of the current lease at the current conditions and costs. During this time the Accommodation Review should be completed and the needs of the Town Council would be taken into account and at this stage they were not looking for any uplift in charges. The provision could then be made as secure as the Town Council wanted it to be. Cllr CI requested that Cllr JP obtain this offer and response in writing from MDC. Proposed by Cllr JP that the matter is noted. |
| b) | Charity Commission Annual Returns | Annual Returns submitted to the Charity Commission for 204004 Shepton Mallet Cenotaph Charity and 1040673 Shepton Mallet Recreation Ground Trust (Collett Park). |
| | Resolve; | Proposed by Cllr JP that the matter is noted. |
| c) | Mendip Citizens Advice Bureau | AGM to take place on Monday 23 August 2010, in Wells Town Hall at 6.30pm. Agenda and Annual Report / Accounts for Year 2009/2010 received. |
| | Resolve; | Proposed by Cllr JP that the matter is noted. |
| d) | Temporary Road Closure | SCC Highways advise Cannards Grave Road and Ridge Lane – 2 days starting 23 August 2010 to enable resurfacing and other associated works to be completed. |
| | Resolve; | Proposed by Cllr JP that the matter is noted. |
| e) | SCC Winter Maintenance | SCC request input into a review of their 2009/10 winter maintenance services. Questionnaire provided and they provide invite to all Cllrs to attend one of their two opening evenings, 18 August at their Frome Depot and the 25 August at their Glastonbury Depot, Wells Road, Glastonbury, both from 6.30pm to 8.30pm. |

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| | Resolve; | Proposed by Cllr JP that the matter is noted and any Cllrs wishing to attend each event are to inform the Clerk who is to then to notify SCC Highways. |
| f) | Cycle Parking | SCC informed they have reviewed cycle parking facilities and propose to install powder black coated Sheffield industry stand at the end of August / start of September and wish response by the 30 July to enable any considerations before work commences. The plan supplied indicates adjacent to the Shambles within the Market Place. If an alternate design / specification is suggested they would also wish consideration of a financial contribution towards recoating. |
| | Resolve; | Cllr MR confirmed that this matter had now been picked up by the SCC Heritage Officer and that the facility would be relocated somewhere else within the Market Place and that the MDC THI Officer was also aware and hopefully the agreed design and provision would be in accord with the outcome of the Urban Design Study Report which had now been received. Proposed by Cllr MR, Seconded by Cllr JP that the matter is noted. |
| g) | Assessment of Pharmacy Services | Invitation received to complete and submit a Parish Questionnaire by 20 August 2010 with confirmation that the general public had already been consulted. |
| | Resolve; | Proposed by Cllr CI, Seconded by Cllr RC by unanimous vote, that all Cllrs complete their individual questionnaires and hand to the Clerk. The Clerk is to collate all the response data and on a majority bases to submit a qualified questionnaire on behalf of the Town Council. |
| h) | Precept Capping | Government published a Consultation Paper on 30 July 2010 on the technical aspects of the "Local referendums to veto excessive council tax increases". (Copies of the 4 page email was provided to all Cllrs at the meeting). The consultation closes on 10 September 2010. They state there may be a "double lock" mechanism designed to protect the majority of Town/Parish Councils with a precept / basic amount / total income generated limit to be excluded from this requirement. No value is set within the consultation but NALC/SALC are to respond with various matters to the consultation and indeed the process but also stating this lower limit should be for authorities with a Precept of £750,000 or less. Any response to SALC by Friday 27 August 2010. |
| | Resolve; | Proposed by Cllr CI, Seconded by Cllr BH by a vote of 8 For, 2 Against and 2 Abstentions, that Shepton Mallet Town Council consider that the timing (during the August Summer Recess) and timescale for the consultation (maximum 30 working days) especially given the contents serious nature was totally inappropriate and unacceptable. It was also considered that the local tier of Government being Town and Parish Councils should not have their Precept Capped. |

SD23. 10/11 Finance

- a) Consideration was afforded to Approve **August 2010 Accounts** for payment by Cheque, Direct Debit, Confidential Salary Payments and Income as per Appendix "A" attached to this agenda.

Resolve; Proposed by Cllr JP, Seconded by Cllr RC by unanimous vote, that the **August 2010 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.

- b) **Direct Debit Instruction to Veolia Environmental Services (UK) Ltd** – To approve cancellation with immediate effect to the monthly Direct Debit instruction with the Councils bankers and to close the current trading account with the company.

Resolve; Proposed by Cllr RC, Seconded by Cllr CL by unanimous vote that the cancellation of trading account and monthly banking order with Veolia Environmental Services (UK) Ltd is approved.

SD24. 10/11 Agenda for the next meeting – Tuesday 5 October 2010.

Precept Considerations – The Clerk informed the meeting that the Precept consideration from all Portfolio Holders and individual Councillors was requested to be submitted to the Clerk by 27 September to enable draft to be considered by both the Service Delivery Committee on the 28 September followed by the Community Development Group on 19 October. The final draft would then be put to Council on the 2 November 2010.

The Chairman thanked members for their attendance and closed the meeting at 9.05pm.

Cllr J.W. Parham

Signature; _____

Chairman

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A P P E N D I X " A "

| Cheque No | Payee | Code | Goods Supplied | Total Payment |
|-----------|--|------|--|-------------------|
| 2689 | Mrs M Shearn | 4216 | Collett Festival - Flowers / Presentations | £14.59 |
| 2690 | Beech Tyldesley Architect | 4300 | Cenotaph Cleaning & Repair Project (106) | £210.03 |
| 2691 | Replacement cheque for Illman Young - Previous cheque 2676 cancelled | | | |
| 2692 | Ellis & Co | 4300 | Cenotaph Cleaning & Repair Project (106) | £215.75 |
| 2693 | Mid Somerset Agricultural | 4068 | Community Grant | £250.00 |
| 2695 | Gillett & Johnston (Croydon) | 4050 | Town Clock Refurbishment / Upgrade | £3,369.58 |
| 2696 | Race Brothers | 4220 | Collett Park - Play Equipment Area Repairs | £475.88 |
| 2697 | TJ Electrical Services | 4050 | Town Clock Electrical Installation | £391.86 |
| 2698 | WPS Insurance Brokers | 4016 | Annual Insurances Administration Fee | £10.00 |
| | | | | £ 4,937.69 |

Payments by Direct Debit

Bank Statements not yet received

CONFIDENTIAL PAYMENTS

| | | | |
|------|--------------------|----------|-------------------------------|
| 2694 | | £ | 1,615.86 |
| | Total | £ | <u>1,615.86</u> |
| | Grand Total | £ | <u><u>6,553.55</u></u> |

| Date | Income | Code | Category of Income | Total Deposit |
|------|--------|------|--------------------|---------------|
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Bank Statements not yet received

**Cllr J.M. Marsh
Chairman**

Signature_____

Date_____

**Cllr N.F. Shearn
Vice Chairman**

Signature_____

Date_____