

WEMBDON PARISH COUNCIL

Parish Clerk  
Tony Jay  
11, Wyvern Mews  
Churchill Road  
Weston-super-Mare  
North Somerset  
BS23 3GZ  
Email clerk@wembdon.org  
Tel No 07741 461982

Minutes of a meeting of Wembdon Parish Council held at Wembdon Village Hall on 14<sup>th</sup> October 2019 that commenced at 7.30pm when the following business was transacted.

Present: Cllrs M Solomon (Chairman), D Claydon (from agenda item 190/19), L Edwards, P Major, A Reed, and R Webber.

District Cllr B Bolt.

Parish Clerk: Tony Jay      Police: None

189/19      To receive any apologies for absence.

Apologies were received from Cllrs D Gliddon, J Hall, M Phillips and J Prowse.

190/19      To consider the co-option of a Councillor to fill the casual vacancy.

The Clerk reported that there had not been a request from ten members of the public to elect the position, and so it can be filled by co-option.

It was unanimously resolved to co-opt Dianne Claydon to the Parish Council.

Cllr Claydon signed the declaration of office and joined the Council.

191/19      To receive declarations of any pecuniary interests on items relating to this agenda, which have not been previously declared in the Councillors register of interests.

There were no declarations of interest.

192/19      To approve as a correct record the minutes of the meeting of the Parish Council held on 9<sup>th</sup> September 2019.

It was resolved to approve the minutes (5 in favour, 1 abstention as not present at previous meeting).

193/19      To appoint a Vice Chairman to the Parish Council.

It was unanimously resolved to appoint Cllr Gliddon as Vice Chairman.

194/19      To receive the Clerk's report.

The Clerk has enquired with the PCC regarding the suggestion that the Old Wembdon Primary School building be registered as a listed building. The response was that the PCC did not want this to happen. The Clerk has written to the two owners of Holywell House, asking for their opinions about registering this building but neither has replied.

*Post meeting note: One of the owners of Holywell House has responded that that she does not wish for the house to be registered as a listed building.*

SCC Highways has outlined the next steps required before paving slabs can be installed at the bus stop at Sandford Hill. These are:

- Appoint a contractor to advise on construction and traffic management requirements.
- Submit a plan detailing the proposed works and traffic management.
- Submit a section 171 application form (available on SCC Website), along with the approved plan.
- If required apply for temporary traffic light approval (available on SCC Website)

Cllr Gliddon has agreed to progress this.

The Clerk then read a prepared statement:

*As Parish Clerk I would like to place a statement on record.*

*I am employed on a part-time basis, working 16 hours per week. These hours are calculated to allow me enough time to carry out the regular roles and responsibilities of my post. If I am required to perform extra work due to tasks that would not normally fall into the category of 'regular work' then I am paid overtime accordingly.*

*On 13<sup>th</sup> September 2019, following an extensive examination of allegations against this Council, made by two persons who live in Wembdon, to multiple government departments including:*

- SDC planning
- SDC planning policy
- SCC ecology
- SDC parks and open spaces
- the Planning Inspector
- the Local Government Ombudsman

*the Legal Department of Sedgemoor District Council publicly clarified that all allegations made were without foundation and that the Parish Council had acted legally and properly in regards to all works that have been and are being, carried out at the Wembdon Parklands, which also includes full recognition of the designation of badger foraging land. The SDC legal department also confirmed that the Parish Council had complied with the covenants relating to this land prior to and since taking ownership.*

*The Parish Council's solicitor, who carried out all the legal work involved in transferring the ownership of the land to the Parish Council, fully agrees with the comments of the SDC legal department that the Parish Council has acted legally and properly.*

*Despite the public statement from the SDC legal department, information has been posted on a publically available Facebook site in the name of Steve Webber which is false, misleading and/or defamatory of the Parish Council. These posts are clearly ignoring the positions taken by the SDC legal department, and the Parish Council's solicitor, when they continue to make false allegations regarding the legality of the work taking place at The Parklands.*

*I, as Parish Clerk, still continue to receive a number of communications from the few people who continue to challenge the works being carried out at the Parklands. It has and continues to take me many hours to deal with these communications, for which I am receiving additional payment of overtime. Therefore, it is the unfortunate case that the council tax payers of Wembdon are paying for my time in carrying out this work which is being caused purely by the actions of the people who do not accept the position of the SDC legal department. This is money that could and should be better spent on the community of Wembdon.*

*I will continue to respond to any correspondence as required. Regrettably from the Wembdon tax payer perspective, as a part time employee I will need to claim overtime for doing so.*

The Chairman responded on behalf of the Parish Council:

*The Chairman and Clerk have met the National Association of Local Councils' legal specialists who are the nationally recognised experts in this area. They gave extensive advice, including being very clear that the Parish Council's best approach in dealing with repeated and vexatious correspondence is to respond once and then remain silent. They agreed that the Clerk has in recent months been put under unnecessary and unreasonable pressure, particularly as he is a part time employee with no allocated time to deal with this type of correspondence.*

*The legal specialists affirmed that the Parish Council has a clear duty to protect its employee from this type of correspondence, which is considered to be repeated and vexatious by the legal advisors and the Council itself. This correspondence has come from only a small handful of people, and has taken the Clerk many hours to deal with. If the Parish Council does not take action to protect its employee then it could leave itself open to a potential employment tribunal claim, which could be very costly to the Wembdon Council Tax payer. Although the Clerk is very clear that this is most unlikely to happen, the Council must address this possibility. The legal advice given will be acted upon later in this meeting under agenda item 210/19.*

195/19 To receive a Police report regarding crime reports and crime statistics.

There was no Police attendance and a report had not been received. There were no crime related issues raised.

196/19 To receive a report from Cllr Prowse on the Playing Fields and Common.

The tiles around the accessible trampoline have been re-glued and are now fine.

The application has been submitted for funding towards the new accessible swings.

197/19 To receive a report from Cllr Gliddon on Highways.

The damage to the drainage cover on Wembdon Hill, which was caused by large vehicles mounting the pavements when the A39 was closed on Wednesday September 25<sup>th</sup> during the evening rush hour, has been repaired. Thanks were given to the members of the public who directed traffic during this diversion. Tempers became very frayed and difficulties were experienced with vehicles getting through. Consideration needs to be given by the authorities to manage traffic flow when such incidents occur. The Chairman will raise this with the local PCSO. Cllr Reed will raise this at the next traffic forum.

It looks as if a major resurface could be taking place on the B3339 through the village. Large areas have been marked with yellow paint from Wembdon Rise right through and up Wembdon Hill. It was reported that some road defects, close to the ones already marked, had not been identified. It would be good to know what is planned. The Clerk will enquire with County Highways.

There have been a lot of social media comments about the speeds of vehicles passing over the zebra crossing on Wembdon Rise. The Parish Council fully agrees that there are speeding concerns at this location, and the Parish Council has worked tirelessly to find a solution which SCC Highways will agree to. This has been raised by County Cllr Caswell at the highest level at SCC, and the Parish Council thanks him for his efforts. The lighting problems at the Zebra Crossing are still be considered by SCC Highways.

County Cllr Caswell is also working on the Parish Council request to have a pedestrian crossing installed on the NDR outside the Village Hall. Many hundreds of people cross the NDR at this point every week, including many young people. Feasibility studies and costings are being carried out.

The access entrance to the Village Hall has yet to be adopted by the County Council, a process which has been on-going for three years. The Parish Council has taken responsibility for the construction of this access, as the alternative would have been for all vehicles visiting the hall to travel through the village and along Church Road, and so the final adoption costs will fall to the Parish Council. SCC Highways would like to see the centre island narrowed, and the highway widened although the carriage way width at this point is wider than at the next island further along the NDR. The Parish Council has repeatedly asked the Highways Dept. for a site meeting, but they seem reluctant to agree for some reason.

198/19 To receive a report from Cllr Gliddon on the Footpaths and Verges.

All footpaths and verges appear to be in a good state of repair. The maintenance contractor and his team have done a fine job this year and the last cut of the growing season has been completed on the footpaths.

199/19 To consider a quote of £500 for a tarmac repair to the pothole at the allotment track.

It was unanimously resolved to approve this work.

The Parish Council makes it clear that it is not accepting future responsibility of the maintenance of the track which leads from Hollow Lane to the allotments, of which the ownership is unknown and is not listed by the Land Registry. The Council is making this 'one off' gesture as the pot hole problem has probably been worsened by the construction vehicles using the track when carrying out work on the allotment wall on the Parish Council's behalf.

200/19 To receive a report from Cllr Hall on the Parish Paper.

The recently published edition has now been circulated throughout the Parish. A local young person was asked to deliver to an area which would otherwise not have been covered. The Councillors agreed to thank the person concerned with a gift of £20.

Another edition will be published before the end of the year.

201/19 To receive a report from Cllr Phillips on Allotments.

Cllr Claydon will take over the reporting on the allotments in the future. The asbestos found at one of the allotment plots has been professionally removed.

202/19 To consider a quotation for £400 to remove the ivy from the allotment walls.

It was unanimously resolved to approve this necessary work.

203/19 To receive a report from Cllr Gliddon on SID results and Speedwatch.

Cllr Gliddon supplied this report prior to the meeting:

Wembdon Hill - downwards – eastbound SEPTEMBER 2019

Max Speed = 55.0 MPH on 08/09/2019 18:50:00

Total Vehicles = 14,485 counts

Average Daily Total: 1316 vehicles

Speed

Speed limit: 36 MPH (prosecution speed)  
85th Percentile Speed: 30.6 MPH  
Average Speed: 24.3 MPH

Wembdon Hill - upwards - Westbound -September 2019

Max Speed = 60.0 MPH on 20/09/2019 21:25:00  
Total Vehicles = 16,440 counts  
Average Daily Totals: 964 vehicles  
Speed  
Speed limit: 36 MPH  
85th Percentile Speed: 31.3 MPH  
Average Speed: 23.3 MPH

The SID is currently located in the 20-mph zone in Church Rd.

The Speed Watch team has been unable to meet in September, due to inclement weather conditions. (Regulations do not allow the team to operate during or after heavy rain due to skid risk).

204/19 To consider the purchase of two fixed solar powered SIDs at both entry points to the Village at a total cost of approximately £7,500 (which would be included in the 2020-21 precept/budget calculations).

It was unanimously resolved to adjourn this decision to the forthcoming budget setting process, but to approve this purchase in principle as excessive vehicle speed continues to be the major concern for Parishioners.

The Chairman and Clerk said that any additional major expenditure in 2020-21 would need to be funded by a precept increase, not from Council reserves.

205/19 To receive an update regarding the Transport Forum and the EDF Forum.

The next Transport Forum is due to be held in the next few weeks. Cllr Reed attend recent the Hinkley C Community Forum where a site update was given, which Cllr Reed summarised.

There has been a temporary lull in the number of HGVs travelling to and from Hinkley C along the A39, but this is due to increase back to previous levels in the near future.

206/19 To consider an update from Cllrs Phillips and Solomon regarding a request to install a chicane on the footpath from Greenacre to Wares Lane between houses 12 and 14 Greenacre (see minutes 136/19 and 173/19).

The site visit found that it would be impossible to install a chicane in this location. The Parishioner make this request came to the site visit and understands the decision. Alternative measures will be considered by Cllr Phillips to prevent cyclists travelling quickly down the footpath causing danger to pedestrians e.g. a swinging gate.

207/19 To consider a financial update and to approve payments:

(a) Statutory Payments as per agreement under minute no 324/13

(b) Non Statutory Payments List:

| Cheque no | Payee       | Detail                                 | Amount   |
|-----------|-------------|--|----------|
| 300977    | SDC         | Dog bin emptying Oct 2019 – March 2020 | £1839.55 |
| 300978    | Anthony Jay | Clerk expenses July – September 2019   | £524.80  |

|        |                          |                                     |          |
|--------|--------------------------|-------------------------------------|----------|
| 300979 | Andrew Sutton            | Extra work at Liddall Parkland area | £390.00  |
| 300980 | Parish Magazine Printing | Printing                            | £544.00  |
| 300981 | Green Mantle             | Tree re-staking                     | £408.00  |
| 300982 | J. Liddal                | Land rent                           | £160.00  |
| 300983 | Wembdon Village Hall     | Village hall access                 | £2220.00 |
| 300984 | S. Roberts               | Asbestos removal at allotments      | £1005.42 |
| DD     | PWLB                     | Loan repayment                      | £4884.55 |

It was unanimously resolved to approve the payments.

The Chairman highlighted the cost to the Parish Council of emptying dog bins.

A budget update sheet had been be pre circulated to members.

208/19

To consider matters of report:

Agenda items for the next meeting.

Councillor spending proposals for the 2020-21 budget.

209/19

The Council is recommended to resolve that members of the press and the public be excluded from the meeting during consideration of the following agenda item by reason of the confidential nature of the items of business to be transacted, in accordance with section 1(2) of the Public Bodies (Admission to Meetings) Act 1960.

It was unanimously resolved to exclude members of the press and public.

210/19

To consider the implementation of the Parish Council's Vexatious Correspondence and Complaints policy in regards to three members of the public.

It was unanimously resolved to invoke the policy in regards to three Parishioners.

All Parish Council policies, including the VCC policy, can be found on the Parish Council website.

211/19

Date of next meeting: Monday 11<sup>th</sup> November 2019.

The meeting concluded at 9.20pm.