

WEMBDON PARISH COUNCIL

Parish Council Clerk, Tony Jay, 5 Maple View, Kewstoke, Weston-super-Mare, BS22 9XQ.
Email clerk@wembdon.org Telephone 07859911204

Minutes of a meeting of Wembdon Parish Council held at Wembdon Village Hall on 12th December 2022 that commenced at 7.30pm when the following business was transacted.

Present: Councillors D Claydon, D Gliddon, B Hedaux, A Reed and J Wellings.

District Councillor B Bolt.

Parish Clerk: Tony Jay

In the absence of the Chairman, Councillor D Gliddon chaired the meeting.

- 212/22 To receive any apologies for absence.
Apologies were received from Councillors L Edwards, P Major, M Phillips and M Solomon.
- 213/22 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.
- 214/22 To approve as a correct record the minutes of the meeting of the Parish Council held on 14th November 2022.
It was resolved to approve the minutes (3 in favour, 2 abstentions as not present at the meeting).
- 215/22 To invite public speaking.
No member of the public had requested to speak.
- 216/22 To receive the Clerk's report.
The new Somerset Council has announced that the precept payments to Town and Parish Councils will be made in one lump sum each April, rather than in two installments in April and October as was the case with Sedgemoor District Council. This will mean that between for a large period during each financial year the Parish Council would be holding funds which exceed the Financial Services Compensation Scheme limit of £85,000. There will be an agenda item at the January Parish Council meeting to consider whether the Parish Council should open an additional account with a different bank to deposit some of its funds.
- 217/22 To consider the vehicular access rights across the Parish Council owned land in Church Road.
The Clerk briefed the meeting as follows:

The owners of 39, Church Road have submitted planning application 51/22/00005/AGE which is the erection of bungalow partially on the site of the existing garage. The Parish Council objected to this application at a

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planning committee meeting held on 26th September. At this point in time the Parish Councillors and Clerk were unaware that the Parish Council owned the piece of tarmacked land between Church Road and the gardens of numbers 35 to 49 Church Road. In October 2022 the Wembdon Vicar supplied to the Parish Council a copy of a conveyance document dated 12th August 1987. This document states that the ownership of the land shown on a map contained in the document passed from the Church to the Parish Council. The relevant section of this map is included with these minutes as Appendix 1.

The conveyance document contains a number of schedules, which includes:

‘No roads and drains, sewer pipes, wires, cables, watercourses or other conducting media shall be constructed on, over or under the property’.

This means that the 1987 conveyance document would prevent any of the listed items being run on, over or under the aforementioned piece of the tarmacked land to a newly built dwelling such as applied for in application 51/22/00005/AGE.

The Clerk has been taking advice from a local solicitor who has previously acted for the Parish Council. The solicitor advised that the 1987 conveyance document does not allow anyone vehicular access rights across the Council owned land, however he would anticipate that the owners of houses 35 to 49 Church Road would have long since acquired “Prescriptive Rights” of access, so that they can drive over Council owned land to their properties. The solicitor further advised that if one or more of these properties were to erect an additional dwelling in their garden, he would contend that would amount to a change of use, which would not be covered by the Prescriptive Right previously acquired. Therefore, the solicitor advises that owners of a new dwelling would have no rights to drive across Council owned land, however it would be in the power of the Parish Council to grant such rights if it chooses to do so.

It was unanimously resolved that access rights will not be granted for any “new-build” properties across the land owned by the Parish Council, known as Wembdon Common (see map at Appendix 1).

It is confirmed that this will not affect the rights of existing properties 35 – 49 Church Road due to prescriptive rights of access. The conveyance document signed in 1987 prevents any “roads and drains, sewer pipes, wires, cables, watercourses or other conducting media from being constructed on, over or under the property (The Common).

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218/22 To consider whether the Parish Council should advertise for a volunteer to carry out strimming work in the Parish.

It was unanimously resolved to advertise for a volunteer to carry out strimming work on behalf of Somerset County Council.

219/22 To agree to change the date of the April Parish Council meeting from 10th April (which is Easter Monday) to 3rd April 2023 and the date of the May Parish Council meeting from 8th May (which is a Bank Holiday) to 15th May 2023.

It was unanimously resolved to change the dates of these meetings.

The April meeting will commence at 7pm.

220/22 To agree the time and date for the 2023 Annual Parish Assembly.

It was unanimously resolved to hold the Annual Parish Assembly on Monday 3rd April, commencing at 8pm.

221/22 To note all statutory payments made since the last meeting (see minute 181/20).

Payee	Detail	Amount £
Avalonian Landscapes	Maintenance contract	1583.00

The statutory payment was noted.

222/22 To note the following non-statutory payments.

Payee	Detail	Amount £
Tony Jay	Clerk's expenses November 2022	169.44
GB Sports and Leisure	New basketball net	61.20
Sedgemoor Tree Services	Tree pruning	405.41
Screwfix	Materials for renovation of sign	22.48
Newsletter Plug In	Website licence	121.64
Somerset Association of Local Councils	Councillor training	30.00

The non-statutory payments were noted.

A budget update sheet had been pre circulated to members.

223/22 To receive any matters of report.

Councillor Gliddon gave the Speed Indication Device report. The device on Wembdon Hill recorded an 85th percentile speed of 31.4 mph between

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26/9/22 and 9/12/22. The average speed was 23 mph. The highest recorded speed was 55 mph on 5th October at 2.20pm.

The device near to Wares Lane recorded an 85th percentile speed of 26 mph in both directions between 25/9/22 and 9/12/22. Seven speeds in excess of 50mph were recorded.

On Sandford Hill the incoming 85th percentile speed was 34mph and the outgoing speed was 38mph. There were two speeds of 80mph recorded, and fifty three instances of speeds between 60mph and 80mph.

A new grit bin has been requested to be located close to the junction of Oak Apple Drive and Old Oaks Close.

The height of the newly installed accessible swing seat has been adjusted to meet the requirements of the independent installation inspection.

224/22 Date of next meeting: 9th January 2023.

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Appendix 1



The area of Wembdon Common owned by the Parish Council is shown by the red boundaries.