

LOPEN PARISH COUNCIL

MEETING HELD 7pm MONDAY 15th JUNE 2015 IN THE SUNDAY SCHOOL ROOM

Present: Cllr. T. Sienkiewicz (Chairwoman)
Cllr. S. Crane
Cllr. B. Davolls
Cllr. S. Mason
Cllr. N. Jones

Ms. Kim McDonald (Clerk)

Members of the public: 6

27/15 District Councillors' Reports

Cllr. Sienkiewicz welcomed our two new District Councillors to their first Lopen Parish Council meeting. Cllr. Adam Dance and Cllr. Crispin Raikes, introduced themselves and provided some methods of making contact with each of them. As this meeting was so soon after the elections neither Councillor had anything specific to report to the meeting but both expressed their interest in supporting the village with matters that were important to locals. As both Councillors had previous engagements they left the meeting early at 7.30pm.

28/15 County Councillor report

There was no report from the County Councillor.

29/15 Apologies

Cllr. Christopher L Hardy sent his apologies as he would not be in country for the meeting date, Cllrs. Dance and Raikes expressed apologies for needing to leave the meeting early.

30/15 Declaration of Interests

None noted to affect the matters under discussion. It was noted that all Members Declaration of Interest Forms have now been returned to the Clerk.

31/15 To approve the minutes of the Meeting held on 19th May 2015

Agreed to be a true record and signed by Cllr. Sienkiewicz.

32/15 Matters arising from the minutes

None.

33/15 To receive an update on co-option to fill Parish Council vacancies

We have received 1 expression of interest and this will be progressed once the individual has returned from travelling. It was agreed to allow other people more time to come forward. There are 2 places for co-option and this be further discussed at the next meeting.

34/15 To review draft Lopen Risk Register

Cllr. Sienkiewicz provided the background as to why LPC needed to have a Risk Register approved and in place, following a training session with external auditor's Grant Thornton. She then talked through the draft register she proposed for Lopen including the risk controls to be put in place. She said that the proposed register reflected the needs of Lopen as a small parish with limited assets, but welcomed input from the Members.

There were no additional items to be added and the proposals were unanimously approved as more than sufficient to meet our needs (covering the essential and practical matters we require). Members agreed it was good that this register was now in place and it was agreed that this would now be reviewed annually.

Churchyard matters, which had been included on the register were delegated formally to Cllr. Crane, who also sat on the PPC. He accepted this.

Later in the meeting it was noted that the village picnic and in particular the use of LPC insurance cover and the potential of underwriting of costs in the event of bad weather should be added to the Register.

It was noted by Cllr Sienkiewicz that there was also a new code with which parish councils needed to comply and that was the Smaller Authorities Transparency Code 2014. On checking the requirements for this, Cllr. Sienkiewicz reported that in all but one respect (the publishing of details of all items of expenditure over £100), Lopen was compliant. It was agreed that information on any such expenditure would be highlighted on the yearly accounts that were published on the website and also on the village noticeboard. This new code was likely to be the first stage in the process to remove the requirement for an external audit around 2017.

35/15 To discuss the updating of the LPC Standing Orders and Financial Regulations

It was noted that SALC and NALC issue guidelines and recommendations for Standing Order and Financial Regulations and it was agreed that LPC should follow these as far as possible. LPC documents would be tweaked in line with latest recommendations and brought to a future meeting for review and approval.

36/15 To discuss the issue of dog fouling in the village and to be updated on the discussion with the Dog Inspector at SSDC

The ongoing matter on whether Lopen has or doesn't have a dog fouling problem has been debated in meetings, through the EYE and amongst villagers with little agreement. The Members have agreed that Cllr. Davolls would make contact with SSDC Dog inspector/enforcement officer and together they would walk the village to ascertain once and for all if he/she considers the village has a problem. Any action that may be required as a result of this meeting would be discussed at a future meeting. Cllr. Davolls told the meeting however that Dog Bins are not free of charge as some villagers believed. Their installation could only be made on recommendation of the SSDC Dog inspector / enforcement officer and installation costs would need to be met from our budget. The paths/routes that were suggested as being pressure areas were: Kitchen Lane/School Lane and the connecting footpath; Rydon Lane to Mill Lane pastures (where a footpath needs to be reinstated**); Holloway and the footpaths north of Church Street to Broomhill Lane and traversing the potato fields travelling east/west between Holloway and the nature ponds.

** Cllr. Jones was asked to pursue the reinstatement of this portion of footpath with land owner Paul Godfrey. Cllr. Davolls could provide the background to this.

37/15 To discuss LPC's approach to the Lopen Village Picnic

Although the date for this year's picnic had been announced in Lopen Eye and informal conversations had taken place, it was noted that if the Picnic was to be covered by LPC's insurance, a formal request needed to

be made by the organisers. In previous year's Peggy Finlayson was the conduit between the picnic committee and the LPC, and worked with the committee to deliver the picnic. Since leaving the village, this natural communication link had been lost. For 2015, it was agreed that Cllr. Mason would take up this position for the council. Initially, however, Cllr. Sienkiewicz would make contact with Carolyn White to formalise matters.

Historically, LPC had underwritten the costs of the picnic in the case of bad weather cancellation leading to ticket refunds and supplier charges. This was a matter that needed to be better understood in light of tight budgets and it was decided that the LPC's approach to this would be agreed at the next meeting, following Teresa's discussion with Carolyn White.

It was questioned whether the Defibrillator should be removed from its storage place and taken to the picnic on the basis that this would be where the majority of village would be on this date. It was agreed that for this to happen, insurance implications would need to be clarified and that proper and extensive communication of the removal of the unit on this date should be made to the village.

38/15 To agree the Parish Council's response to planning applications:

·1. **15/02073/FUL** The Vine House, Frog Street, Lopen, South Petherton, TA13 5JR The erection of a Porch

Following open session representations from the audience both for and against the application, and a formal discussion amongst the Members it was agreed unanimously to recommend approval. The Clerk was asked to action this.

·2. **15/02133/S73A** Frogmary Green Farm, West Street, South Petherton, Somerset, TA13 5DJ, Application to vary condition 07 (cessation of use) of planning permission 14/01923/FUL to allow re-use of buildings and structures after cessation of use (GR 342303/116042)

Cllr. Sienkiewicz provided the background to the original application and the LPC response at that time. It was noted that although S. Petherton was the lead parish for this application, the route into the site runs through Lopen parish, and at the time of the original application there was a number of concerns around transportation and the need for exemplary environmental controls to be followed and if necessary enforced.

Since the first application was approved and as the build has progressed, there have been a number of new concerns raised about the size and capacity of the plant in comparison with the original plans as described within the application. A discussion followed regarding this, with input from the audience allowed in an open session.

The Members decided that due to these concerns and to the unexpected and early request to vary an important condition on the application that LPC would:

1. write to SSDC to seek clarification and raise concerns over the increasing capacity of the AD unit, and
2. respond to the application to vary the condition with a strong objection.

Cllr. Jones agreed to draft a letter for (1) and this would be reviewed by Cllrs. Davolls and Sienkiewicz and once agreed, sent separately to the SSDC planning department.

The response to the application (2) which was discussed at this meeting and returned to the SSDC planning officer was as follows:

The plant is still under construction and what is being sought is a fundamental change of use. The anaerobic digester was proposed on the basis that this was an activity which fitted into the agricultural economy and environment. Bearing in mind that at 1MW, this was an application for a plant which was much larger than

normal for an agricultural site, the planning officer went into some detail to establish and verify the sources of the materials to be used in the digester before permission was granted, to confirm viability of the assertions made by the applicant and to establish traffic movements. It was made very clear that to us as a parish council when we had a presentation from the applicants, that on the conclusion of the useful life of the plant and buildings the structures would be removed and the land would be restored to agricultural use.

This application, by seeking a carte blanche to use the structures in any way the owner chooses, completely undermines the basis on which planning permission was proposed and granted. Furthermore, if a permanent change of use is to be considered, the only appropriate time for such an application is at or near the end of its life, when policy at that time should decide the outcome. It would be quite wrong to double guess at this stage what that policy might be.

We consider that this is so material a change that it is not and should not be treated as an amendment within the meaning of s73.

39/15 To receive an update on the Parish Council Clerk vacancy

As with the Co-options of Councillors to LPC, 1 expression of interest had been received from a villager to assist with either the Clerk position and/or as editor of the EYE. It was agreed to advertise in one more Lopen EYE for Councillors and Clerk positions to allow as many villagers as possible to have the opportunity to come forward.

40/15 Other matters to note

Lopen War Memorial – We have been approached by Historic England to have the War Memorial listed. The letter has been passed to Cllr. Crane to discuss with the PPC as the memorial stands within the Church grounds. It was noted that it also stand within the closed part of the church yard that comes under LPC control. Further clarification would be sort on the proper route to take to achieve the listing which was agreed in principle to be a good development.

Merriott Development – Cllr. Mason told the meeting that drivers of lorries delivering the plant being used for the development in Merriott had been told they could come through Lopen as a route into Merriott, rather than use the A356. This is in contravention of the 7.5 tonne weight restriction through the Lopen. Cllr. Sienkiewicz undertook to write to the developers to make them aware of the weight restriction through the village and this would be copied to Merriott Parish Council and to Cllr. Le Hardy.

Meeting closed 20.50.