

Minutes of the Ordinary Meeting of Sutton St. Nicholas Parish Council, held in Room 2, The Village Hall, Sutton St. Nicholas on Monday 7th July 2014 (SPC/TF/063)

Councillors Present

Cllr Ron Gow (Chairman)
Cllr Richard Andrews
Cllr Ann Burke
Cllr Bill Glover
Cllr Annette Mansie
Cllr Judy Stevenson
Cllr Mike Winnell

1. Apologies for Absence

There were no apologies

2. Receive, approve and sign the Minutes of the Meeting of the Parish Council Meeting (no SPC/TF/062) held on Monday 2nd June 2014.

Regarding minute number 17 Grants Cllr Ann Burke informed the meeting that she did not declare an interest. Subject to the above the minutes were signed by the Chairman as a correct record of the meeting

3. Declarations of Interest

There were no declarations of interest by members in respect of items on the agenda, and there were no requests for new Disclosable Pecuniary Interest dispensations

4. Report from Clerk on actions from the last meeting

There were ten actions requiring completion, 1 was closed, 4 were completed, 5 were in progress. (Appendix 1 refers).

5. Questions/Issues on any matter, from members of the public present.

6.1 Ward Councillors Report

The Ward Councillor sent her apologies and her report attached at Appendix 2

6.2 Local Police Report

The last police report was previously circulated and a copy put on the Village website.

6.3 Questions from other members of the public

There were no questions from the public

6. Footpaths in the Village

The Parish Council considered work plan, procedures and costings from the Footpath Officer. (Appendix 3 refers). The Parish Council was mindful of future costs bearing in mind that the Parish Council was not in the P3 scheme, the responsibility of land owners and the responsibility of Herefordshire Council. In addition to the valuable work carried out by the Footpaths Officer. The Footpath Officers report (Appendix 4) was noted

Resolved that the proposal in Appendix be accepted, subject to Budget availability and an annual review each April

Action - Footpath Officer Work Plan to be presented to the next meeting.

Action – Clerk to enquire of Herefordshire Council if the P3 scheme could be reopened in view of Herefordshire’s Council legal obligations and the reduction in footpath work.

Action-Clerk to write to Herefordshire Council reminding them of their legal obligation to keep footpaths clear.

7. Watercourse Clearance

The Parish Council was informed that Balfour Beatty had written to all property owners whose property backs on to the watercourse set between properties on Churchway, St. Ethelbert, Lingen Field, the U72600 Sutton Hill and Sutton Primary School. Informing them of their responsibility to clear the watercourse. The Parish Council noted the letter sent.

Action The Clerk get confirmation from Balfour Beatty as to the location of the knock on flooding

8. Golden Cross Junction

The Clerk informed the Parish Council that there was no update since the last meeting.

9. Neighbourhood Development Plan Project Group

- The consultant have been selected
- Leaflet drop has been delivered all households in the village
- Arrangement are in place for attendance at the Village Fete on 12th July.
- The group continues to receive support from Herefordshire Council

10. Neighbourhood Development Plan –Consultant Support

The Pariah Council was informed that the Project Group had received quotations from three consultants

- Kirkwells £5,380
- Dave Nicholson £4,500
- Data Orchard £6220,

Following consideration of the quotes received it was agreed to recommend to the Parish Council that the quotation from Dave Nicholson (Independent Contractor) be accepted. The Parish Council was asked to consider this recommendation from the project group.

Resolved – that the recommendation from the Project Group be accepted and the quotation from Dave Nicholson be accepted.

11. Transfer of open spaces

The Parish Council received an update as follows

- The transfer would be freehold with a restriction to current use and an overage clause of 50% for a 25 year period.
- With regards to the cost of cutting land at Willow Rise and Millway, the Clerk has requested a quote from the contractor who cuts the grass at Sutton Playing Field.
- Legal Costs – HALC is trying to find a local NALC nominated solicitor, which would have the benefit of local government experience, with a discount given.

The update was noted

Action – Clerk to write to Herefordshire Council requesting that they consider paying the Parish Council’s legal costs.

12. Community Led Plan Action Plan

The Parish Council considered two versions of a Community Led Plan newsletter previously circulated and agreed on the double sided version.

Action- Clerk to arrange for 100 copies of the agreed newsletter to be printed.

13. Financial Report

13.1 Confirmation of Balances £33,968.46 (bank statement £40,001.36 less outstanding Cheques £6032.90)

13.2 Receipts

(i) - £9625.00 (First instalment of precept)

(ii) - £5743.80 (Neighbourhood Grant)

13.3 Invoices for payments

(i) – R.A. Ford -£5.00 (Rent Sutton Playing Field)

(ii) – Cole and Co £60.00 (Internal Audit Fee)

(iii) – M. Darley £246.00 (Footpath Services)

(iv) – Sutton St Nicholas with St Michael PCC £793.00 (Donation towards grass cutting at St. Michael)

(v) - Clerks Salary £294.98.

(vi) – Grant Thornton £120.00 (External Audit Fees)

Note Direct Debit payment to Public Works Loan Board - £4298.87

Resolved that the above payments be approved and the cheques signed

14. Budget Report

The Parish Council considered budget report update (Appendix 5 refers), The report was noted

15. World War 1 Commemorations

Cllr Winnell informed the meeting that he had spoken to the Secretary of The Herefordshire History Society who thought there was a data base of those who had served rather than those who died.

16. Section 106 Monies

Following the meeting with Herefordshire Council, the Parish Council has received correspondence setting out Herefordshire Council stance with regards to schools. The Parish Council noted the update.

17. Grass Cutting

It has been noted by Herefordshire Council that volunteers in the community should cut the grass on verges, the Parish Council was of the view that members of the parish should not be put at risk and that any additional grass cutting to be linked to the Lengthman Work Plan, which would be reviewed if required.

18. Audit for year ended 31st march 2014

The Parish Council noted that the audit by Grant Thornton had been completed and the Parish Council had been given a clean bill of health.

- 19. Correspondence (Not covered by a separate agenda item and for information only).**
- 19.1 Herefordshire Council** – Invite to Herefordshire Council 2015/16 Budget Consultation meeting. (Noted)
- 19.2 Hereford Civic Society** – Summer Study Day (Noted)
- 19.3 Cllr Guthrie** – Herefordshire Council grass cutting (Noted)
- 19.4 HALC** – Information Corner 20/06/14 (Noted)
- 19.5 Cllr Guthrie** - Sutton Ward – Highways Meeting (Noted)
- 19.6 Herefordshire Council-** Sutton Walls –Ambient Air Monitoring Report. (Noted)
- 19.7 Balfour Beatty** – Parish Newsletter (Noted)
- 19.8 Herefordshire Council** – Locality Briefing (Noted)
- 19.9 Herefordshire Council** – Golden Cross Junction- possible additional Works (Noted)
- 19.10. Herefordshire Council** – Alternative weekly Collections (Noted)
- 19.11 Herefordshire Council** - Neighbourhood Planning Newsletter no 8 (Noted)
- 19.12 Cllr Guthrie** –Saturday Morning grass Cutting update (Noted)
- 19.13 HALC** – Information Corner 9/06/14 (Noted)
- 19.14 Herefordshire Council** – Grass Cutting Scheme (Noted)
- 20. Matters relayed to the Clerk for the Agenda of the next meeting.**
- Grass Cutting
 - Footpath- Costed Work Plan
 - Transfer of Open Spaces
 - Watercourse Clearance
- 21. Confirmation of the Date, Time and Venue of the next meeting.**
Monday 4th August 2014 at 7.15pm in Room 2 at the Village Hall

Appendix 1

Status of Actions from last meeting

Meeting Ref	Date of Meeting	Agenda Item	Reference	Action	Action Owner	Action Taken	Status
07/01	03/02/14	14	Installation of Grit Bin	The lengthsman be requested to purchase and site a Grit	Clerk	After another follow up to the Locality Lead The Parish Council has received confirmation that this is currently been looked into	Work In progress
07/02	07/04/14	19	Sutton Playing Fields	Clerk to get relevant quotes	Clerk		Work In progress
07/03	06/05/14	5.3	Questions from other members of the public	Cllr Guthrie would correspond with officers of Herefordshire Council	Cllr Guthrie	Email sent to Herefordshire Council, waiting for reply	Work in progress
07/04	06/05/14	5.3	Questions from other members of the public	Clerk would seek to identify who had responsibility for keeping the	Clerk	Information received regarding responsibility-	Closed Linked to 07/06

Meeting Ref	Date of Meeting	Agenda Item	Reference	Action	Action Owner	Action Taken	Status
				Culverts maintained and clear of rubbish. The Clerk to write to them asking for action to be taken		Parish Council will be updated. Agenda Item for 20/06/14	
07/05	06/05/14	9	Neighbourhood Planning – Budget	Clerk to submit an application to the National Lottery	Clerk	Information requested by Herefordshire Councils Grants Officer sent awaiting reply.	Work in progress
07/06	02/06/14	8	Flooding on the Rhea	Clerk to arrange a meeting with landowners and the Parish Council.	Clerk	Working with Footpath Officer to arrange, however some help from Cllr Andrews would be helpful	Work in progress
07/07	02/06/14	10	Transfer of Open Spaces	Clerk to ascertain costs and the terms of transfer	Clerk	Agenda item 11	Completed
07/08	02/06/14	11	Community Led Action Plan	The Clerk was asked to produce a one page summary for publication.	Clerk	Agenda item 12	Completed
07/09	02/06/14	13	Herefordshire Local Plan-Core Strategy 2011- 2031	The Clerk to ask Herefordshire Council for a summary of the publication.	Clerk	Email sent	Completed
07/10	02/06/14	14	World War 1 Commemorations	Cllr Mike Winnell would follow up leads mentioned.	Cllr Winnell	Agenda Item 15	Completed

Ward Councillor's Report

Highways Matters

Re: Update on Crossroads at Sutton St. Nicholas. – Improvement scheme for the crossroads. At present it looks as though Balfour Beatty are aiming for the middle of August for the works to be built.

Sutton Walls Ward Highways meeting was held on 17th June 2014 at Marden Community Centre. Cllr. Paul Rone (Cabinet Member for Highways) gave a short talk on general road maintenance followed by representatives from Balfour Beatty talking on issues such as the investment fund for roads, pothole repairs and the flooding issues/barriers on Haywood Lane. I have been advised that Balfour Beatty will be producing a report soon on their investigations regarding the flooding concerns and the barriers etc... Grass cutting was discussed and detailed information on grass cutting can be found on the Herefordshire Council website www.herefordshire.gov.uk/grass-cutting

Grass Cutting

The Community Grant Scheme (for either equipment or training for Community Groups to carry out grass cutting) is being prepared and hopefully the details will be available soon.

Advice on Litigation Arising from Self Help

This advice is detailed on Herefordshire Council's website as follows:

> <https://www.herefordshire.gov.uk/environmental-protection/parks-and-open-spaces/grounds-and-tree-maintenance/advice-on-litigation-arising-from-carrying-out-grass-cutting>

“The best advice in regard to the potential for litigation against individuals who take it upon themselves to cut the verges alongside their property is as follows: The position of an ordinary person who clears cuts the grass from outside their own or someone else's property is that they would only be liable for an accident if:

- their efforts actually made the verge less safe than it was with the grass uncut;
- they should have foreseen the likelihood of someone being injured as a result;
- someone actually gets injured;
- the injury is the result of their efforts; and
- the person injured decides to sue them.

In most cases people will be improving the situation, in which case no liability could arise. While there is a theoretical possibility of liability arising if a person cut the grass in an area and in the process, or as a result they caused an accident, we do not think that this should discourage individuals from taking it upon themselves to cut the grass on public open spaces and highway verges, particularly in residential streets where traffic volumes and speeds are comparatively low.”

Pothole Repairs along C1126 & C1120

I am pleased that Balfour Beatty have carried out repairs to the “failed drainage & surfacing” on C1126 a priority matter for the Parish Council and pothole repairs have been done on the C1120 road from Moreton on Lugg to Marden.

Great News – Herefordshire wins largest national award from Government pothole fund

“Herefordshire Council’s bid to the National Pothole Fund succeeded in winning an extra £2.573 Million for road repairs. This is great news and is the highest allocation in the country”. This extra amount along with the £15 Million already allocated will be spent on the highways of the County before the end of March 2015.

Footpaths on 6th June 2014 - Mike Darley Sutton St. Nicholas’s Footpath Officer – gave me a tour around the village footpaths and I was able to view Mike’s good work.

Faster Broadband for Herefordshire - Update

“Residents and businesses in the county are already starting to benefit from the delivery of the fastershire project that sees areas in the county gaining access to faster broadband through government and Herefordshire Council funding with BT investment. Through a contract with BT, fastershire is expecting to enable approximately 90% of premises by the end of 2016.

Recognising that some 10% of premises in Herefordshire would still miss out on faster broadband, additional funding of over £5.5m has been allocated to the county.

How the additional funding will be spent is set out in the project’s new Fastershire Broadband Strategy 2014-18. The partnership with Gloucestershire to deliver faster broadband continues, and sees additional stages including exploring ways to extend the current contract with BT where relevant; two new procurements to increase coverage in the Golden Valley and north west of the county are open to any broadband provider; and the final stage sees bursary funding for specific communities, businesses and individuals in the remaining areas.

For more information visit www.fastershire.com”

Herefordshire Council Children’s Services are improving, says Ofsted

“Herefordshire Council’s services for children in need of help and protection are no longer rated as inadequate, according to the findings of the latest Ofsted inspection published on 30th June 2014. Ofsted particularly highlighted the improvements that have been made to the quality of social work in the county through a significant reduction in case loads and positive staff morale and commitment. Children in need of protection are being identified and assessed quickly and children who are in care are living in stable and supported environments.” Please view Herefordshire Council’s website www.herefordshire.gov.uk and view the News updates for further information on this matter.

COUNCILLOR KEMA GUTHRIE

Footpaths - Contractor Proposal

To Manage and maintain, the Public Rights of Way in the Parish of Sutton St Nicholas

Overview

To engage in the repair and upkeep of the Public Rights of Way within the Parish of Sutton St. Nicholas , Herefordshire, proving, repairs and installation of gates and stiles, along with vegetation control and the removal of fallen trees.

Hold relevant Public Liability Insurance and renew annually

Liaise with the Parish Council, Land Owners and the Community on matters arising with the 'network' of footpaths and bridleways.

Produce in a timely manner, reports and surveys of the 'network and confirmation of completed works, with reference numbers, path numbers and invoices.

Keep record of installations before, during and after repairs are completed.

Promote the 'network to the wider community. For recreational use, Educational studies and Environmental Studies.

Keep up to date with current legislation regarding Public Rights of Way and Bridleways and inform the Parish Council of any changes.

Installation Rates

	£	
Stiles with dog gates	65.00	
Stiles with cross steps	60.00	
Gates (Wooden single)	120.00	
Kissing gates (Metal)	150.00	
General repairs of stiles	30.00	
De-vegetation (Strimming)	60.00	Per KM
Hedge Trimming (stiles)	20.00	Per stile
Fallen tree removal	15.00	Per Hour
Fly-tipping Removal	50.00	

SSN FPO Update Report.

A welcome break in the weather, allowed for much needed work to take place on Sutton Walls and The Rhea.

Over a period of a week, my wife and I, opened up the footpath network around the Walls, allowing access for all users and to the relief of those who were out, while work was in progress. This action came about, after discussions with BBLP over timings, as to when they would be undertaking the first cut. As we know, this was put back, due to budget cuts and may not have taken place at all.

ST 9 from Wyatt Road to Preston Wynne Bridle path, received a cut, after receiving a few complaints from Equine owners. This, still needs a lot of work but is passable with care and the foot bridge has been made accessible again.

ST 14 Eastern side of The Rhea to ST 16, grass cutting over a 24hr period opened up this much loved route for horse owners and pedestrians alike. From the National Grid station to beyond the old canal bridge, was hit hard, to allow width for all users, but top damage by rabbits, has left some places with deep holes and it is advisable to walk carefully in the areas. The overhanging growth along this section, has been removed and trees that were blocking the way, cut up.

ST 15 Western Side of The Rhea - the trees blocking the path, have been removed. I have made contact with BBLP, regarding the bollards that are / were due to be installed and they have assured me that these will be in place before the winter. A meeting with the installation team, will be taking place this week, on The Rhea, to show where they need to be placed.

ST 3 @ Freens Court (rear of) the new bridge that should have replaced the existing construction, will now be looked at again. The replacement, was put in at the rear of the Old Post office on the 14/04/14. The metal 7.5 metre bridge, has been misplaced and as previously mentioned, looked at again.

As of today's date, all paths and bridleways, have been maintained by myself or landowners and are in good repair. Some further fallen tree removal on the Walls needs addressing and the landowner is happy for this to continue. Other maintenance work, i.e.; way marking, stile repairs and way posts, will be listed and prioritised.

SSN FPO

Mike Darley

Appendix 5

Sutton St. Nicholas Parish Council Budget monitoring Report as at 7-07-14

Income	Actual 2012/13	Budget 13/14	Actual 2013/14	Budget 2014/15	Actual 2014/15	Variance
Precept	18,500.00	18,870.00	18,870.00	19,250.00	9,625.00	9,625.00
Other -	100.00	0.00	750.00	0.00	0.00	0.00
Technology Grant	446.80	0.00	0.00	0.00	0.00	0.00
Lengthsmans Scheme	0.00	1,000.00	301.25	1,000.00	0.00	1,000.00
Bursary	87.50	0.00	50.00	50.00	0.00	50.00
VAT recovered / estimate	3,855.64	0.00	4,163.55	263.00	0.00	263.00
Neighbourhood Plan Grant	0.00	0.00	0.00	5,000.00	5,743.80	-743.80
Total Income	22,989.94	19,870.00	24,134.80	25,563.00	15,368.80	10,194.20
Expenditure						
Clerks Salary	3,123.54	3,590.00	3,350.53	3,590.00	1,179.92	-2,410.08
Admin/Office Expenses	419.57	289.00	244.56	289.00	75.45	-213.55
Training	159.00	250.00	97.00	250.00	0.00	-250.00
Cleaning (Bus Shelter)	0.00	200.00	0.00	200.00	0.00	-200.00
Subsidy to Village Hall	406.17	500.00	1,378.99	500.00	0.00	-500.00
Insurance	2,185.27	2,210.00	2,058.77	2,210.00	743.13	-1,466.87
Membership Subs	300.20	307.00	282.30	400.00	354.44	-45.56
Auditors	335.00	200.00	150.00	200.00	150.00	-50.00
Services Repairs and Maintenance	2,101.25	2,040.00	1,034.12	500.00	0.00	-500.00
Lengthsman	390.00	1,000.00	509.00	1,000.00	418.50	-581.50
Donations	525.00	180.00	0.00	180.00	793.00	613.00
Elections	0.00	0.00	0.00	0.00	0.00	0.00
Loan repayment	8,597.74	8,598.00	8,597.74	8,598.00	4,298.87	-4,299.13
Community Led Plan	595.26	200.00	1,039.49	340.00	0.00	-340.00
SIDs	240.00	300.00	0.00	320.00	0.00	-320.00
Rent	0.00	6.00	5.00	6.00	5.00	-1.00
Computer/software	0.00	0.00	495.81	0.00	0.00	0.00
Legal Fees	0.00	0.00	0.00	0.00	0.00	0.00
Technology Grant	446.80	0.00	0.00	0.00	0.00	0.00
New Website	0.00	0.00	720.00	250.00	0.00	-250.00
Neighbourhood Plan	0.00	0.00	130.80	5,630.00	144.00	-5,486.00
Playground Project	0.00	0.00	0.00	0.00	0.00	0.00
Community Garden/Playing Field	0.00	0.00	0.00	1,100.00	129.12	-970.88
Footpath Maintenance	0.00	0.00	0.00	0.00	246.00	246.00
Vat	263.30	0.00	357.52	0.00	141.51	141.51
Total Expenditure	20,088.10	19,870.00	20,451.63	25,563.00	8,678.94	-16,884.06
		£				
Reserves as at 1/04/14		27,278.60				
Add income		15,368.80				
Less Expenditure		8,678.94				

Balance as at 07/07/14 **33,968.46**

Analysis of Reserves

Election Reserve	1,400.00
Churchyard- St. Nicholas	500.00
Village Hall Maintenance	3,000.00
Neighbourhood Plan	5,368.00
Community Led Plan Projects	1,000.00
Total Specific Reserves	11,268.00
General Reserve	22,700.46
Total Reserves	33,968.46