

BAYTON PARISH COUNCIL

Minutes of the Monthly Parish Council Meeting of Bayton Parish Council held in Bayton Village Hall at 7.30pm on Tuesday 9th January 2018

Present: Cllr Clarke (Vice Chairman),
Cllr Miles, Cllr Adams, Cllr Williams, Cllr Carver,

In Attendance: Clerk, Three Members of the Public, District Cllr Chris Dell

1. **Apologies:** Received and accepted from Chairman. It was agreed by all Vice Chairman to Chair this meeting.
2. **Declaration of Interest:**
 - a. **Register of Interests** – Cllrs are reminded to keep their registers updated.
 - b. **Disclosable Pecuniary Interests** –
All Cllrs Item 11, Bayton Village Hall due to being residents of the Parish and using/supporting the Hall occasionally. Cllr Clarke also being PC Representative at Hall meetings but not a Trustee.
Cllr Carver items 10b and item 15 regarding Teddon Farm planning application due to her owning the property. Both items for reports, not to be discussed at this meeting.
 - c. **Other Disclosable Interests** – See above.
3. **Dispensations** –
 - a. To consider written requests from councillors for the council to grant a dispensation (S33 of the Localism Act 2011) –
It was agreed to grant a Dispensation to all Cllrs to speak and vote until May 2019 on Item 11 see above.
4. **Public Question Time** – Vice Chairman outlined the protocol for this period to resident's present.
See notes at end of minutes.
5. **Minutes of Parish Council Meeting** held on 14th November 2017 were agreed by all and signed by Chairman.
6. **County Cllr Report** – Apologies received, Report received and circulated, see end of minutes.
District Cllr Report – Report at end of minutes.
7. **Progress reports for information** –
 - a. **Slow signs for Bayton Parish** – Bayton School Head has been contacted and is willing to see if School could help. Clerk to contact Community Safety Partnership for further advise.
 - b. **WiFi Grant for Bayton Village Hall** – Grant has now been paid to PC. Clerk has contacted supplier, is awaiting response, Hall have been updated.
8. **Reports on Meetings attended by Clerk or Cllrs** – None
9. **Finances** –
 - a. **Payments made** – Mrs S Burrows (see item 9d) = £120.65, Information Commissioner (Data Protection 2018-19) = £35.00.
 - b. **To report receipts since last meeting** – WCC LM August 2017 = £162.50, HMRC VAT Repayment (2016-17) = £702.56, WCC minibus Grant = £130.00.
 - c. **Bank Reconciliation November 2017** (circulated) – Signed by Cllr balance agreed as £21095.62 in cash book December Bank Statement not yet received.
 - d. **Clerks Expenses 2016-17** (circulated) – It was agreed by all to pay £120.65.
 - e. **Budget for 2018-19** – Budget to end of November 2017 circulated for information. It was agreed by all to increase the Precept by £250.00 to £8500.00 and to accept the budget as circulated.
10. **Planning:**
 - a. Plans circulated since last meeting – **See item 15.**
 - b. **Decisions received since last meeting** –
17/01548/FUL – Caravans 12 and 13, Badgers Walk, Pool Lane, Clows Top – Change of use of two caravans from holiday to residential. **Refused by MHDC.**
17/01682/HP – Rose Cottage, Clows Top, Kidderminster DY14 9NY – Erection of detached three bay garage incorporating storage and office space. **Approved by MHDC**
17/01721/FUL - Teddon Farm, Beach Hay, Clows Top DY14 9NQ - Erection of an agricultural building for machinery and fodder storage together with the formation of a rolled stone apron and access track. **Withdrawn by Applicant.**

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APPEAL – APP/J1860/W/17/3173675 – 16/01709/FUL - Shrub Hill Villa, Clows Top, DY14 9HR – Erection of two semi-detached dwellings. Appeal Dismissed by Planning Inspectorate.

c. **Plans for comment on tonight – None.**

11. Ownership of Hall – An informal meeting was held on 5th January 2018 in Bayton Village Hall with Solicitor advising PC. The main points of the notes of that meeting were read out tonight. (The Trustees were invited to the meeting but did not attend). Advise from PC advisors (National Association of Local Councils) in Legal Topic Notice 28 para 10 in files. Both agree as per the Constitution dated 27th January 1987 para 2 the Land and Hall are held in Trust by the PC for the Charity. The Land and Hall are held for the inhabitants of the Parish of Bayton. The Parish Council are therefore Custodian Trustees. Clerk can confirm the Land and Hall are entered on the PC Assets Register showing a nil value with a note that the Charity Insure the Land and Hall.

The Charity known as Bayton Village Hall and Recreation Ground are the Managing Trustees of the Land and Hall and are responsible for looking after the said Land and Hall for the residents of the Parish of Bayton (para 3 of Constitution dated 27th January 1987). The Managing Trustees need to Insure the Land and Hall and send copy of the Insurance Document to PC. The PC cannot get involved in the running of the Charity. The Charity can ask the Hall for help/advise. Solicitor stated advise given is based on how people interpret the legal documents they are given, different Solicitors can therefore give different advice.

Lease – PC Solicitor advised the Constitution dated 27th January 1987 is the Governing Document so a Lease is not necessary. After discussion it was agreed by all to write to Trustees asking them if they want a Lease as Tenants of Bayton Village Hall and Recreation Ground.

The Clerk wishes it to be noted in the minutes (as advised previously) she would prefer the PC have a Lease which is more detailed regarding responsibilities that the Trustees have. This is to avoid conflicts which occur when Cllrs and Trustees change. The Clerk can only advise the PC, it is up to the PC whether they wish to adhere to that advise or vote against it. All notes/letters regarding this matter will be kept in Assets Folder for future reference.

12. Road report

a. **Lengthsman** – Grips, gullies to be cleared.

b. **Problems to report** – Clows Top Road, potholes filled but new ones to report. Church Lane, B4202 Clows Top, puddles forming, reported. Blocked drain Clows Top crossroads, reported. Nineveh Road – Clerk to ask when 7.5 ton sign is to be put up.

c. **Clerks Meeting with Highways update** – No further updates have been given from WCC. Concern regarding the wait for investigation of drain jetting lorry. Nineveh Lane is of particular concern, Clerk to ask County Cllr to look into the matter. WCC have agreed to repaint Double Yellow lines at Clows Top PO but it is not a priority. MHDC have been asked to help speed up the process, see District Cllrs Report below.

13. Centenary WW1 – Vice Chairman to ask resident about WW1 Soldiers information she holds, Cllr to ask School, Clerk to ask Hall. It was suggested a combined group to discuss further with Church, Hall, PC, School.

14. Correspondence for information –

Email correspondence circulated - list in minute's folder.

WCC Budget Consultation Meeting – 26th January 6pm

CALC Training dates 2018 circulated.

15. Clerks report on Urgent Decisions since last meeting –

Plans circulated by email 5th December 2017 -

17/01847/FUL- Teddon Farm, Clows Top, Kidderminster, DY14 9NQ - Erection of an agricultural building for the purpose of machinery and fodder storage together with the formation of a rolled stone apron and access track. It was agreed to support this application. Cllr Carver did not comment see 2 (b,c) above.

Payment made 21st December 2017 – Mr I Mapp (LM November 2017) = £195.00.

16. Councillors' reports and items for the next agenda.

Agenda items – WW1 Centenary Celebrations.

17. Date of next Meeting – 13th February 2018

18. Meeting Closed 8.16pm.

Signed-----

Date 13th February 2018

Chairman

Residents issues –

Roads - Treatment of roads in Bayton during the heavy snow was queried, Clerk to query with WCC copying in

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County Cllr. Gritbins in Ninevah Lane are empty, Clerk advised a bag of grit has been ordered from WCC.

Bayton Village Hall items on agenda - resident stated he sees no need to change system in place on how Hall is run, it has worked well for many years. It was stated Trustees maintain Hall and residents of Bayton Parish own it. Grants for new Hall were applied for by Trustees for residents of Bayton Parish.

District Councillors Report

Planning – No changes to Planning Committees.

Double yellow lines at Clows Top PO – MHDC will assess them, WCC have agreed they need repainting, if MHDC agree it will move up the WCC list.

Grant funding for Dist Cllrs - to be allocated by December 2018 so applications to be put in early.

County Councillors Report

Happy New Year - I would like to take this opportunity to wish all Bayton councillors and residents in and around the parish a very Happy and Prosperous New Year. We can expect there to be great challenges facing us at the town, district and county level, without considering national negotiations re Brexit. Worcestershire starts the year in good shape, as indicated in the annual conference of the Local Enterprise Partnership last month. Over 400 local business people, local authority officers and councillors attended the Chateau Impney Hotel to hear of some of the many good things that are happening in the county, and of the major challenges ahead. Some of the latter dealt with the way technology offers new possibilities in transport and manufacturing, as well as the handling of big data – a positive factor, but one open to misuse. Cyber security is a constant concern, but Worcestershire is well placed to benefit from the need, with several top flight companies operating in this area. It was also good to hear from the three recent top county apprentices, who have gone on to succeed in their chosen fields, after the benefit of their apprenticeships. They demonstrated how important it is to choose the right path for the individual, rather than believing the only route to success is via university. Indeed, one winner left her course after two years, when she realised that a better future lay with taking up an apprenticeship. Overall, a very positive conference, with many lessons learnt and encouraging enthusiasm for the tasks ahead.

County Council affairs - At the County level, I am pleased to report that we have recruited a new Chief Executive, who will start work in the Spring. He is Paul Robinson, currently the Chief Executive of Derby City Council, where he runs a unitary authority with a large budget and staff, comparable to this county. Sitting on the appointments panel, I was impressed in particular by his vigour and keenness, qualities we will need as a new senior team is being recruited over the coming months. While we have lost some senior people recently, they have all gone on to more significant posts, indicating that our personnel are recognised as being highly effective and worth employing.

I will forward a note from Jon Fraser with other county matters of relevance and also a link to the latest bulletin re superfast broadband, some of which may be relevant to some residents of Bayton.

Tenbury Public Realm - It is good to note that the Public Realm work in Tenbury is nearing completion. There are still several items of street furniture to be installed, in particular the planters, and the black bollards are still to be replaced by ones in stainless steel. Red tarmac will be applied to the raised tables in the warmer weather in the Spring.

It is good to note that the 20 mph zone is now in force. You will recall that the average speed of traffic on Teme Street was 22mph. While this is not fast, it means that many cars were travelling much faster than that, and we have to hope that motorists will now observe 20 mph as a maximum.

This is reinforced by the raised tables, where pedestrians should feel more secure in crossing the road, because of the lower speeds. The zone extends from the Teme bridge as far as the Kyre brook and then as far as Cross Street beyond Bowketts. The roads around the church are also 20 mph, but that is an area where higher speeds are very unlikely anyway.

The new 20 minute parking restriction for three car lengths outside Tenbury News will be applied next month. We must all trust that trade will now start return, to bring more prosperity to all retailers and residents in and around Tenbury.

Cllr Ken Pollock, Cheltenham, Gloucestershire, GL50 2BZ