

Minutes of the MS Teams Meeting at 6pm on Monday 8th February 2021

Meetings are held at 7.30pm at the Village Hall unless stated otherwise

Nigel Ashton, Ward Cllr & Colin Medus, NSC Liaison Officer attend when possible

There are 2 Councillor vacancies - please contact a Councillor or the Clerk if you are interested in becoming involved

Present: Cllrs Mike Ralston (Chair), Brian Cannell, Rachel Dickinson

In Attendance: Don Hill (Clerk)

Public Attendance: 0

010/21 APOLOGIES - none

011/21 DECLARATIONS OF INTEREST - none

012/21 LAST MEETING MINUTES - January 11th - were agreed, and reserved for signature.

013/21 MATTERS ARISING NOT DEALT WITH ELSEWHERE - none

014/21 PLANNING - Visit the NSC website for fuller details

New: none

Granted: 20/P/3056/TRCA Hill Cottage Walton Street, T1 - Ash - Fell

Enforcement: Related planning permission due.

015/21 PARISH MATTERS

Footpath Kissing Gate: In view of the Clerk's research, as attached, the meeting felt it more appropriate to manage future involvement in footpath funding via NSC if called upon to become involved.

7.5 Ton Limits: Completion due, but NSC are currently heavily overworked due to sickness and home working requirements.

Gullies in Walton Street: Emptying due, but may be delayed for the reasons as immediately above.

Street Light - The light is attached to a Western Power Distribution pole, with the supply cable coming from underground. It may be possible for the pole to be removed and a new steel lighting column installed. This could be slightly repositioned to allow future maintenance to the barn and its guttering. NSC investigating with Western Power and will come back with proposals and a quote.

Walton Street: Flooding at gateway from the field coming off Walton Down. NSC to report.

Golf Club Fence: Cllr Ralston met with the Club. The Clerk assembled an historical file on this matter and the responsibility for fence maintenance is clearly with NSC under an agreement dated 1986. Cllr Ashton and the Club are in touch with the responsible NSC officers to ensure the fence is repaired to a standard that is safe and fit for purpose. Members wished to record their support of the Club in this endeavour.

016/21 GOVERNANCE

Review and approval of Governance documents for 2021. These documents were pre-circulated to members for their review and, as a pre-cursor to the annual internal audit, were approved as the governance documentation to carry the Council through the 2021-22 financial year. Each document within the file will be subject to rolling update and change as appropriate during the year.

017/21 MAY MEETING DATES

The possibility of holding the May meeting on the first Monday rather than the second was considered but rejected as the first Monday is a bank holiday and perhaps, after a prolonged period of lockdown, not an appropriate alternative to our usual meeting day. This means that we will have to

conduct the May meetings - the Council's Annual Meeting and the Parish's Annual Parish Meeting - according to whatever guidance emerges during the next few weeks about the continued holding of virtual council meetings, which are presently run under a temporary regulation that runs out on May 6th 2021. If physical meetings are able to be held beyond May 6th, we will also have to adjust our timetable to accord with the Village Hall being got ready to be open for letting again.

018/21 COUNCILLORS' REPORTS

Cllr Ralston

Shooting Incident: Last Friday evening - February 5th - drama descended upon Walton-in-Gordano. The Golf Club appointed a person to clear vermin from the course. Duly armed for the job, that person was observed - and so reported to the police - as 'an armed person' roaming the Golf Course with a gun. Result - an extraordinarily noisy armed response helicopter hovering above the greens off Walton Street, issuing commands to 'the gunman' appropriate to those of a Commando force! The innocence of this drama is testament to the diligence of the Golf Club in their maintenance, the vigilance of the public and the efficiency of our local policing. We report this to allay any local alarm that may have been felt, and also to affirm the need for the public to remain constantly vigilant if they feel uncomfortable about something they witness in the goings on around them. Thank you to the person doing the job they were being paid for, to the person who did not 'pass by on the other side' in a moment of concern, and the police for looking after us.

The Shoot: We understand that the activities of the shoot are suspended during lock-down. On a recent Monday - rather than the usual Wednesday or Saturday of a normal shoot - there were the sounds of what seemed to be a shoot, (rather than a cull), down Moor Lane. Cllr Ralston will endeavour to speak with Andrew Waygood to seek his professional opinion.

Cllr Dickinson

Walton Common: The Warden reports that Work on the Common has been significantly disrupted during the Covid-19 period, and is likely to be so during much of this year, with limited personnel and no Dexters grazing up there during the winter. He came across a few people with a metal detector and spades looking for treasure. They were happy to stop when he pointed out that it wasn't an activity allowed on the Common because of its status as a scheduled ancient monument, as well as being a site of special scientific interest.

019/21 FINANCE

2020-21 Accounts: circulated with the meeting papers, reviewed and noted.

2021-22 Budget: The meeting ratified the budget adjustments that were made post the January meeting, and the noted that the precept request was confirmed by NSC, on 29th January.

Employment Costs	2661.00
Expenses	315.00
Hall Hire	120.00
Public Light	140.00
Insurance Subscriptions and Audit	450.00
Parish Maintenance	700.00
Other Costs	120.00
Website	250.00
Election Provision	-
Capital Provision	800.00
2021-22 PRECEPT	5556.00

Cheques: 796 LCN.com, the Council's new website provider, via D Hill Clerk, £21.00 being Authenticated SMTP access for waltoningodanopc.org.uk for 1 year.

020/21 **DATE OF NEXT MEETING:** via Microsoft Teams, on Monday March 8th 2021 at 6pm.

The meeting closed at 7.10pm

NSC Maintained Public Footpaths

(Hewitsons Solicitors : UK.gov)

The Path: NSC Highways have a statutory duty under the Highways Act 1980 to keep the surface in a safe condition and fit for the type of traffic which is ordinarily expected to use it. The duty is to maintain the structure and fabric, including the surface. The depth of the surface depends on how much is needed to support the path. A footpath will not be properly maintained if its surface is disturbed or defective.

Non-Surface Areas: Landowners (who may be the Highway authority, eg along the Cliff Path), are responsible for the maintenance of those elements of a public footpath that do not comprise its surface. They must make sure vegetation does not encroach onto the route from the sides or above, bearing in mind the different clearances needed for users of different types of route, for example by horse riders

Structures: Any stile, gate or other similar structure across a footpath belongs to the landowner and must be maintained by the landowner in a safe condition, and to the standard of repair required to prevent unreasonable interference with the rights of persons using the path. If the path includes a bridge passing over a natural stream or obstacle, the bridge is part of the path therefore publicly maintainable.

Liability: If someone is injured because a public path is in disrepair, the party responsible for maintaining the footpath would potentially be liable. A private law action for damages can be brought against the Highway Authority or the landowner for breach of their duty to maintain.

Structures for access: Landowners can claim 25% or sometimes more of the cost of any replacement work from the highway authority. Some authorities provide materials, or others may carry out the work themselves. Where a stile needs replacing, always consider with the highway authority whether to do this with a gate or preferably a gap, so that it will be less of an impediment to people with mobility problems. You must seek the local highway authority's permission before installing any new structure on a public right of way. Unauthorised structures are obstructions and may be removed by the highway authority at the landowner's expense.

Additional Notes:

The law requires that Section 137 grants must be "in the interests of or will directly benefit the area or its inhabitants, or of part of it, or of some of it" and "the direct benefit should be commensurate with expenditure".

The Parish Council will not award grants to:

- Private individuals;
- Commercial organisations;
- Purposes for which there is a statutory duty upon other local or central government departments to fund or provide;