KINGSTON ST MARY PARISH COUNCIL
MINUTES OF THE ORDINARY PARISH COUNCIL MEETING
HELD VIRTUALLY ON 11th JANUARY 2021

Item No	Item	Action By
1.0	**Attendance -** In attendance: Cllr P Townsend (Chairman) Cllr S Hancock Cllr D Stripp Cllr D Taylor Cllr N Townsend Cllr A Wilcox Mrs K Gibbins (Parish Clerk) Cllr R Williams (SCC) Cllr D Darch (SWT) Apologies: None 3 members of the public attended the meeting.	
2.0	**Councillors' Declarations of Interest – N**one	
3.0	**Approval of Minutes of Ordinary Meeting held on 7th December 2020 -** **Resolved:** The minutes were approved and will be signed as a true record at a future date.	
4.0	**Planning –** There were no planning applications for review.	
5.0	**Cattlewash Subject Access Request -** The Chair invited the planning applicant to speak to the Council regarding the Subject Access Request and the Council's consideration and subsequent response to planning application 20/20/0011 reviewed at the Council's November 2020 meeting. The applicant felt the Council's response was not fair as it looked only at negatives and took representations from other residents as factually correct. The applicant asked the Council to consider improvements to its processes in the future. The Council resolved to get a more fair and balanced view of planning applications in the future and to invite the planning applicant if possible, to attend the meeting in which the application was under consideration.	
6.0	**Co-option of Parish Councillors –** The Chair asked the Clerk to oversee the Co-option voting process. The Clerk explained to the Council the vote would be by secret ballot and held at the end of the meeting. Each Councillor should respond to her e-mail with the applicants name in the subject area with their vote of 'Yes' or 'No'. The votes would be counted after the meeting had closed and the applicants advised of the results. The Clerk invited each applicant to speak in support of their applications. Cllr N Townend then proposed the Council co-opt Tom Bedford on to the Council and Cllr A Wilcox seconded the vote. Cllr N Townsend went on to propose the Council co-opt Anne Simpson on to the Council and Cllr A Wilcox seconded the vote. The Council resolved to vote by secret ballot at the end of the meeting on the Co-option of the new councillors. The votes were counted after the meeting closed and the Council unanimously voted to Co-opt both applicants on to the Council as Councillors.	
7.0	**Somerset Climate Emergency Funding Bid/Traffic Calming Measures –** The Chair advised the Council the bid had been submitted but there would be a delay in the awarding of the grants due to the new COVID restrictions and redeployment of staff within the County Council. Presently, no date for the new assessment had been set. He went on to say SCC Highways was now supporting a 40mph limit on the Kingston Road from just north of Hope Park Corner Lane.	Whole Council/ SCC Williams

	SC Cllr Williams advised the Council the SCC Traffic Officer had also agreed to a longer 30mph limit on Parsonage Lane. He also said the 20mph zone stretching through the middle of the village had been agreed and would start at the house named 'Cala'. SC Cllr Williams went on to thank Cllr Taylor and Cllr P Townsend for producing and submitting the bid with a very sensible 10% margin. He pointed out it was important to remember the approval was not guaranteed and the Council should consider how long it was prepared to wait for the decision on the bid before putting in place a contingency plan. Cllr Taylor thanked SC Cllr Williams for his support of the bid and of the Kingston St Mary community. He felt it was important to consider a contingency plan if news regarding the decision was not forthcoming relatively soon and for the Council to discuss underwriting the cost of the project. SW&T Cllr Darch asked whether a derestriction sign would be erected on the Nailsbourne Road based on the agreed 40mph limit on the Kingston Road. Cllr Taylor felt that sadly, but inevitably, a national speed limit sign would be erected. Cllr Stripp voiced concern that any delay in consideration of the bid could result in the project losing momentum and the data becoming out of date. He asked if the Council was prepared to underwrite the project. He also asked if the Council knew when the 20% commitment was required to confirm the Council wanted to proceed with the work. SC Cllr Williams agreed to ask Highways when the 20% deposit for the project would be required. The Chair advised the Council it must look at its reserves and other demands on them before committing to fully funding the project. The Council resolved to put the matter on the agenda for the February meeting and to review its position on reserves and consider other ways of part funding the project.	
8.0	**Climate and Ecological Emergency –** The Chair invited a member of the public attending the meeting to talk about his community climate questionnaire. He advised the Council the questionnaire was now GDPR compliant. SW&T Cllr Darch said she felt it was a user-friendly positive document and a good starting point for engaging the Parish. The Chair asked about the questionnaire deliverables. These were explained and the author of the questionnaire said the results would be shared with the Parish Council but not the data. The Chair asked the PC whether they wished to support the questionnaire and how it would be distributed and collected? Discussion revolved around the framework to be used to distribute the questionnaire and the format in which the questionnaire should be sent. Consideration was given to whether it should be a combined effort with the Housing Needs Survey. The Council voted in favour of supporting the questionnaire. It resolved to advise the community of the questionnaire by way of the KSM website and Linkup pointing members of the community to the online document. Paper copies would be made available if required once we are no longer in lockdown. This then ensures we are adhering to the current government guidelines re. COVID. Cllr Stripp agreed to work together with the author of the questionnaire to sort out the logistics.	Cllr Stripp
9.0	**Path from Lodes Lane to the Church –** The Chair commended Cllr Stripp for his work and asked him to take the Council through his report. Cllr Stripp briefly outlined the history of the path. He mentioned there were a couple of ways to approach reviewing the status of the path and had prepared a summary of what the Council could do. He said whichever method was chosen it	Cllr Stripp/ Whole Council

	could be a long and complicated process and may involve compensation to the landowner. Cllr Stripp went on to talk about the Right to Roam legislation introduced in 2000 which stated any pre-1949 paths needed to be recorded on the Council's Official Definitive Map of Rights of Way by 2026 to continue to have public rights. As a result, he felt there was a degree of urgency with this matter. Cllr Stripp advised the Council the SCC PRoW Officer suggested the footpath be referred to as a physical route rather than a permissive route. He mentioned the two alternatives ways, see below, and said whichever approach the Council decided to take it must get evidence of use or documentary evidence. He also said evidence only counts if it is without force, permission, or secrecy. 1. Right of Way exists but has not been recorded or 2. Accept well used path and use legal mechanisms to create a new public right of way. He clarified the 20-year rule applied to any 20-year period not just the last 20 years and that the 20-year period ends with the date the gate is locked and access not permitted. If the gate has been locked the landowner is demonstrating the path is not a public right of way. Cllr Stripp concluded by asking the Council the following questions: 1. Does the Council want to pursue this? 2. Is the Council happy to take on the responsibility of the maintenance if it is successful? 3. Would the Council be prepared to pay compensation to the landowner if required? 4. If the Council proceeds, does it collect evidence first and see what the evidence shows, or does it decide which route to take and then find evidence to support this route? The Chair advised he had written to the landowners to inform them the Council intended to look for evidence to determine if a Public Right of Way exists. He asked the Councillors if they agreed. The Council then discussed the issues. SW&T Cllr Darch questioned the level of compensation due. She felt it would be wise to know what this may amount to as it could determine the outcome. Cllr Stripp agreed to see if he could find out what the value of the compensation might be. The Council resolved to continue to gather evidence and then review the strength of evidence to decide whether there was overwhelming evidence to establish the status of the physical route.	
10.0	**General Data Protection Regulation (GDPR) Compliance –** The Chair advised the Council that he and the Clerk had looked at the GDPR document which was being proposed. The Clerk expressed concern about the retention period for data being too long and suggested this be reviewed and brought in line with HMRC's recommendation of holding documentation for 7 years. Cllr Wilcox pointed out an inconsistency in the table with data in the public domain. Sometimes it was not applicable in terms of who kept this data and other times it was held by the Clerk. The Chair and Clerk agreed to review the data retention periods and the inconsistency in who should keep the data if in the public domain.	Chair/Clerk
11.0	**Kingston St Mary Settlement Boundary –** The Chair advised the Council the current SW&T Local Plan restricted development in KSM to small scale developments in character with the settlement and within defined settlement limits. He went on to say the existing settlement boundary excludes the Mill Cross area. SW&T Cllr Darch advised development can take place outside a settlement boundary, but different criteria/restrictions apply. The Chair expressed his concern that the Mill Cross area was outside the settlement boundary and suggested the Council rectify this. The Council discussed and agreed to	Chair/ SW&T Cllr Darch

	support the Chairs proposal with a slight revision to include missing gardens in 2 houses in Sawyers Leigh. The Council resolved to submit the amended proposal to the relevant officer at SW&T with the assistance of SW&T Cllr Darch.	
12.0	**Housing Needs Survey -** The Chair asked Cllr Stripp to update the Council on the Housing Needs Survey. Cllr Stripp advised that the need for affordable housing was highlighted in the 2016 Community Plan and that 58% of respondents wished for more affordable houses for local people. He went on to say this was one area of the plan which had not yet been progressed and last year, the Council invited a SW&T Officer to talk to the Council about conducting a Housing Needs Survey. The Housing Needs Survey was a way for the PC to gauge what the overall housing needs of the residents/community are. The survey will be delivered by SW&T and the data analysed by them, but it was important to ensure maximum value extracted from the data collected which, the results of, would be anonymised. Cllr Stripp advised the survey had been slightly amended and the cover letter expanded to provide a bit more background information on the survey. The Council resolved to work up the survey with the intention of distributing it possibly through the Good Neighbour volunteer network once we were out of lockdown.	Cllr Stripp/ Whole Council
13.0	**Village Green – damaged posts** The Chair showed the Council the pictures of the damaged posts and advised the Council it needed to decide what should be done to reinstate them. Cllr Taylor talked to the Council about the damage and felt if the posts were not replaced there could be an ongoing problem with vehicles driving over the green. He went on to say the SCC Traffic Officer had identified that better signage was needed around the village green to stop the problem of vehicles wrongly turning up Church Lane and driving on green. Cllr Taylor felt it was best to replace the existing posts to keep the costs to a minimum and look at it again on a more permanent basis once the traffic calming measures have been implemented to see if additional improvements are required. A member of the public agreed to assist with the repair and has spare materials at home which he could use. The Council resolved to restore the posts as originally placed with the help of the member of the public.	Cllr Taylor/ Member of public
14.0	**Financial Matters -** ❖ £180.20, HMRC, Clerk's PAYE, OCT/NOV/DEC 2020 ❖ £25.00, SALC, Councillor Essentials Remote Training 03/12/2020 **Resolved**: The Council agreed to make the above payments.	
15.0	**Items for Next Agenda –** Traffic Calming Measures Public Route from Lodes Lane to Church Housing Needs Survey The Swan Pub – Asset of Community Value	
16.0	**Items for Link Up and KSM Website -** Chair to do a write up for both	Chair
17.0	**Actions from March 2020 Meeting – Not discussed but to be carried forward to a future meeting** a) **Natural environment -** The Clerk advised that a meeting had been scheduled for 23 March with SWT. b) **Council Reserves** - i. Clearing of roadside verge on Kingston Road by the Grange and the Spinney	Whole Council

	ii. Furniture for the Playing Field Pavilion	
18.0	**Date of Next Meeting – 8th February 2021** The meeting closed at 22.19	
Signed:	Dated:	