

Somerford Keynes Parish Council

Minutes of the Annual Parish Meeting held on Monday 30th April 2018, 7.30 pm in the Village Hall.

Present: Cllr K. Mogridge (Chair), Cllr M. McKeown, Cllr R. Munroe, Cllr S. Powell, Cllr R. Sleeman, Cllr J Whitwell, Cllr. Tony Berry (CDC), Cllr S. Parsons (GCC), Mrs. W Cartwright (Clerk) and 32 parishioners.

Apologies: Cllr M Rigby, Sheila Jones, Graham and Jean Shearn,

The Chair of the Parish Council then continued the meeting by welcoming and thanking parishioners for their attendance and introducing all the Councillors and Clerk.

The Minutes of the Annual Parish meeting 2017 were approved and signed. Proposed: Stephanie Wilsmer, Seconded: Peter Watkins.

Chair's Report: Report given by Cllr Mogridge attached.

Keynes Country Park report: Report given by Cllr Sleeman attached.

Village Lake report: Report given by Mike Wilding attached.

Neighbourhood development plan (NDP): Cllr Munroe gave a short report on the progress of the NDP which had comments from CDC (and other organisations), with an essential requirement being that it was consistent with the CDC local plan and national requirements. Whilst some modifications were needed, these did not alter the overall original aims and objectives in terms of community development. An updated draft was on the village website. Once formally re-submitted to CDC, there would be a 6-week consultation period for parishioners prior to being viewed by an Independent Inspector. Timely progress reports would be periodically sent to Parishioners as necessary.

Clerk's Financial report: A brief overview of the 2017/18 unaudited accounts was given in terms of receipts/payments. In summary, reserves were healthy (approx. £7.5K) and there had been a slight excess of income over expenditure. Copies of these statements were available on request.

Cotswold District Council (CDC): Cllr Berry gave an overview of the local plan, and the application from Bathurst Developments for the Strategic Chesterton site which was approved by the Council in January 2018. He discussed the formation of a separate company, Publica to which many CDC staff have been transferred, and be part of a larger team handling work for West Oxford and Forest of Dean District Councils and Cheltenham Borough Council. The change offers further savings in the running of CDC services which have enabled the Council Tax to remain unchanged. Cllr Berry also commented on the continuation of "Free after Three" parking, the frozen green bin cost, as well as investing £15 million in more car parking and a £300,000 investment in chargers for electric cars across the District. CDC has achieved the accolade of being the most efficient District Council (out of 201) in the Country and came 13th out of 250 Councils nationally for our recycling rates.

Gloucestershire County Council: Cllr Parsons gave an overview of how government funds were being spent in the County. In particular, he discussed the increased funding for social care for the elderly and children. He also commented on the increase in budget for Highway on-going issues such as combating potholes, as well as the longer-term issue of the Missing Link A419 and improving the broadband service for the county.

There being no other business, the meeting closed at 9.10 p.m.

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Chair's Report

This time last year Sarah Powell produced the Chair's report, but stood down at the Parish Council's AGM the following month. I should like, belatedly, to thank Sarah for all that she did for the PC during her five years as Chair. I have looked through the PC's Minutes for the past year, to remind myself what we have been up to. The following are in roughly the order in which they appear in the Minutes:

Village Lake

The Parish Council was delighted last summer when a motivated and capable Management Committee was finally set up for the Village Lake under the chairmanship of Mike Wilding. This is a significant community asset and we do hope that members of the community will both use and support it. We will hear a report from Mike a little later.

LME Cycleway

Some years ago Lower Mill Estate put in a Planning application to create a new public entrance a short way down Minety Lane. As a part of this they agreed to complete the Spine Road cycleway, which strangely finishes just short of the Thames bridge, so that it will finish as was always intended at Neigh Bridge. Unfortunately the original Planning consent was allowed to lapse, but it has now been resubmitted and permitted, so we hope to see completion of the cycleway in the near future.

Planning

We have considered a number of Planning applications over the year, most of which went past without any objection. However we objected most strongly to an application in a neighbouring Parish, Poole Keynes, for the installation of a concrete crusher at the haulage yard at Sandpool Farm. I'm happy to say that this was rejected on appeal earlier this year. You might not have been aware of this application, and I don't suppose that our letter of objection was the clincher in this case, but it's interesting to note that the reasons the Planning Inspector gave for rejecting the application were the same ones we had used! Of course, what happens is that if enough local voices, from different sources, object to a Planning application, then the Inspector is forced to take notice. Thank goodness.

Highways

As you are probably aware, for the past four years Amey has held the contract to administer and carry out repairs to highways. This contract will expire in April 2019 and hasn't been renewed, which doesn't overly surprise us in the light of our experience. We understand that GCC has now reorganised the Highways function and is intending to appoint contractors for three separate areas of work: small-scale repairs, structural maintenance and specialist projects.

The Clerk has been busy this year, as always, notifying Amey and chasing it up about defects which have been reported to us by Parishioners. As a result there have been repairs in Water Lane and in Shorcote, and some replacement of damaged signs elsewhere. Highways are also responsible for flooding – often literally so! The culverts under The Street and Water Lane have been jettied. At a meeting with our Highways liaison officer, Richard Gray, we told him about the flooding on Spine Road after the heavy late winter rains. The good news is that he agrees with us that there is no 'positive drainage system' – the road is cambered so that water is meant to dissipate into the verge, but of course this can't happen if the verge

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is already waterlogged by heavy rain. The bad news is that he hasn't the resources to provide anything better, unless funds can be found to cut channels into the verge to spread the load. Watch this space.

We had an interesting discussion with Richard about the possibility of a 50mph speed limit on the Somerford Keynes Bypass. He told us that his experience, and many years of research, show that 'the speed at which motorists choose to travel at is not so much governed by the posted limit but more by how they perceive local conditions. ... Evidence supports that setting too low a speed limit can lead to a higher level of non-compliance and thus be counterproductive to safety'. In addition, changing a statutory speed limit can come in at around £20,000 if you take into account the traffic surveys and all the legal work. So I don't think we're going to get our speed limit any time soon.

The Parish Council has been discussing the possibility of erecting entry signs around SK village – the sort which include a 'gate' either side of the road and a sign such as 'Somerford Keynes welcomes careful drivers'. The idea is that the 'gate' gives motorists a psychological feeling that the road is narrowing, and makes them slow down. However, the costs would be high: approximately £1000 per gate, with two at each entrance to the village, a total of £6000. There is the possibility that half of this could be borne by a GCC community fund. The PC began the year thinking the gates were a good idea but enthusiasm has now waned somewhat in the face of the cost; moreover, in my own experience, the worst speeding offenders on Water Lane are not those entering the village but those leaving it (mainly local people), who will remain unaffected by any psychological impact the gate might have. If you have an opinion on this, please do let us know.

Footpaths

We have received a number of representations from Parishioners about the state of the footpath by Kennel Bungalow, which is used by a lot of people. We recently met with both the landowner and our GCC footpaths officer, Mike Barton, and the current situation is that Mike has asked a local contractor to give him a quote for improving the footpath, but the quote has not yet been received. When this happens, we'll have to discuss how the costs can be met. We will keep Parishioners informed in our newsletters. There is also the matter of a blocked bridleway just south of Lake 63, which Mike will be following up.

Parish Field

We were pleased to announce in January that Waterland had secured a 5-year lease on the Parish Field. Our intention is to meet twice a year with a Waterland representative to ensure that things continue to go smoothly. This will also enable us to know in advance of events which might affect the community, and to publicise them on our website and on the Clerk's email list.

Telephone kiosk and defibrillator

We have purchased the telephone kiosk from BT (for £1) and obtained a grant towards installing a defibrillator in it. However, before that happens we need to clean it down and paint it. If anyone has any advice to offer on how to do this, don't hesitate to come forward! There will be a volunteers' day before the summer sets in. We have had some volunteers come forward for helping to maintain the defibrillator (not a difficult or onerous task) but more would always be welcome. And we need to remember that Des Sheen has been looking after the defibrillator at the Village Hall for several years now – helpers here would always be welcome, too.

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Neigh Bridge car parking and usage generally

We are aware that parking and picnicking at Neigh Bridge are causing problems and we will continue to bring this up with the CWPT. People avoiding the parking fee have been parking on nearby verges, damaging them. We've been told that the Trust don't have the funds to empty the bins more than once a week, but we are aware that the bins aren't big enough to hold a week's worth of rubbish, especially in good weather, and will be explaining this to the Trust at our next meeting with them.

We haven't heard any more about the proposed otter-proof fence which the Angling Club are proposing.

Cullimore gravel extraction, near KCP

We have continued to communicate our concerns about the Cullimore gravel site to GCC; our main issue has always been, and remains, the uncertain hydrology and the fact that Cullimore's environmental consultants appear to get more information about the area from Google Maps than from actual site visits. We can only hope that they have got the after-use right, and that GCC will protect Shorncote and Somerford Keynes from the results if they haven't. Obviously, this is something we'll continue to monitor.

Data protection

The Clerk and I recently attended a workshop on the new General Data Protection Regulations, which come into effect in May. Although the PC is not an extensive data user we do hold some personal data in the form of email lists such as the Clerk's Parish list, which is used to notify people of Parish events, and of PC meetings; and the Newsletter list, which is solely used to send out Parish Council newsletters and any associated documents. There are also, of course, emails which PC members receive and send, some of which contain limited personal data in relation to planning applications, complaints and so on. The regulations, needless to say, are really meant to be for large data handlers, Facebook, health providers and so on; but Parish Councils are caught up in this too and we shall have to put some thought into formalising our data handling policies. If you have any queries on this, please address them to either me or the Clerk.

(Ask people to get put on email lists).

Commemoration of end of WW1

There will be national commemorations of the centenary of the end of the First World War in November. We know that the Church will be marking this event, and the PC would be happy to contribute funds towards a low-key community gathering. We tend as a community towards having a barbecue in the Village Hall car park, but any other ideas would be welcome. There will be beacons all over the country, so perhaps we can get ours out again.

Precept

We put the precept up by £250 this year, following several years without a change. This should make very little difference, if any, to your own Council Tax contributions, because most of the increase will be absorbed by the additional homes which have been built at Lower Mill Estate.

We raised the precept because we anticipate a number of additional expenditures this year, and into the future. First there is Village Lake – although the Management Committee will try to get funding for capital expenditure from other sources there will be some ongoing maintenance costs which the Parish Council has to meet. Then there is the telephone kiosk, which is an unknown cost at the moment, and the installation and maintenance of the defibrillators, together with ongoing training on their use. There are

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also improvements to footpaths which in the good old days would probably have been completely funded by GCC, but which now require a contribution from the community. We therefore envisage that our reserves will be depleted this year, and that spending will increase in years to come.

Elections

There will be Parish Council elections in May 2019. A number of us will be retiring. At every Parish Council event, and in every newsletter until then we will be asking people to consider standing for the Parish Council next term. If you are at all interested, please either come to some of our monthly PC meetings, or give your name without obligation to the Clerk and she will arrange for you to receive further information.

Frankly, there are bits about being a Parish Councillor which are tedious (mainly the monthly meetings) and occasionally time-consuming (although there is a certain element of choice about how much time you put in). So why do it? Because our community matters. Without the accumulation of objections raised by our Parish Council, and others, there might be a noisy concrete crusher at Sandpool Farm this summer. Without the support given by the Parish Council to active Shorncote residents there might have been no scrutiny at all of the Cullimore works on Spratsgate Lane. Sometimes what we gain is nowhere near what we hope for – but it's almost always better than nothing.

I would like to thank our splendid Parish Council for all the work they have put in during the past year, and in some cases for very many years. These people make a real difference to our community – thanks to them, and to you for supporting them by coming here tonight.

SKPC - PRoW's at KCP (Cotswold Country Park and Beach) by Cllr Sleeman

History

- Local people have walked the paths unhindered for 40 years.
- GCC obtained KCP utilizing a £20,000 Government Grant under the 1968 Countryside Act for the benefit of local people to have access to the countryside and to create a "Country Park".
- It was operated as a Country Park by GCC and under the control of the Joint Committee until 1996 when the Cotswold Water Park Society was formed.
- There was no impediment to footpath access but parking charges were introduced.
- Watermark obtained a lease in 2007/8 from the CWPS which effectively allowed them under the 1968 Countryside Act to close off the park to other than paying guests,

The sublease at clause 10.1 of the 2007 agreement between CWPS and Watermark, said;- "Notwithstanding the terms of this lease the Tenant may fence of the Property to secure it from trespassers particularly (but not limited to) for reasons related to construction or for purposes to ensure that the relevant entry fees are paid by persons using the Property".

10.2 "Notwithstanding the terms of this lease the Tenant may close the Property to the public if the Tenant considers it reasonably necessary so to do for the purposes of health and safety".

These powers appear to be part of s7 Countryside Act 1968 which grants local authorities the power to "maintain and manage a Country Park"

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S43 of the Countryside Act 1968 says " A local authority has power to make reasonable charges for any facilities or services provided by them in a Country Park. This expressly includes a charge to use any part of a country park set aside for any particular form of recreation".

- This lease caused alarm not only from the local community but also from the CWPJC whose role it was to oversee the park. It was however never fully discussed by the Joint Committee and the decision was left up to GCC, the landowner.
- The officers at GCC had doubts themselves as shown in information obtained under a Freedom of Information request but there was pressure on them because it was claimed that the CWPS was in danger of folding for financial reasons. What was not known at the time was that Dennis Grant (the CEO of the Society) was siphoning funds from the Society into his own pocket and was also being paid by Watermark.
- Gates were installed to prevent access but were swiftly removed.
- Following an outcry from all the local Parishes and other bodies it was recommended that an application for PRoW's be submitted which would be supported by the newly established Trust and GCC. This was submitted in 2010 supported by over 30 individual statements and a 1400 signature petition. The Application was acknowledged by GCC legal PRoW department as fully valid, however because of the existing lease with Watermark it was suggested that it was put on hold until Watermark had vacated the site (2016).
- When that happened the Trust and GCC stated that they would support the PRoW application.
- When a new tenant was sought by the Trust it was clearly stated in the tender documents that PRoW's would be established at the park.
- PSL took the lease on those terms but, once installed they claimed for "Health and Safety" and "Management" reasons that they would need to control access to the park. *Does this sound familiar?*
- Suggestions of alternate solutions were rejected by PSL.
- The currently published access charge for pedestrians/cyclists is £4 low season and £6 high season ((£2 low season for children). It is cheaper for 2 people to enter on a motorcycle than by foot or on a pedal cycle.

The Law

Following a 2014 interpretation of the law by Lord Neuberger which legally implies that the paths around the lakes have already been dedicated as a PRoW unless the landowner (GCC) could demonstrate a clear lack of intention to dedicate during that period.

All Definitive Map Modification Order (DMMO) applications for paths to be added to the legal record come from years of trespass by the public. Over time rights are 'acquired' and as long as they meet the tests below, a presumption of dedication can arise leading to the paths being dedicated as public highways. The test is as set out in s31 Highways Act 1980; - use must be 'by the public', 'as of right' – without force, secrecy or permission, 'without interruption' and for a period of '20 years' or more.

Access to Keynes Country Park has never been by trespass. The land was purchased to construct a country park specifically for the benefit of the public meaning that from the start public use at Keynes Water Park was 'by right'. You had the right to access the country park but there may be conditions applied to this access to facilitate the management of the park.

The result of this is that the PRoW application is now to be taken to the GCC Commons and Rights of Way Committee on June 22nd with a recommendation to refuse.

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However

The land is owned by GCC and there is currently **no** Dedication Agreement between the Trust and GCC except a draft Agreement seen by the PC to allow closure of the park for up to 10 days a year and the installation of gates to facilitate closure on those days. GCC States:

Gloucestershire County Council, as the major landowner, is totally committed to providing members of the public with a public footpath around Lakes 31 & 32. Our commitment was demonstrated when we required the inclusion of a condition in the 2017 lease between the Trust & Planning Solutions Ltd, stating “CWPT, CWPS, Gloucestershire County Council and Somerford Keynes Parish Council are in discussions relating to the creation of dedicated public rights of way around North Lake 31 & South Lake 32 and the parties agree that the Centre will be operated so that free public access is maintained from the existing public rights of way network to the Centre and to those new dedicated rights of way once agreed”. The lease also includes a right to charge admission fees.

The CWPT is a registered Charity and one of its aims is:

the provision of public parks or other public facilities of an environmental, educational or recreational nature, provided that the parks or facilities are not to be operated at a profit

Report to SKPC on the activities of the Village Lake Subcommittee 2017/18

1 Subcommittee

Subcommittee is made up of Chairman (Mike Wilding), two SKPC councillors (Michele Rigby and John Whitwell), Mike Willis, Lisa Willis and David Miles (co-opted). The subcommittee first met in September 17 and generally meet every two months.

2 Objectives

In the autumn, four primary objectives were set, and progress on these objectives is as follows:

A Ascertain the current condition of the asset that the village had been given by Hanson in 2013.

To achieve this, a tree condition survey was commissioned to look at trees within the Lake boundary and on the borders. The condition of all the large trees is now recorded and the two trees with Tree Protection Orders identified.

B Instigate regular monthly inspections of the Lake area, including the condition of lifesaving equipment, boardwalk, seats and benches, looking for broken and snagged branches, & efficiency of dog bin emptying by CDC. A rota has been established amongst subcommittee members for this, and records kept.

C Organise Volunteer mornings for general maintenance and fun activities. The first of these was planned for 2 March, but due to the snow was held on Sat 16 March. Four subcommittee members and

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three volunteers braved the icy wind to clear scrub, plant hedging whips, and remove old plastic tree protectors. A large bonfire kept us all warm. These Volunteer mornings are planned to be held at 3 monthly intervals, the provisional date for the next one is 2 June.

D Plan and carry out ecological improvements to the Lake area, by applying for a grant from the Section 106 (para 20) fund, of the agreement between Lower Mill Estate and CDC. We have been working with Dr Phoebe Carter (LME Chief Ecologist) and Boyd Henderson (Wild Service, Glos Wildlife Trust) on this plan and its costs. We aim to have the application ready for discussion and hopefully adoption by SKPC at their June meeting. It will then be submitted to CDC. Items in the current plan include:

- Creation of a wild flower meadow
- Removal of some self sown willows and felling of others into the lake to provide nesting places for water birds
- Provision of pond dipping platform, together with nets and buckets
- Hedge whip planting in the remaining boundary gaps
- T-posts for Kingfishers to spot fish
- Addition of non-slip strips to boardwalk (which **IS** slippery when wet)
- Spring bulb planting in copse areas (daffodils, snowdrops, bluebells, wood anemones etc)
- Owl boxes with camera equipment for remote viewing
- Bat boxes
- Floating island for bird nesting
- Bee bank in the non pedestrian area
- Ecological survey

We may not get grant for all of these, but will offer to do some of the simpler tasks ourselves, on volunteer days

3 Summary: The Lake subcommittee has got off to an enthusiastic start, but will rely on regular help from villagers on volunteer mornings, to keep up with general maintenance work, which will not usually attract grant monies. Donations of any working 2nd hand petrol mowers, strimmers, rakes, loppers and bow saws, would be gratefully received, if you are thinking of replacing yours! Hiring equipment is expensive. Our budget from SKPC for 2018/19 for maintenance work is around £1000.

MIKE WILDING

Village Lake Subcommittee Chairman