

**The Draft Minutes of the Meeting of Bampton Town Council
Held on Tuesday 4th November 2014
In the Albert Fowler Room, Bampton.**

The meeting commenced at 7pm with the Public Forum.

Mr Jack Ward wished to comment on the report from Wheeler's Accountants, regarding his management of the payroll, which he felt was biased as only two errors had been identified. He informed the meeting that although wage slips had been issued showing deductions he had decided to make gross payments. He now wished to see the minutes of the previous meeting changed. Cllr Brian Smith offered to discuss the matter as an agenda item at the next meeting.

Miss Crabtree informed the meeting that she had sent a letter to BTC supporting the proposal of the Bampton Library Action Group that the library should move to the former Peregrine café and requesting a donation of £5,000 from BTC to support this which she suggested DCC would match fund. Miss Crabtree stated that the library cannot continue in its current situation beyond April 2015 and that extra space is needed.

Mrs Jill Appleby advised the Council that she had held an amount of just under £2,000 in an account for seven years, as former Treasurer of Bampton Youth Club. She said she had retained the money in the hope that something would happen and wanted to ask BTC whether they would consider creating a facility for 8-14 years although she appreciated that there was no building available in which to arrange this at the moment.

Carol Mears then asked why the Clerk had not told her what to do as regards making an application to be a Councillor. She continued that she had told three Councillors that she wanted to be on the Council but had not made a written application. The Clerk advised her that a public notice had advised anyone wishing to apply to do so in writing. Ms Mears persisted with her belief that she felt the Clerk should have contacted her personally and told her what to do and was asked to sit down.

Mr Edwards asked the Chairman if the Council had adopted the recommendations of the Monitoring Officer and the Standards Board of MDDC. Cllr Smith responded that they had. When asked by Mr Edwards which ones Cllr Smith responded those relating to procedure and general governance. Mr Edwards said he was pleased to hear it. Cllr Tanner added that there had been a meeting with Monitoring Officer to sort out a Code of Conduct as he felt the council was muddling along.

Jess Jones asked whether the Council was aware of the bank of mud on the Old Tiverton Road where the Knoll had been removed and asked if that was the finished look for that development? The Clerk informed the meeting that other people had expressed their concerns about the situation and that information had been requested of the relevant Planning Officer at MDDC.

Mrs Beeden asked whether the growth in the river near to the bridge is going to be removed. The meeting was told that Mr Dawson and the pupils of Blundells School are still expected to do the work. Mr Dawson to be asked for a definitive date to do the work.

Mr Edwards then expressed his concerns about the hedge growing on the left hand side of the Tiverton Road. He believed this belonged to the land being developed by Mr Clark and requested that DCC be asked to serve notice on him to remedy the situation. Cllrs Gilmour and Colthorpe suggested that he write a letter to the landowner and asked to be copied in to this letter.

The Public Forum ended at 7.30pm.

1. Apologies were received from Cllr Baker and Cllr Stanley. Elly North was welcomed by the Chairman as the new Councillor.

Cllrs Smith, Tanner, Stoner, Gilmour, Pitt, Weston and Pope in attendance with Cllr Colthorpe also attending.

2. The Chairman refused to nominate the Clerk as Proper Officer as he was under the impression that there were two forms of Proper Officer and that lots of Councillors have asked him what is a Proper Officer. He added that the Amy Tregellas the Monitoring Officer had told him not to deal with this until the category of Proper Officer had been decided. The Clerk queried as to whether he was stating the Monitoring Officer had contradicted the information she had provided at a recent meeting with the Council, which was that they needed to nominate the Clerk as Proper Officer? Cllr Gilmour asked the Clerk to contact the Monitoring Officer for her recommendation and explanation of her understanding of the roles of Proper Officer of the Council. Cllr Smith said he would discuss the matter at the next meeting. Cllr Stoner agreed that the Clerk is generally Proper Officer and does not need to be nominated. He then proceeded to produce the Declaration of Acceptance for Elly North to sign as the new Councillor, stating as he did so, as did Elly North, that the Declaration produced by the Clerk pertained to MDDC, although they was advised that this belief was in fact wrong. He added that the Declaration does not need to agree to abide by the Code of Conduct as this was now dealt with separately, but did not say where.

3. Declarations of Interest.

Cllr Pope a personal interest with regard to item 9k; Cllrs Tanner a pecuniary interest and Cllr Stoner and North personal interests in respect of the Riverside Hall; Cllrs Tanner, Smith and Weston pecuniary interests in respect of Bampton Fair; Cllr Tanner a pecuniary interest with reference to the library.

4. Acceptance of the minutes of the last meeting.

Cllr Smith informed the Council that he would be attending the Planning Meeting, to take place the following day at MDDC, to object to the application for a solar factory at Shillingford on behalf of BTC. He went on to state that he had received a serious objection to the BTC objection to the Lord's Meadow access track. He stated that BTC are the subject of a libel action, Cllr Gilmour stated that this was not the case, they had merely received a complaint. Cllr Smith wanted the previous submission to Planning to be changed. The Clerk advised that the EA had stated that they agreed with the BTC submission and would be looking into the matter. Cllr Stoner left the meeting with the words 'I am leaving, not resigning'. A discussion took place regarding the fact that the planning application was retrospective, as the track had already been started, but that the EA had not been asked by MDDC to report on the development. The Environment Agency had been asked to advise on the situation and is providing a report on the matter.

Cllr Smith refused to sign off the minutes of the last meeting in the light of the complaint received regarding the Council's submission to MDDC Planning expressing their concerns about the access track at Lords Meadow. He stated that the Monitoring Officer for MDDC had told him not to sign the minutes off. The Clerk advised Cllr Smith that the minutes should be approved as an accurate record of the previous meeting with all resolutions recorded. Anything that had happened subsequent to that meeting was not relevant to the accuracy of those minutes. Cllr Smith refused again to sign the minutes with reference to the Monitoring Officer's advice. The Clerk asked if he had received this advice in writing and said not. Cllr Gilmour asked Cllr Smith to request that the Monitoring Officer be asked to substantiate the situation regarding her advice to the Chairman in writing and the response to be shared with all Councillors, rather than dealt with in secret as seemed to be his way.

5. Matters arising.

Cllr Pitt asked whether a proper contract had been drawn up specifying the work to be carried out at the Millennium Green. Cllr Smith informed him there wasn't a written specification although various areas had been pointed out when he had walked the site with the contractor. Cllr Pitt felt that a full cut hadn't been done as it was impossible to get through one of the gates, and the orchard was completely overgrown, as is the area around the Pump House. Cllr Gilmour suggested that a proper tender should be created to ensure that the area was properly managed.

As recent work had cost over £500 the work should have been put out to tender according to the Council's own rules. It had proved very expensive for only one cut and should be dealt with properly in future. Cllr Weston to be asked to advise on timings. Cllr Pope said there had not yet been a site meeting regarding the CCTV at the Pump House but that she was still working through the paperwork with MDDC.

6. Cllr Colthorpe told the meeting that the new leader of MDDC is Cllr Clive Eginton. Mid Devon is still trying to balance the budget. DCC will be holding 'Tough Choices' meetings to suggest a way forward for service provision despite funding cuts from central government. There will be a meeting at the Hayridge Centre in Cullompton, which he will attend, on November 19th 2014. This will be the only such meeting held in Mid Devon. Devonshire Homes have been reminded yet again of the proper route that their contractor's lorries should be taking, which is not through the village, although it appeared from the discussion that this information had not been passed on. There are to be more works starting this month at Black Cat and the road will be closed for several weeks. Further major roadworks will begin in the new year on the A396 before Cove (from the Bampton side) to build a retaining wall. There will be traffic controls in place whilst this is completed. Cllr Pitt suggested that this is an awkward piece of road already with traffic crossing the white lines. Would a wall perhaps cause people to steer away from it on the bends? Tiverton Community College are considering further expansion and supplied a consultation document which Cllr Colthorpe particularly asked to be completed and returned by BTC. Cllr Pitt asked Cllr Colthorpe whether she had found out why Thornborough's had been cutting grass in the early hours of the morning? She responded that she hadn't dealt with this yet and requested copies of the emails be forwarded to her.

7. Finance.

October receipts @22nd 2014.

26 th September	Car park	£263.00
1 st October	MDDC Creditors precept	£18096.00
8 th October	Riverside Hall	£97.00
8 th October	Riverside Hall	£166.95
15 th October	Car park	£156.00

Two cheques not reconciled at @ 22nd October 2014

102023	Mr Rice	£960
102025	Community First	£144.90

Bank statement

HSBC	£49932.67cr	Scottish Widows	£36710.40cr
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October payments further to last minutes.

Mr Rice	Shillingford Play Park	£960
Community First	Fair insurance	£144.90

November payments due.

1 st November	D/d Bridge Terrace	32.00
1 st November	D/d Tolls of fair	47.00
17 th October	D/d Clerk's phone bill	73.30 (Query amount)
4 th November	MDDC Payroll office	702.05
4 th November	MDDC Litter bin	634.27 (Query amount)
4 th November	Ken White signs	220.80 (Query amount)
4 th November	St John Ambulance	400.00

4 th November Filmbank Distributor	116.40
4 th November Caxton's	91.09
4 th November Just the Job Hollett garden	20.00
4 th November M.Morgan Toilets October	310.00
plus Bampton Fair	200.00
4 th November MJF Contractors Grass cutting	209.36

The running total for the car parks as of 24/10/14 is £2433.20.

The account from Wheeler's accountants had been paid up to the amount agreed by BTC, which was £200 plus VAT. This had brought a complaint from the accountant as the total bill was £300 plus VAT, which the accountant stated on his invoice had been agreed by Brian Smith. Councillor Smith felt he would have been wasting time if he had brought it back to Council. He was advised by the Clerk that he did not have the authority to decide to spend tax payer's money without the agreement of the Council, it was not time wasting to refer to his fellow Councillors it was in fact procedure, such as he had referred to earlier. Cllr Smith then proposed that BTC should pay the bill in full anyway as agreed by himself without Council's agreement or authority, despite the original resolution stating that any extra costs should be agreed by Council. He was seconded in his proposal by Cllr Pope with Cllrs Tanner and Weston in support, Cllrs Pitt and Gilmour against and Cllr North abstained. Cllr Gilmour wanted it recorded that a quote should be honoured and this had not happened. Mr Alexander for Wheeler's Accountants to be directed to the Monitoring Officer for Mid Devon Council with regard to his complaint about Cllr Smith's behaviour. Cllr Pitt hoped that Cllr Smith would learn his lesson from this incident, having previously told the Council that he had not agreed this with the accountant.

8. Planning.

Ref: 14/01637/ FULL Extension at Mount Lodge. No objection.

Ref: 14/01681/FULL Erection of two holiday units at New Park. It was agreed to submit concerns regarding the potential flooding issues as part of the development encroaches on a flood plain and there were also concerns about run off from the site affecting other properties further down the road. Another access point is also proposed and a pedestrian walkway on the other side of the road, this raised issues pertaining to traffic. Cllr Gilmour proposed an objection to the application with Cllr Weston seconding Cllr Tanner not in support Cllr North abstained with all others in favour.

Ref: 14/01781/FULL Conversion of garage at 31 Bouchier Close. No objections.

9. Ongoing business.

a. Shillingford Play Park. There appear to be few people now using the park and there is limited equipment. MDDC will be reducing their financial support for parks in the near future and expecting the town councils to maintain and cover the costs. The latest response from Mr Rice once again changed his requirements of BTC. Despite having twice been sent cheques to meet the cost of retaining the park these had not been cashed. He now suggests a new agreement be drawn up, without any input from either MDDC or BTC, which BTC would be expected to pay for and which Mr Rice's solicitor would then be allowed to sell on to other authorities. This was not considered appropriate. BTC to seek discussion with Steve Densham at MDDC.

b(i) Cllr Tanner said that he had received frequent complaints about the state of the toilets over a long period of time and felt that the cleaner had had the matter brought to his attention often enough. Cllr Gilmour suggested that she write to Mrs Morgan, as Chair of the Personnel Committee, asking that improvements are made otherwise the contract will be reconsidered.

(ii) Cllr Tanner proposed that the roof on the former toilet by the Riverside Hall be repaired. Quotes are to be requested with a response within seven days if they are to be considered.

He continued with the idea that the toilets should be reinstated for use. Cllr Pitt advised him that it is a listed building, as was confirmed by Andrew Busby of MDDC, and it may prove difficult to provide disabled facilities. Cllr Pitt also reminded the meeting that maintaining the existing toilets, after the withdrawal of MDDC funding would take 25% of the annual precept. It would

therefore be wise to consider the additional cost to BTC at a time when MDDC are closing public toilets in order to save taxpayers money.

c. In order to manage the future of a public toilet in Bampton MDDC had agreed to a three year transition period, during which their funding towards maintenance and cleaning would be reduced, until 2017 when BTC will have to carry all the costs (currently £7,500pa). Cllr Stanley and DCC had both stated that there would be an offer of financial help if BTC were to create a revised plan for the future management of the building. The suggestion was put forward by Cllr Pitt that the disabled toilet could be maintained as a facility for male, female and disabled persons use, with a small fee for use that would go towards its running costs. The rest of the building could then be converted into a new library, which would offer the same floor space as the current library. Andrew Busby of MDDC had offered to supply information on self-funding toilets and other initiatives as well as funding from MDDC specifically to help to make the changes. Cllr Gilmour pointed out that so far discussions with MDDC have improved their commitment to funding from 2016 to 2017 as well as bringing the offer of financial help towards the preparation for an alternative use of the building. If the library were to move in BTC would not be liable for the rates and the community hall could be used to provide alternative services. BTC would save £1,800pa and the library, if operated as a Trust, would not have to pay rates and could take the property at a true peppercorn rent which would ensure its existence in Bampton without any concerns for the future. As well as being on a site that offers parking and level access. Both the public toilet and the library could be kept at no cost to the Bampton taxpayer; this is the most sustainable option for Bampton. At this point Cllr Tanner left the meeting without giving a reason. DCC require proposals for Devon libraries by December 1st 2014. Resolution; Cllr Gilmour assured the meeting that information regarding costings, grants etc could be collated for that date and proposed that BTC support this initiative this was seconded by Cllr Pitt with all in favour. Cllr Pitt also requested Council's agreement that he and Cllr Gilmour continue to liaise with MDDC regarding this. Proposed by Cllr Pitt seconded by Cllr Pope with all in favour.

d. AONB. Cllr Gilmour wanted to know more about the proposal to give the Exe Valley Area of Outstanding Natural Beauty status and the impact it would have on the people who live and work in the area. A public meeting and consultation is to be requested from those people proposing the initiative.

e. Riverside Hall. This could not be discussed as Cllr Stoner had left the meeting.

f. Millennium Green. This to be discussed at the next meeting.

g. Neighbourhood Plan. Further to discussions with the Chair of the Neighbourhood Plan committee in Tiverton it was decided that it would be more constructive to create a NP for Bampton alone. Expressions of interest in the formation of a community committee to take this forward will be requested.

h. To be discussed at the next meeting due to time constraints.

i. TAP fund. Cricket nets on wheels can be found for approximately £1500, which could be found through the TAP fund money. Cllr Pitt proposed going ahead with this seconded by Cllr Pope with all in favour.

j. Recording equipment for Council meetings, which would then allow the recorded meeting to be available for both council records and public information, could be found for approximately £80 - £110. Three quotes to be obtained and circulated for approval. Proposed Cllr Gilmour seconded by Cllr Pope with all in favour.

k. A cheque for the rent of the Scout Hut was received with thanks.

At 10pm the meeting had reached its allotted time according to the Standing Orders and ended.

The date of the next meeting will be Tuesday 2nd December 2014.

