

**MINUTES OF THE MEETING OF BISHOPS HULL PARISH COUNCIL HELD AT THE CHURCH HALL ON THURSDAY 7<sup>th</sup> MARCH 2019**

**Have Your Say** – PCSO Lyndsay Smith gave a verbal report. Cllr Morrel gave a verbal report. The booking secretary for St Peter & St Pauls Church made comments regarding item 12 on the agenda. The applicants for planning applications 05/18/0055/LB, 05/18/0054 and 05/19/0003 were present and gave comments regarding their applications and took questions from Members regarding these applications.

**PARISH COUNCIL MEETING OPENED at 7.20pm in the absence of the Chairman the meeting was chaired by John Hunt – Vice Chairman**

**Members Present:**

Mr J Hunt – Vice Chairman  
Mr J Hamer                      Mrs J Henry  
Mr E Parsons                    Mr J Taylor  
Mr T Taylor                      Mr S Turner  
Mr M Turner,

**Also Present:** 14 members of the public, District Cllr Morrell and Helen McGladdery (Clerk)

**E3319                      Apologies for Absence**

Mr M Leach – Chairman, Mrs L Kelly and Mr P Prior-Sankey

**E3320                      To Agree Minutes of the Meeting held on Thursday 24<sup>th</sup> January 2019**

The minutes were agreed as a true and accurate record of the meeting and signed by the Chairman

**E3321                      Declaration of Interest not already recorded**

John Hunt declared an interest in agenda item 5.

**E3322                      Planning applications received:**

**05/18/0055/LB** - Conversion of public house into 2 dwellings with demolition of part of the single storey buildings and erection of 2 dwellings with associated works in the garden of The Crown Inn Rumwell – **NO OBJECTION** to the conversion of the public house subject to conservation officers' comments

**05/18/0054** - Conversion of public house into 2 dwellings with demolition of part of the single storey buildings and erection of 2 dwellings with associated works in the garden of The Crown Inn Rumwell – **OBJECT** – with the following comments. No objection to the conversion of the existing building to two dwellings, but objection to the 2 new dwellings. The development is outside the defined settlement limits of Bishops Hull and the erection of two new dwellings as proposed would result in sporadic unplanned development in open countryside. No specific "Local Need" has been identified for new dwellings in the proposed location that cannot be met within the nearest designated settlement. Nor has any justification been submitted that this element of the overall development is needed to enable the conversion of the existing building as proposed. The proposed development would therefore not comply with Policy DM2 of the Adopted Taunton Deane Core Strategy. The proposal could also result in a precedent for other similar inappropriate development in the vicinity. Rather than demolish the single storey part of the existing building, refurbishing this part could possibly

provide further accommodation as part of the proposed conversion of the former public house.

Some concern that the proposed new access to serve the two new dwellings will have insufficient visibility in a westerly direction due to the proximity to the brow of the hill on this often very busy stretch of the A38. The views of the County Highway Authority should be taken into account on this issue.

There was also some question with regard to the west side parking area [4 vehicle spaces] in terms of exiting issues onto the public highway. It is not clear whether cars would have the ability to turn around without encroaching on 3rd party land or the busy A38. This will require clarification from County Highways, as the ownership and highway boundaries are not clear from our paperwork

**05/19/0005** - Erection of a single storey extension to the rear of Mayfield, Bishops Hull Rd – NO OBJECTION

**05/19/0003** - Erection of an anaerobic digester and control room at Newley Farm, Upcott Road, Bishops Hull – SUPPORT – Subject to adequate screening being provided

**ACTION: The Clerk to submit responses**

**E3323 To agree the release of £17,000.00 ringfenced CIL Funds to Bishops Hull Village Hall and Playing Fields Trust for the new pavilion project**

**Resolved:** Members voted unanimously to pass the £17,000.00 to the Bishops Hull Village Hall and Playing Fields Trust and were satisfied that the criteria of the CIL policy had been met.

**Action;** The Clerk to arrange the transfer of the funds

**E3324 To review Local Grant applications received**

None received

**E3325 Financial Matters:  
Detail of payments made since the previous meeting and any payments awaiting approval:**

Blake Training (PPLO footpath training)	£78.00
Friends of Netherclay grant	£500.00
Water2business - allotments	£63.63
Smart pensions	£29.30
Phone insurance	£3.00
mobile phone	£7.00
Jill Coldicott - Website fee	£59.93
Church hall hire	£18.00
Colourtone - February and insert & printing	£289.23
The Clerks and Street Cleaners January and February salaries were paid in this period	

**Funds received:**

Community News	£5.00
----------------	-------

**Change of authorised signatories**

**Resolved:** Members agreed to remove Malcolm Turner from the authorised signatories list at his request, and add request for new authorised signatory to the next agenda

**Action:**

1. The Clerk to action removal of Malcolm Turner from the signatories list
2. The Clerk to add authorised signatories to the next agenda

**Purchase of salt bags for the Parish**

**Resolved:** Members voted unanimously to purchase 20 salt bags at a cost of £4.74 each for a 25kg bag from DLO

**Action:** The Clerk to liaise with Darren Penny to arrange collection.

**E3326 Clerks Report which will include all matters arising from previous minutes**

The Clerks report was distributed to Members.

**E3327 Chairman's / Vice Chairman's Report on various meetings attended on behalf of the Parish Council**

Nothing to report in this period

**E3328 To discuss purchase of defibrillators in the Parish**

**Resolved:** Members voted unanimously to:

1. Purchase 2 defibrillators from Primary Care at a cost of £1,200.00 each using CIL funds, providing the Frank Bond Centre and one village location agree to siting the units.

**Action:**

1. The Clerk to arrange for ASM electrical to carry out feasibility surveys at all locations who confirmed they would be happy to have a defibrillator sited at their property.
2. Agenda item added to April to confirm agreed locations

**E3329 To discuss concerns raised in Kinglake development, to include Abbeyvale**

**Resolved:** Members agreed to raise the following queries with Persimmon:

1. Removal of advertising boards
2. Installation of dog bin at Abbeyvale

**Action:** The Clerk to contact Persimmon

**E3330 To discuss proposed Heads of Terms lease agreement for Bishops Hull Hub received from the PCC**

**Resolved:** Members voted unanimously to object to the Heads of Terms agreement with the attached letter.

**Action:** The Clerk to forward the letter to Bishop Hull HUB Chairman and a copy to the Rev Phil Hughes

**E3331 To receive Allotment report**

The Allotment report was received. Eddie Parsons suggested running a best kept allotment plot competition.

**Action:** Best Kept Allotment competition added to the next agenda for discussion

**E3332 To discuss complaints received regarding dog fouling in the Parish**

**Resolved:** Members to come up with ideas to combat irresponsible dog owners allowing their dogs to foul and not picking it up, and report back at the next meeting.

**Action:** The Clerk to add to the next agenda

**E3333 Taunton Cycling Campaign – to agree a response to the letter received**  
**Resolved:** Members agreed to support this campaign  
**Action:** The Clerk to send response

**E3334 Suggested items from Councillors for inclusion in next meeting**  
1. Possible alternative use for CIL and Section 106 funds  
2. Authorised signatories  
3. Best allotment competition  
4. Dog fouling

**E3335 Date of next meeting:** Annual Parish meeting followed by Parish Council meeting Thursday 11<sup>th</sup> April 2019 at The Church Hall

Meeting closed at 8.35pm

**John Hunt - Vice Chairman**

**Attachment: Response to Bishops Hull HUB re. Heads of terms**

# ***Bishop's Hull Parish Council***

**Chairman:**

Mr M Leach  
8 Gwyther Mead  
Bishops Hull  
TA1 5FD  
Tel. (01823)323544  
E-mail: [mikeleach3@gmail.com](mailto:mikeleach3@gmail.com)

**Clerk to the Council:**

Mrs H McGladdery  
46 Ashley Road  
Taunton  
TA1 5BP  
Tel. 07518 144614  
E-mail: [bishopshullparishclerk@gmail.com](mailto:bishopshullparishclerk@gmail.com)

[Friday 8<sup>th</sup> March 2019](#)

**Reference:** Heads of Terms proposed letting agreement for the Bishops Hull HUB:

Dear Chairman of Bishops Hull HUB

Following the meeting of the Parish Council on Thursday 8<sup>th</sup> March 2019, the following resolution was passed in response to the proposed Heads of Terms letting agreement for the Bishops Hull HUB:

At the start of this process in December 2011, it was reported that in order to comply with the terms of the Section 106 agreement, the money should go towards a community facility which are open to everyone and provide a focal point for activities for all age groups in the Community. These terms clearly do not comply with this.

Therefore, if terms are not modified it is recommended that the Parish Council **do not** release any CIL funds to the HUB project nor support the release of the Section 106 funds from TDBC at this location. The Parish Council requests that the PCC respond to the Parish Councils request by 8<sup>th</sup> April 2019. This will then give the Parish Council sufficient time to look at an alternative use for the funds if necessary, before expiry date of 27<sup>th</sup> September 2020, where £186,120.00 (plus interest) would revert back to Persimmon:

**TERM:** The Demised Premises will be leased to the Tenant for a term of 35 years. – *This would only be acceptable if part II of the Landlords and Tenant Act 1954 was reinstated into the agreement, with the HUB being given first refusal to renew the lease at the end of the 35 years term. Otherwise a term of 99 years should be set,*

**RENT:** Peppercorn – *needs clarifying, the PC suggestion would be NIL rent in lieu of the Church using the HUB every Sunday until 2pm Free of Charge.*

**REPAIR:** The PCC will be responsible for the full repair and maintenance and resurfacing of the car park with the Tenant to reimburse the PCC 50% of the costs in doing so – *Not agreeable the PCC should bear the cost of this.*

**ALIENATION:** The tenant will be permitted to hire out The Hub to appropriate groups and individuals provided that no security or tenure is created. If a hiring of The Hub by the Tenant conflicts with the Church Use as detailed below, Church Use will take precedence. Not to use or allow the use of The Hub for the conduct or religious education, worship or ritual or act which shall be in the opinion of the Landlord (whose opinion shall be final and binding) contrary to, conflicting, or prejudicial to the Articles and Doctrines Rights Rules and Disciplines and Ceremonies of the Church of England to the Extent permitted by Law. Not to use or allow The HUB to be used for:

1. The solemnisation of weddings etc, 2. Funerals or Services of Committal – *In September 2016 representatives of the Church confirmed that there were no conditions or restrictions in terms of users at the current church hall and no specific types of group were excluded. As a community hall, it needs to be available to the whole community and no group should be discriminated against and believe the HUB would be acting unlawfully if they did so. The PC suggests the Church can book the hall a year in advance and charged the same fee's as any other booking, not be given priority over any booking, with the exception of Sunday until 2.00pm.*

**SIGNAGE:** The Tenant will be afforded signage rights on the exterior of the completed development - all signage to be approved by the PCC at the PCC's sole discretion and in particular the signage must include details that The Hub is provided through a partnership between the parish Church and the Community (dates to be included), such details to be prominently displayed on the outside and inside The Hub and on all advertising and official documents – *The Hub is not provided through a partnership with the Parish Church and the Community. It is a Community Hall, with land provided by the Parish Church and a secular building, otherwise Section 106 funds will not be released by TDBC and Persimmon.*

**CHURCH USE:** The PCC will have full and unrestricted access to and use of The Hub free of charge on the days detailed in the schedule attached to the Heads of Terms. The PCC will be entitled to review the schedule of the days of use on an annual basis and will be entitled to change the days and times of use on an annual basis on the understanding that any changes to the days of use are fair and reasonable. If any dispute difference or question arises between the parties in relation to the terms of the reservation of use of The Hub for Church Purposes the question shall be referred for decision by the Archdeacon of the Archdeaconry within which the Parish of Bishop's Hull shall from time to time be situated or at the option of the Archdeacon acting in their absolute discretion by a single arbitrator in accordance with the provisions of the Arbitration Act 1996 to be appointed in default of agreement by or on behalf of the President of the Royal Institution of Chartered Surveyors. The tenant will not use the car park on days and times reserved by the Landlord for church use as detailed in the attached schedule. – *Not acceptable, the PC suggestion as stated above is every Sunday until 2pm free of charge. All other dates are chargeable. Although the Parish Church could be given priority to book any dates a year in advance. The Car park cannot be exclusively used by the Parish Church if the hall is not booked.*

**LEGAL AND SURVEYING COSTS:** The Tenant to meet the Landlord's legal and surveying fees in completion of agreement to lease and lease – *Unacceptable the PCC should bear these costs.*

**CONDITIONS:**

1. The Lease will be excluded from Part II of the Landlord and Tenant Act 1954 – *only acceptable if the lease is for a 99-year term.*
2. Until such time as the new Church Porch and new WC facilities within the Church have been constructed then the existing Church Hall will not be demolished or removed. – *Only acceptable if the Church Porch and new WC facilities are constructed and ready for use by 31<sup>st</sup> August 2019*

Kind Regards

Mrs Helen McGladdery - Parish Clerk