

EVERCREECH PARISH COUNCIL

Clerk: Lynn Crisp

Tel: 01749 830265

E-mail: clerk@evercreech-pc.gov.uk

Minutes of meeting 04 08 26 Held in Evercreech Village Hall

Present: Derek Sharp, Rob Reed, Roy Williams, Gail Wakeford (Chair),
Christian Sellar, Daryl Issit
5 members of the public.
Lynn Crisp – Clerk

i)	Public Open Session Greencore – the old buildings by the pavement – concerned re loose debris falling from the roof. What are the yellow markings on the road through the village for? Cllrs did not know but assume to mark where repairs will take place/inspection. Give way sign at Easton Lane/Leighton Lane is missing. Has been reported. Prestleigh Road streetlights are now working. Resident: 2026 1343 FUL – noted that this should be a retrospective application – work has been completed. According to Google Earth there are more caravans on the site than permission was given for. Feels permission was originally granted for 2 static and 2 touring Caravans.	Action																												
ii)	Somerset Councillor Report Report received prior to meeting.																													
001	Meeting open time 19.07																													
002	To receive apologies for absence and to approve the reasons given (LGA 1972 s85(1)) Murray Stewart – Personal Approved.																													
003	Declarations of interests. Council members to declare any interests, including any Disclosable Pecuniary Interests they may have in agenda items that accord with the requirements of the Parish Council's Code of Conduct and to consider any prior requests from members for Dispensations that accord with Localism Act 2011 s33 (b-e). (NB this does not preclude any later declarations) Rob Reed Item 2026 1417 TCA Reminder given regarding the form must be received by the Clerk prior to the meeting requesting any dispensation requests.																													
004	To approve and sign as a correct record the minutes of the previous meeting (LGA 1972 sch 12, para 41(1)) Meeting July 2026 Proposed: CS Seconded: DI Agreed Chair signed as a true record.																													
005	Actions List Clerk updated the list																													
006	Finance a. To APPROVE the Payment Schedule for July 26 Payment Schedule <table><tr><th>Inv</th><th>Payee</th><th>Particulars</th><th>Amount</th></tr><tr><td>1</td><td>Evercreech Village Hall</td><td>Inv</td><td>£60.00</td></tr><tr><td></td><td>Three Counties</td><td>Village Maint Inv 9355,</td><td></td></tr><tr><td>2</td><td>Landscaping</td><td>9382, 9383</td><td>£3,000.00</td></tr><tr><td>3</td><td>ICCM</td><td>Annual Membership fee</td><td>£110.00</td></tr><tr><td>4</td><td></td><td>Flowers</td><td>£38.46</td></tr><tr><td>5</td><td>Play Inspection Company</td><td>Annual play inspection</td><td>£279.00</td></tr></table>	Inv	Payee	Particulars	Amount	1	Evercreech Village Hall	Inv	£60.00		Three Counties	Village Maint Inv 9355,		2	Landscaping	9382, 9383	£3,000.00	3	ICCM	Annual Membership fee	£110.00	4		Flowers	£38.46	5	Play Inspection Company	Annual play inspection	£279.00	
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	Evercreech C of E Primary <table><tr><td>6</td><td>School</td><td>Road Safety Grant</td><td>£600.00</td></tr><tr><td>7</td><td>Somerset Council</td><td>Emptying Bins</td><td>£811.20</td></tr><tr><td></td><td>Grubb Property</td><td></td><td></td></tr><tr><td>8</td><td>Maintenance</td><td>Widening Entrance</td><td>£106.78</td></tr><tr><td>9</td><td>PWLB</td><td>Loan Repayment Due</td><td>£4,402.81</td></tr><tr><td colspan="3">PAYMENTS FOR REPORT</td><td>£9,408.25</td></tr></table> Resolution: Approved Proposed: GW Seconded: DI Agreed b. Nominate 2 Cllrs to authorise BACS payments. DI and DS c. Finance Update Banking update Sue Hill and Cllr Issitt are now added to the Parish Council bank account. In the process of adding Sue Hill as administrator on the corporate card.	6	School	Road Safety Grant	£600.00	7	Somerset Council	Emptying Bins	£811.20		Grubb Property			8	Maintenance	Widening Entrance	£106.78	9	PWLB	Loan Repayment Due	£4,402.81	PAYMENTS FOR REPORT			£9,408.25	
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007	Planning Application Number: 2026/1417/TCA Proposal: T1-4 - Leylandii - Fell due to poor health. T5 - Sycamore - Fell due to overgrown seedling. Location: Lyndon Cottage Oxford Street Evercreech Shepton Mallet Somerset Applicant: Mr Nigel Lillywhite Application Type: Works/Felling Trees in a CA Resolution: revert to Tree Officer. Proposed: DI Seconded: RW Agreed Application Number: 2026/1343/FUL Proposal: Change of use of land to use as a residential caravan site for two gypsy/traveller families, each with 2 caravans, including no more than one static caravan/mobile home per family, together with erection of amenities building and laying of hardstanding Location: Land East Of The Smithy Easton Lane Evercreech Shepton Mallet Applicant: Mr B. McDonagh Application Type: Full Application Resolution: Approve Proposed: RW Seconded: DI Agreed Application Number: 2026/1289/TCA Laburnum - Fell. Location: Windy Corner Weston Town Evercreech Shepton Mallet Somerset Applicant: Mr Alistair Roach Application Type: Works/Felling Trees in a CA Resolution: Revert to Tree Officer Proposed: DI Seconded: RW Agreed																									

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	Application Number: 2026/1282/HSE – extension for response granted Proposal: Demolition of existing barns & erection of 1.5 storey building. Erection of single storey utility with linking corridor between the existing building and proposed. Erection of lean-to timber greenhouse Location: Maesdown Farmhouse Maesdown Hill Evercreech Shepton Mallet Somerset Applicant: Mr M Milne Home Application Type: Householder Application Resolution: Approve Proposed: RW Seconded: GW Agreed	
008	Cemetery a. Update b. Approve any memorial requests 1 to approve Approved	
009	Park Inspection Reports Queens Road Playing Fields: Metal fence and graffiti removal – a/w start date from contractors. Work to widen the entrance at rear of YC building is scheduled for 07 08 26. The outside of Youth Club Building works should be carried out during October. Fields in Trust update Their questions are being responded to. Skate Park: Concrete possibly breaking up. Contact Bendcrete - Clerk	Clerk
010	Village maintenance feedback: Victoria Square – parking restrictions – The Co op has kindly agreed to the placing of a disabled space sign on their property. Other parking restrictions will now be ordered by Somerset Highways. The WI are kindly arranging for the 'book swap' phone box on Prestleigh Road to be repaired/renovated. Cllrs conveyed their thanks for this. Grass outside of the ex-Greencore factory has been strimmed. Fly tipping in Victoria Lane has been reported. Leighton Terrace – has been mentioned that the external paintwork requires attention by the landlords. – write a letter. Broken kerb stone outside of the Village Hall has been reported. GW was asked to mention this to the Village Hall committee and request they report it as well. Replacement grit bin - Victoria Square. £258.39 + VAT. Cllrs did not wish for this to be replaced. Cllrs agreed to check and inform the Clerk regarding the status of the grit bins asap.	Clerk
011 a	Bus representative August is Children travel free on buses across the UK (under age 15). New bus No 567 started yesterday, Glastonbury via other villages to Castle Cary station. 15 trips per day, 7 days per week. Operated by Somerset Council. 6 months trial. Could take in other areas at some stage. No 184 to Frome has been reinstated for Saturdays. No 162 - still campaigning to reinstate (via Doultong). Fares 2.00 from January 2027.	ALL
011 b	Village Hall Replacement Clock: Funds have been raised. A clock has been selected. Not illuminated, just a warm glow. Normal numbers on face. Residents were consulted. Checking if planning permission is required. Hall hourly rates are not being increased.	

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	New IT system being implemented.	
011 c	Patient Participation Group Meeting on 06 07 26. Will attend the Shepton Show this year. New members are actively being sought and always welcome to join the PPG.	
011 d	Footpaths Footpath at land opposite the Bath and West Showground: Public Footpath SM118 Proposal to make a FORMAL REPRESENTATION TO SOMERSET COUNCIL UNDER SECTION 130(6) OF THE HIGHWAYS ACT 1980 – UNLAWFUL OBSTRUCTION OF PUBLIC RIGHT OF WAY / HIGHWAY AT [PARISH OF EVERCREECH / SM118] The footpaths officer has funding, and the contracts officer has walked the area. Where the steps are, the lake is surrounded by an electric fence. Contractors will not start work due to this. The landowner will not engage with the officer. Prior to the lake being there, the footpath went through where the lake had been dug. This has been going on for 8 or 9 years. Why has it not been resolved before? Limited resources. Resolution required. Send letter making formal representation to Somerset Council: Proposed: CS Seconded: GW Agreed Footpath alongside Sewerage works, Weston Town – overgrown vegetation and fence repair Resolution required CS will investigate the matter.	Clerk /CS CS
011 e	Stream, Stoney Stratton - maintenance. Sign grant application for work to be carried out if said completed grant form is available. Clearing out the stream that runs from a farm to the cattery is overgrown. The application is not yet complete. When it is, it will be emailed to the Clerk along with instructions regarding where to send it: Proposal: To apply for the grant Proposed: RR Seconded: DI Agreed The maintenance of the stream will have 2 parts: 1. working with the farming and wildlife group re planting trees at Alham to slow down the stream. 2. Somerset Council have applied for a grant for this.	
011 f	Youth Club Shipping container removal: This has still not been removed. The Clerk was asked to contact Rossiters scrap dealers, Castle Cary Rugby Club and advertise on Facebook to have it removed as the Youth Club Committee have not responded to the removal request. Use of ex Youth Club Building: We are waiting to be advised when the meeting between parties will take place.	Clerk
011 g	Millenium Gardens – feedback from residents 3 emails of support for the fencing have been received. Discussions took place. See appendix A,	

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	The question 'Does this PC understand their obligations re anti-social behaviour (ASB) on their land?' was asked. If we remove a barrier that we know with 100% certainty stops ASB, and an incident occurs, affected residents or insurers can prove the Council deliberately enabled crime to resume. That destroys The Parish Council's (PC) legal defense of 'reasonable management'. Further discussions took place. The following proposals were then made: 1. To protect the PC and Cllrs Proposal: Immediately add the garden's security and third-party liabilities to the council's formal Corporate Risk Register. Proposed: RR Seconded: CS Agreed 2. Proposed that the fence stays in place until a permanent solution is found. If the PC removes this and accept that it's eradicated ASB, The PC will knowingly be recreating a public nuisance. Motion not carried; withdrawn by CS. Discussions took place Cllrs agreed to meet at the Millenium Gardens to look at and talk through a permanent solution. Arrangements: 12th August 2.30. 20.25 - 3 members of the public left the meeting.	
011 h	Website and email update Working well. All Cllrs and staff are logged on to the new email system. Thanks to The Clerk and CS for leading this project. 2 Cllrs still need to log onto the members area. Advised that it is now Cllr's responsibility to check this for the members' pack and agenda each month. Cllrs were impressed with the new system.	
011 i	Parking on double yellow lines outside Heathercreech Bakery. Agreed that this is increasingly a worse problem. Hopefully these will be enforced more regularly when the parking restrictions are introduced.	
011 j	www.somerset.gov.uk/polling-review The consultation is now open and will run until 3 September 2026. Looking at parliamentary seats/boundaries. Complete the consultation if you wish.	
012	To note/forwarded Various training opportunities News release: Somerset Council awarded funding to explore feasibility of bus franchising Parish Briefing Sheet on the Issue of a Best Value notice to Somerset Council Parish Online Newsletter #67 Highway Structural Maintenance LCN Pack Shepton Parish Update on Street Naming and Numbering Local Planning Policy, Somerset Council - More time to say how Somerset should look in the future Public Sector Network newsletter Parish Briefing Sheet - Your opinions on Somerset Connectivity wanted. SALC Newsletter July 2026	
013	Agenda items for next meeting Garage behind YC building Yellow lines o/s Bakery	

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	Greencore Millenium Gardens War memorial YC container	
014	Date & time of next meeting, 01 09 26 Evercreech Village Hall, 7.00 pm (subject to change)	
015	Close of meeting: Name: Lynn Crisp Time: 20.43	

Appendix A

1. Landowner Civil Liability (Nuisance & Safety)

- **Private Nuisance:** As a landowner, the council has the exact same civil liabilities as a private individual. Ignoring ongoing, reported ASB originating on our land leaves us open to court injunctions and claims for damages from impacted neighbours.
- **Personal Injury:** We owe a duty of care to anyone on our land. If known hazards (e.g., broken glass, drug waste) cause injury because we failed to secure the site, we face strict civil liability.

2. Statutory Duty (Section 17, Crime & Disorder Act 1998)

- **Mandatory Duty:** The law explicitly requires parish councils to do *all it reasonably can* to prevent crime and disorder in its area.
- **Breach of Duty:** Refusing to consider or maintain effective security measures in a known ASB hotspot potentially puts this council in direct breach of its statutory duty.

3. We Have the Power to Act

- **Target-Hardening:** It is legally wrong to claim we "have no power". While we aren't the police, we have full legal authority and budget control over asset security, fencing, and access management to protect the public.
- **Proposal:** Immediately add the garden's security and third-party liabilities to the council's formal **Corporate Risk Register**.

4. The Danger of Removing the Trial Fence

- **Empirical Proof:** The trial fence proved physical barriers solve this specific issue.
- **Knowing Creation of Risk:** Removing a 100% effective fence without a permanent replacement means the council is **knowingly re-creating a public nuisance and safety hazard**.