

## CLERK'S REPORT – 14<sup>th</sup> May 2024

### Standard Annual Parish Council Meeting Matters – Agenda Items 1- 10

All of these items proceed in the normal manner, as usual, led by the Clerk.

For the Auditors report there is also the **approval of his invoice.**

**Review and Adoption of Parish Documents** – There will be revised documents to approve and adopt following comments in the Internal Auditors report.

**Section 137 Subscriptions** – There is only the Direct Debit for the Bath preservation Trust to approve.

### Parish Council Matters – Agenda Item 11

**EA/2022/0254; Monkton Combe Parish Council vs Information Commissioner (ICO Case Reference: IC-160435-H5M4).** – The Clerk reports that the Appeal was eventually dismissed, and that he has now provided Oldfield RFC Ltd. (Mr. Patrick Bunton) with the information requested, but with all personal information redacted, so that other than the Chair and the Clerk the correspondents are not identified and their personal data is not disclosed.

The appeal was dismissed on the three grounds presented.

1. That the Information Commissioner used his discretion in determining the case and issued the decision notice without further correspondence with the Parish Council. *The Tribunal was of the view that this was not a valid ground of appeal as it relates to the conduct of the First Respondent's investigation, oversight of which is not within the jurisdiction of the Tribunal.*
2. The Appellant considers that the request is not for environmental information and that it should be handled under section 14 FOIA. - *there is no material difference between a request that is vexatious under section 14(1) FOIA and a request that is manifestly unreasonable on vexatious grounds under the EIR. The correct regime is the EIR as the request stems from discussions of the planning application.*
3. The Tribunal, whilst considering the Appellants points made in its grounds of appeal looked more widely to the reasons given in its refusal letter and submissions made, and tested this against the threshold test for a request being “manifestly unreasonable” under the EIR - *In the Tribunal's view the Appellant has touched on some of the core issues set out in Dransfield when justifying its refusal notice dated 14 February 2022. However, it has not provided enough evidence to satisfy the high bar to show that the Request is disproportionate and therefore manifestly unreasonable under regulation 12(4)(b) EIR.*

### Parish Matters and Works – Agenda Item 12

**Parish Sweeper** – Employing a new Parish Sweeper remains outstanding. Clarification of the work to be carried out is needed as the previous Sweeper carried out several tasks with a Grass Strimmer which would fall under the Footpath Vegetation Clearance Agency Agreement, and the cutting of verges which is the responsibility of B&NES Highways (although they don't and won't actually do it).

### Equipment and Facilities – Checks by Councillors to report

- **Car Park - Charging point installation** – Any Report on progress
- **Village Playground** - The next Inspection has been scheduled.
- **Neighbourhood Watch** – Report
- **Lockup** – Any Report
- **Miss Davies Garden**
- **Village Hall**
- **Parish Council Noticeboard – A36 Petrol station** – The Clerk seeks agreement to remove the Board.

### Highways and Footpaths – Agenda Item 14

**Brassknocker Hill Speed Limits and Weight Restrictions** – Charles Carr to report.

**Shaft Road - Tarmac drive extension protruding into road** – B&NES Highways are now aware of this issue and have contacted the homeowner. The works that have taken place are unauthorised. The homeowner is working with us to revise the works, the first submission has been found to be unacceptable and we are awaiting a revised design submission. The homeowner is receptive and eager to work with B&NES Highways to resolve this issue to everyone's satisfaction.

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**Tucking Mill Toads** – Signage provided by B&NES Highways for the 6 week migratory and appears to have been successful. There was one unpleasant incident, but other than this the project appears to be effective. Signage is still in place as the period of the project is from dusk to midnight for the migratory period from Monday 12th February to Sunday 24th March. We await any feedback from the group now that period is complete, but understand from the Annual Parish Meeting that it was successful.

**Temporary Closure of Public Bridleway BA16/18, Mill Lane, Monkton Combe** – Report on current situation.

**Combe Down Allotments** – A Report on the current situation regarding closure.

### **Other Matters to Report – Agenda Item 17**

**Bus 94 Service** – Any further report

### **Dates for Future Meetings – Agenda Item 18**

Suggested dates for the coming year all at 7:00 p.m. other than the Annual Parish Meeting

Tuesday 16<sup>th</sup> July 2024 – Parish Council Meeting (However, this meeting is typically poorly attended and with little for the agenda, so you might consider not having just this one).

Tuesday 17<sup>th</sup> September 2024

Tuesday 19<sup>th</sup> November 2024

Tuesday 14<sup>th</sup> January 2025 – Budget & Precept meeting (Precept deadline is 1<sup>st</sup> February 2025).

Tuesday 18<sup>th</sup> March 2025

Tuesday 15<sup>th</sup> April 2025 at 7:30 p.m. Annual Parish Meeting

Tuesday 13<sup>th</sup> May 2025 – Annual Parish Council Meeting (Audit and Annual Return).