

WELLINGTON TOWN COUNCIL MINUTES 21 FEBRUARY 2024

MINUTES OF THE MEETING OF WELLINGTON TOWN COUNCIL HELD AT THE UNITED REFORMED CHURCH HALL, WELLINGTON ON WEDNESDAY 21 FEBRUARY 2024 AT 6.30PM

PRESENT: Councillor M Barr (Mayor)
Councillors C Booth, K Canham, A Govier, C Govier, J Lloyd, M McGuffie, J Thorne and K Wheatley.

In attendance: David Farrow – Town Clerk
One members of the press
Fifteen members of the public

511 TO OFFER WELCOME AND INTRODUCTIONS

The Mayor opened the meeting and welcomed all those present.

512 TO RECEIVE APOLOGIES FOR ABSENCE AND TO APPROVE REASONS GIVEN

Apologies were received from Councillors Z Barr and J Cole and were duly noted.

513 DECLARATIONS OF INTEREST

There were no declarations of interest in addition to the standing declarations.

514 MINUTES

RESOLVED to agree the minutes of the Town Council meeting held on 5 February 2024 will be circulated in advance of the meeting.

515 QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

Seven members of the public spoke with all raising concerns in relation to the planning applications 43/24/0009 & 43/24/0010/LB being considered under agenda item 6(a).

516 PLANNING

a. Case Refs: 43/24/0009 & e/24/0010/LB

RESOLVED to recommend that these applications be refused on the basis that there were insufficient changes to the plans to address the concerns raised by the Council when it last considered them in March 2023. In addition, the Council was concerned about the lack of social housing in the applications and noted the comments of the Somerset Council Nutrient Neutrality Officer which stated that the 'proposed development will increase phosphate loading into the catchment and subsequently the Somerset Levels and Moors Ramsar site, as a result phosphate mitigation will be required so that the proposed development is phosphate neutral in perpetuity' and that they would be reviewing and commenting on the Nutrient Neutrality Assessment submitted by the developer. It was also noted that Highways has yet to conduct an assessment and considers that given the significant concerns in relation to access to the site no decision should be made until that assessment is completed.

517 PLANTING SCHEME FOR WELLINGTON PARK AND TOWN CENTRE

A paper was tabled at the meeting. After some discussion, it was **RESOLVED**

- (i) Wellington Park - That Officers are given delegated authority to approve spending up to £31,000 for the provision of plants and associated maintenance in Wellington Park

WELLINGTON TOWN COUNCIL MINUTES 21 FEBRUARY 2024

having noted that this exceeds the budget of £20,000 with approx. £11,000 being drawn down from the general fund.

- (ii) Town Centre Hanging Baskets - That Officers are delegated to approve J Hewitt Maintenance Services being appointed for the installation, watering and deadheading of the annual hanging baskets and troughs, with plants being sourced from the Somerset Council nursery with costs totalling £7,232.
- (iii) Town Centre Beds and Tubs - That Officers are given delegated authority to spend up to £1,500 on plants for the Town Centre Beds & Tubs to allow time for the plants to mature before the summer season as well as any additional plants that may be needed given the context of the notes in that table. In the meantime, Officers will carry out more costing work and seek clarification from Somerset Council on the maintenance cost lines. Councillors are to note that this will be re-presented to Council for final sign off as the final costing will exceed that of the budget set.

518 ELECTION POLL CARDS

RESOLVED to note and ratify the decision taken following an email discussion to issue Poll Cards for the election to fill the vacancy in the North Ward with the additional cost being approx. £3,480.

519 CREATION OF RICHARD FOX AWARD

RESOLVED as follows:

- (i) That the Town Council should create a new award to honour the late Richard Fox;
- (ii) That the decision on who should receive the award should be taken by the Mayor at the end of their years term of office and be awarded to someone who they consider has made a significant contribution to the community during their term of office;
- (iii) That the award should be in the form of a perpetual shield to be engraved with the names of those to whom it has been awarded and held at the Council offices with the individual also receiving a framed certificate for them to keep.

There being no further business the meeting closed at 7.30pm

STANDING DECLARATIONS OF INTEREST

Members of Somerset Council:

Councillor Andrew Govier
Councillor Marcus Barr
Councillor Ross Henley

Director of the Somerset Association of Local Councils

Councillor Janet Lloyd

Mayor

Councillor Marcus Barr

MINUTES OF THE WELLINGTON TOWN COUNCIL FINANCE COMMITTEE MEETING HELD AT UNTIED REFORMED CHURCH HALL ON WEDNESDAY 22 FEBRUARY 2024 AT 3.30PM

PRESENT: Councillor J Lloyd (Chair),
Councillors M Barr, J Cole, A Govier (from 493b), C Govier, M McGuffie and J Thorne

IN ATTENDANCE: David Farrow – Town Clerk
Alice Kendall – Deputy Clerk/Deputy RFO

One member of the press

In the absence of the elected Chairman (Councillor M Lithgow) it was agreed that Councillor J Lloyd chair the meeting.

489 APOLOGIES

No Apologies had been received.

490 DECLARATIONS OF INTEREST

Councillors Lloyd and A Govier have a standing personal interest declaration relating to MTMIT, the Council's IT consultant, being a former customer of the company.

Councillor Thorne has a standing personal interest declaration relating to MTMIT, the Council's IT consultant, being a personal friend of the company owner.

Councillor Thorne declared a personal interest in agenda item 5(b) as there was a payment listed to his employer – Tindle Newspapers. This to be added to the standing items above.

491 PUBLIC PARTICIPATION

No members of the public were present.

492 MINUTES

RESOLVED to approve and sign the minutes of the meeting held on 16 January 2024.

493 ACCOUNTING STATEMENTS

a. TO NOTE AND APPROVE THE BANK RECONCILIATION AS AT 15 FEBRUARY 2024

RESOLVED to note and approve the bank reconciliation as presented.

During this item, Councillor A Govier arrived at the meeting.

b. TO NOTE AND APPROVE EXPENDITURE FOR 11 JANUARY - 14 FEBRUARY 2024

RESOLVED to note and approve the expenditure as presented.

c. TO NOTE AND APPROVE INCOME RECEIVED FOR 11 JANUARY - 14 FEBRUARY 2024

RESOLVED to note and approve the income as presented.

d. TO NOTE AND APPROVE THE INCOME AND EXPENDITURE AGAINST THE BUDGET AT 14 FEBRUARY 2023

RESOLVED to note and approve the budget report as presented.

494 GRANTS

a. Applications

- i. **Life Education Wessex** – the organisation applied for up to £740 towards the delivery of their Making Health Choices programme at Wellesley Park School. The application and supporting documentation were circulated by e-mail.

RESOLVED to award £740, noting that the grants budget line is overspent.

It was agreed that a more general discussion is required on how grants are administered, and coded in the financial recording, going forward. This will be brought to the next meeting, as will the annual review of the application documents.

b. Summary

The Summary of grants paid in the current financial year was noted.

495 REVIEW OF BANK MANDATE

RESOLVED to note and approve the bank mandate with the addition of Councillor J Cole being added as a signatory at Lloyds Bank.

There being no further business the meeting closed at 3.57 pm

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WELLINGTON TOWN COUNCIL

MINUTES OF THE POLICY AND RESOURCES COMMITTEE HELD AT THE UNITED REFORMED CHURCH HALL, WELLINGTON 21 FEBRUARY 2024 AT 4.00PM

Present: Councillors C Govier (Chair),
M Barr, K Canham, A Govier, J Lloyd, M McGuffie, J Thorne and K Wheatley.

In Attendance: Councillor J Cole
David Farrow – Town Clerk

One member of the press.

496 TO RECEIVE APOLOGIES AND APPROVE THE REASONS GIVEN

No apologies had been received.

497 MINUTES

RESOLVED to approve and sign the minutes of the Policy and Resources Committee Meeting held on 12 December 2023.

498 DECLARATIONS OF INTEREST

Councillor J Lloyd declared an interest in agenda item 5 (ii) as the Chair of Sampford Arundel Parish Council.

499 QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

There were no members of the public present.

500 SOMERSET COUNCIL ASSETS AND SERVICES

The Town Clerk updated the committee on discussions that were taking place in relation to the transfer of assets and services from Somerset Council.

- (i) Public Toilets - he confirmed that at its meeting the previous day, Somerset Council had resolved to close all public toilets in Somerset. On that basis, the Town Council would be picking up responsibility for the cleaning and management of the toilets in North Street Car Park and Wellington Park from 1 April 2024. He advised that at a meeting with Somerset Council officers the previous day he had been advised that the cleaning contract was tied in to the Street Cleaning contract that runs until January 2025 with an option to be extended for a further three years. Discussions were ongoing about whether the toilet cleaning element of the contract could be taken out of that arrangement.
- (ii) Park Security – Somerset Council had agreed the previous day to cease to fund this so the Town Council would cover the cost as agreed at its budget meeting on the 31 January. However, at the meeting the previous day Somerset Council Officers had advised that the company carrying out the locking and unlocking of the park had given notice that they would be ceasing to provide the service in Wellington from the beginning of March 2024. Somerset Council Officers would be looking to make alternative arrangements.
- (iii) CCTV – costs for continuing to run CCTV had been confirmed as £16,789 – the Council had allocated £25,000. A meeting was being arranged involving all Town

Clerks of towns where CCTV was operational to discuss the arrangements for the coming year.

- (iv) Planting – this was on the agenda for the Full Council meeting that was following this committee meeting.
- (v) Highways Steward role – whilst the Council had agreed that it would not sign up to the scheme as a whole, the Town Clerk was still trying to meet with staff from the County Highways Team to see how our Community Warden role could deliver some of those functions.

The Town Clerk also advised that the town clerks of the larger towns in Somerset had requested a meeting with the Chief Executive of Somerset Council and other senior officers to discuss how they could be better engaged with discussions about budget setting for 2025/6 so that the challenges faced in preparing for 2024/5 were not repeated. They will also be suggesting that rather than looking at transforming Somerset Council it should be looking at transforming the delivery of public services in Somerset through a range of agencies including town and parish councils.

Councillor Wheatley asked that given that we would be procuring more services in the future that consideration as given to how we could ensure that local providers were utilised and that we should promote that that is what we are doing. The Town Clerk would look at how that could be done.

RESOLVED to recommend to Full Council that should the Council be approached by parish councils to provide services, it should be receptive to such requests recognising that its priority had to be delivering services to Wellington

501 FUTURE COMMITTEE STRUCTURE

A paper had been circulated with the agenda and was discussed. It was agreed that the paper presented a good starting point. Concerns were raised that the Policy and Finance and Environment Committees had too broad a scope. It was also felt that work needed to be done at the level below committees to establish what would be the most effective way of conducting business. The Town Clerk would work up some alternative models for further consideration.

502 STAFFING MATTERS

- (i) Staff Appraisals – the Town Clerk reported that he had completed appraisals for all staff and that the outcomes were positive. He confirmed that training was considered as part of that process and that the training budget for 25/6 had been increased given the changes that were coming. He advised that his appraisal needed to be completed and it was agreed that Councillors Barr, Thorne and Wheatley would complete the process subject to the Clerk confirming that Standing Orders allowed that.
- (ii) Job Descriptions – **RESOLVED** to approve the job descriptions and grades for the roles of Open Spaces Manager, Projects Assistant and Receptionist.
- (iii) Staffing Review – **RESOLVED** to recommend to Full Council that Local Council Consulting be approached to refresh the staffing review undertaken in 2022 in the context of the forthcoming changes to the Town Councils roles and responsibilities. Also that the role of Responsible Financial Officer be separated from the role of Town Clerk given the increasing size and scope of both roles.

503 RISK MANAGEMENT SCHEME

RESOLVED to recommend to Full Council that the scheme be adopted.

504 STATEMENT OF INTERNAL CONTROL

RESOLVED to recommend to Ful Council that the Statement be adopted.

505 LONGFORTH ROAD TOILET BLOCK

The Town Clerk updated councillors on the progress that was being made in relation to the demolition of the toilet block. A briefing note will be circulated after the meeting. It was hoped that work would start on demolition within a month.

506 PROPOSAL FOR DEVELOPING THE COUNCIL'S APPROACH TO COMMUNICATION

RESOLVED to agree the purchase of Canva Pro software at a cost of £100pa to begin publication of a newsletter.

507 TONEWORKS TOURS

RESOLVED to recommend to Full Council that no charges are made for tours of Toneworks but that donations would be welcomed.

508 HMS WELLINGTON

RESOLVED that in response to the communication from the HMS Wellington Trust Councillor Wheately would make contact and arrange to visit when he is in London.

509 TO CONSIDER EXCLUDING MEMBERS OF THE PRESS AND PUBLIC

RESOLVED in accordance with Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972:

Reason: taken from legislation - Information relating to a particular individual/s.

510 STAFFING ISSUE

The Town Clerk updated the Committee on a confidential staffing matter.

There being no further business the meeting closed at 5.55pm.

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Councillor Catherine Govier
Chairman



The Planning
Inspectorate

3A Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5646
Customer Services:
0303 444 5000

Email: helen.sparks@planninginspectorate.gov.uk
www.gov.uk/planning-inspectorate

Notified Parties

Your Ref:
Our Ref: ROW/3296722

07 February 2024

Dear Sir/Madam,

Wildlife and Countryside Act 1981 - Section 53
Order Making Authority: Somerset County Council
Title of Order: The Somerset County Council (No 3) Modification Order 2015

Further to my letter of 22 December 2023, please find enclosed an amended copy of the Order Notice which gives the venue details for the Inquiry taking place on Tuesday 14 May 2024.

Inquiry Venue: Wellington Football Club, North Street Car Park, Wellington, Somerset, TA21 8NA

Enclosure:

Order Notice

Yours sincerely,

Helen Sparks

Helen Sparks

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

NOTICE OF ORDER

Wildlife and Countryside Act 1981 – Section 53

SOMERSET COUNTY COUNCIL

The Somerset County Council (No 3) Modification Order 2015

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **22 December 2023**.

Consideration of the Order will take the form of a public local inquiry.

The Inquiry will be held at **Wellington Football Club, North Street Car Park, Wellington, Somerset, TA21 8NA** on **Tuesday 14 May 2024** at 10.00am.

The appointed Inspector will also open the Inquiry as a virtual event on **Tuesday 14 May 2024** at 10.00am.

Anyone wishing to attend the inquiry virtually must register that interest with the Council as soon as possible prior to the Inquiry, but no later than 29 April 2024, either by email or telephone, details of which are set out in this notice. To take part using video, participants will need to have access to Microsoft Teams (via an app or web browser). The link <https://support.microsoft.com/en-us/office/welcome-to-microsoft-teams-b98d533f-118e-4bae-bf44-3df2470c2b12> gives further information on how to use this. Alternatively, you can take part by telephone. Registered participants will receive individual joining instructions, providing details of any requirements, guidance and support, whether joining by Teams or telephone.

The effect of the Order, if confirmed without modifications, will be to modify the definitive map and statement for the area by:

Adding a footpath in the Parish of Wellington starting from Burchill's Hill (point A on the order plan) and running in a generally east south easterly direction for approximately 70 metres to Millstream Gardens at point B. The width of the footpath varies between 18 metres and 4.5 metres as shown on the order plan.

Any queries relating to this Order should be referred to Helen Sparks by email: helen.sparks@planninginspectorate.gov.uk quoting reference number ROW/3296722 on all correspondence. Alternatively, queries may be sent in writing to The Planning Inspectorate, Rights of Way Section,

Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5646.

Any person wishing to view the statements of case and other documents relating to this Order may do so via the Council's website at www.somerset.gov.uk/tonedaleinquiry. If you have any queries, please contact Mr Andrew Saint on Telephone Number: 01823 359796 and E-mail Address: andrew.saint@somerset.gov.uk.

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date by [by 16 February 2024]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation and the applicant and any other person who has written to us in respect of the Order.

Within 14 weeks of the start date [by 29 March 2024]

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

4 weeks before the date of the inquiry [by 16 April 2024]

The Authority, everyone who has made an objection or representation, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should be submitted with a proof of evidence); and
- iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (including copies of any supporting documents – although none should not be submitted with a proof of evidence).

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State on time. Late documents will be returned.

We cannot accept any inflammatory, discriminatory or abusive comments. Any documents containing such comments will be returned.

Notice of order for inquiry

WILDLIFE AND COUNTRYSIDE ACT 1981

**THE COUNTY OF SOMERSET DEFINITIVE
MAP AND STATEMENT**

**The Somerset County Council
(No. 3) Modification Order, 2015**

Parish of Wellington

This Order is made by the Somerset County Council under section 53(2) of the Wildlife and Countryside Act 1981 ("the Act"), because it appears to that authority that the County of Somerset Definitive Map and Statement require modification in consequence of the occurrence of an event specified in

Section 53(3)(c)(i) of the Act, namely, the discovery by the authority of evidence which (when considered with all relevant evidence available to them) shows that a right of way which is not shown in the map and statement subsists or is reasonably alleged to subsist over land in the area to which the map relates, being a right of way such that the land over which the right subsists is a public path

and

Section 53(3)(b) of the Act, namely, the expiration, in relation to any way in the area to which the map relates, of any period such that the enjoyment by the public of the way during that period raises a presumption that the way has been dedicated as a public path.

The Authority has consulted with every local authority whose area includes the land to which the order relates.

The Somerset County Council hereby orders that:

- 1) For the purpose of this order the relevant date is 22 May 2015
- 2) The County of Somerset Definitive Map and Statement shall be modified as described in Part I and Part II of the Schedule and shown on the plan attached to the Order.
- 3) The Order shall take effect on the date it is confirmed and may be cited as The Somerset County Council (No. 3) Modification Order, 2015.

Dated 22 May 2015

THE COMMON SEAL of the
COUNTY COUCIL OF SOMERSET
Was hereunto affixed in
The presence of:

R. A. Hockey

Authorised Officer



Number in Register **26834**

SCHEDULE

PART 1

MODIFICATION OF THE DEFINITIVE MAP

Description of path or way to be added

A footpath in the Parish of Wellington starts from Burchill's Hill (point A on the order plan) and runs in a generally east south easterly direction for approximately 70 metres to Millstream Gardens at point B.

The width of the footpath varies between 18 metres and 4.5 metres as shown (shaded grey) on the order plan.

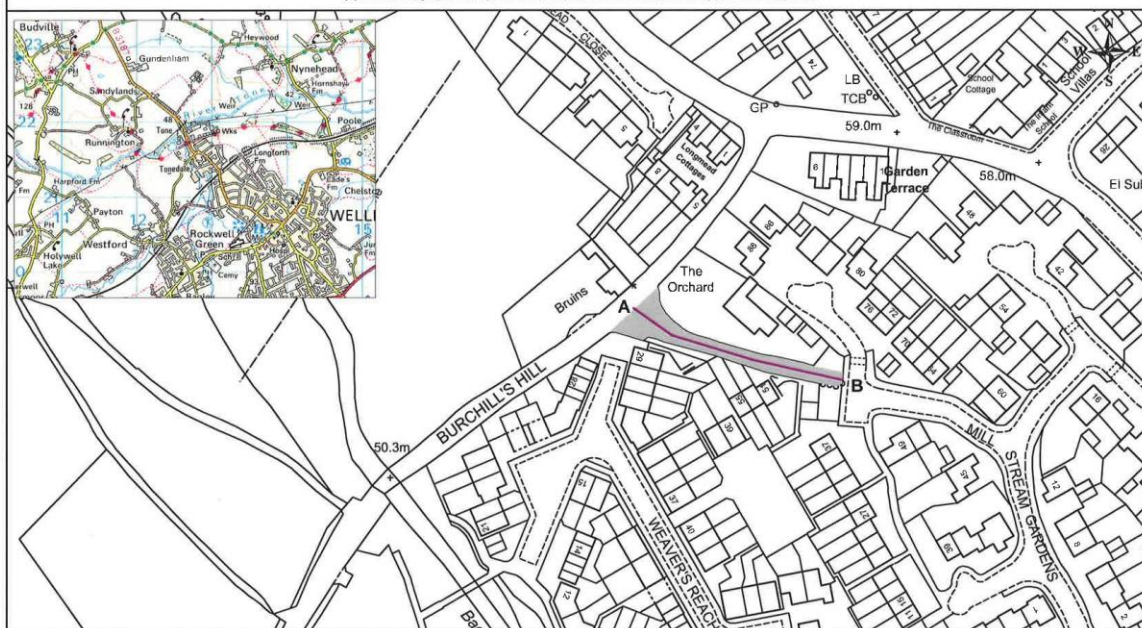
PART II

MODIFICATION OF THE DEFINITIVE STATEMENT

Variations of Particulars of Path or Way

A footpath in the Parish of Wellington starts from Burchill's Hill and runs in a generally east south easterly direction for approximately 70 metres to Millstream Gardens.

The width of the footpath varies between 18 metres and 4.5 metres as shown (shaded grey) on the order plan.



Parish: Wellington
District: Taunton Deane
Date: 15/05/2013
Drawing No: H042-2013
Drawn By: MHardwell
Grid Ref: 312760 121530
Scale: 1:1250

Wildlife and Countryside Act 1981
The Somerset County Council
(No. 3) Modification Order, 2015
Parish of Wellington

Footpath to be added A-B

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The County Council can accept no responsibility for any error or inaccuracy which may arise from the transposition of the Rights of Way Definitive Map to a different scale.

Review of Insurance Cover 25-26

1. Background

Following the approval of the Fixed Asset Register at the January Finance Committee, and subsequent Full Council meeting, the Council must now review the level of insurance cover.

In previous years, the Council has had a three-year contract with their provider. The last contract ended upon policy expiry on 21 March 2023. The review taken at this point concluded that given the ongoing issues at Longforth Road Toilets, it would be appropriate to renew with the current provider, Zurich, for 1 year.

Given the (still) ongoing issue at Longforth Road and the number of assets to be transferred to the Council in the coming year; it may be more appropriate to renew again for 1 year and look to re-contract for three years in 2025. This will allow Officers to develop a much clearer picture of what cover is required from 1 April 2025 and onwards as the year progresses.

The updated Insurance schedule for renewal is attached as Appendix A.

2. Asset Valuations

The value of insured items has automatically been increased by 5% on the attached renewal schedule. The base figures were that reported on the review of the Asset register earlier in the year.

3. Updates Required

Throughout the coming year, as assets are transferred and purchased, updates will need to be made. At present, the following major updates will need to be made throughout the year;

- a) 28-30 Fore Street/Council Offices – Buildings cover and updated contents cover will be required. A 'reinstatement cost assessment for insurance' report has been obtained from the Surveyor which advises the level of buildings cover should be set at £1.7m which includes professional fees and demolition costs. The report is available to view from the office.
- b) Longforth Road Toilets – the buildings and contents will be updated once the new facility nears completion.
- c) Devolved assets from Somerset Council – As play areas, toilets and other assets are devolved and transferred from Somerset Council they will need to be added to the Council's cover. Where appropriate, a surveyors report may be required to ensure correct cover is obtained.

4. Budget Information

The budget for insurance for 25-26 has been set at £6,000.

5. Recommendations

The Council is asked to consider approval of the following recommendations.

- a) That the attached renewal from Zurich is accepted at a cost of £5,366.13,
- b) That Officers be given delegated authority to spend up to £1,000 for survey reports where required to establish appropriate cover (ref item 3c above). This to be funded from the Professional Services budget line, and
- c) Having noted and approved the renewal price above within the context of the budget of £6,000 (£633.87 remaining), and that the updates and additions in item 3 above will likely cause the budget line to become overspent; that Financial Regulation 4.2 is suspended (for the purposes of Insurance matters only) to allow delegated spending authority to Officers over that of the budget line to ensure the Council has the appropriate cover in place. Items of spending to be reported to the Finance Committee within the usual monthly reporting process.

Alice Kendall
Deputy Clerk/Deputy RFO
27 February 2024



Mr David Farrow
Wellington Town Council
Council Offices
28 Fore Street
Wellington Somerset
TA21 8AQ

Select for Local Councils Policy Schedule

This insurance policy, which meets your demands and needs, has been based on the latest information obtained from you. The Policy, the Policy Schedule, any Certificates of Insurance and Endorsements form one document and should be read together. This Schedule replaces any previous Schedule.

Policy Number	YLL-122004-0463
Insured	Wellington Town Council
Business	Parish / Town Council
Period of Insurance	
From	01 st April 2024
To	31 st March 2025

and any other period for which cover has been agreed.

Renewal Premium	£ 5,366.13
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Premiums are inclusive of Insurance Premium Tax and/or VAT as appropriate.

Schedule Number	128111914
Long Term Agreement:	Not Applicable
Preparation Date	06 th February 2024
Prepared by	Mr William Steadman
Policy Form Reference	MLAACG08

Policy Cover Declaration:

You, the Insured, are not aware of any known losses or events that could give rise to a claim, or circumstances that would be prejudicial to us, the Insurer, should the basis of cover on the below given insurance product (s) be changed.

This is important information, please read it carefully and check that the facts given about you are correct and that we have included all the covers that you require. We are unable to give you advice so it is your responsibility to check the cover is correct for your organisation.

Statement of Fact

If you provide services or activities to children, or adults who are in need of care and support and therefore may be unable to protect themselves against abuse or neglect:

- Your organisation has not had any third-party inspections with a grading of Inadequate, Requires Urgent Improvement, Weak or Unsatisfactory
- You have in place a written safeguarding policy and accompanying procedures that clearly set out the actions to take in response to child and vulnerable adult abuse
- You carry out safer recruitment and selection processes that include the seeking of appropriate criminal records checks, alongside a renewal and update process
- All employees and volunteers engaged in regulated activity and/or activity that brings them into contact with children or vulnerable adults receive safeguarding awareness training including refresher training
- You have one or more designated practitioners for safeguarding to support other practitioners in the organisation to recognise and respond to concerns about Abuse
- You retain employment records, safeguarding checks, safeguarding policies and procedures and safeguarding records for at least the prevailing regulatory best practice period.

If you provide services or activities to children, or adults who are in need of care and support and therefore may be unable to protect themselves against abuse or neglect, and you become non-compliant with any of the above statements, you must tell us, as it may affect your ability to claim under this policy.

Important information

Taking reasonable care

We require that you take reasonable care in managing your activities. Where appropriate this requires you to do the following:

- Keep written risk assessments for your key activities
- Keep written records of your staff and volunteer training. For example, manual handling training, or for use of tools and machinery
- Abide by any rules, guidelines or advice that is given to you by any relevant authority, such as a Local Authority, or the Health and Safety Executive

We want you to be confident about your insurance and understand what is required of you. Please contact us if you have any questions relating to the above.

Lines of Cover applying

Part A – Material Damage

Table Headings

Contents (a)	Furniture, fixtures, fittings and tenants improvements
Contents (b)	Other contents and consumable stock not specified below including printed books and unused stationery
Contents (c)	Computer equipment, other office equipment and sports equipment
Contents (d)	Televisions, audio-visual and photographic equipment (excluding videos), beer, wine, spirits, tools and gardening equipment
Contents (e)	Tobacco
Contents (f)	Camcorders, videos and gaming machines
Contents (g)	Civic Regalia

Sums Insured

Premises Address	Buildings Sum Insured	Loss of Rent	Contents (a)	Contents (b)	Contents (c)	Contents (d)	Contents (e)	Contents (f)	Contents (g)
1. Address, Council Offices & Council Chamber, Wellington, Somerset, TA21 8AQ	£0.00	N/A	£52,500.00	£0.00	£15,750.00	£0.00	£0.00	£0.00	£0.00
2. Public Toilets, Address, Longforth Road, Wellington, Somerset, TA21 8RQ	£315,000.00	N/A	£31,500.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
3. Glass cover only for pop up shop, Address, 31-33 Fore Street, Wellington, Somerset, TA21 8AG	£3,675.00	N/A	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
4. Address, Unit 20 - Wellington Self Storage, Ryelands Business Park, Bagley Road, Wellington, Somerset, TA21 9PZ	£0.00	N/A	£0.00	£2,625.00	£0.00	£5,250.00	£0.00	£0.00	£0.00

For Premises: 1, 3, 4

Insured Perils applicable to Material Damage : 1-13, 15 & 16

For Premises: 2

Insured Perils applicable to Material Damage: 1-16**Excesses Applicable to Premises 1 & 4**

The following Excesses apply to each and every loss arising in respect of each and every separate premises:

Accidental Damage	£100
Theft	£100
Riot civil commotion and Malicious Persons	£250
Storm or Flood	£250
Escape of Water	£250
Falling Trees or Branches	£250
Subsidence	£1,000

Excesses Applicable to Premises 2 & 3

The following Excesses apply to each and every loss arising in respect of each and every separate premises:

Accidental Damage	£100
Theft	£100
Riot civil commotion and Malicious Persons	£250
Storm or Flood	£250
Escape of Water	£250
Falling Trees or Branches	£250
Subsidence	£1,000

Operative Endorsements: 1, 2, 3, 5, 6, 7, 8 & 9 (please refer to the Endorsement section of the policy wording)

Part C – All Risks

Table Headings

Contents (a)	Furniture, fixtures, fittings and tenants improvements
Contents (b)	Other Contents and consumable stock not specified below including printed books and unused stationery
Contents (c)	Computer Equipment, other office equipment and sports equipment
Contents (d)	Televisions, audio-visual and photographic equipment (excluding videos), beer, wine, spirits, tools and gardening equipment
Contents (e)	Tobacco
Contents (f)	Camcorders, videos and gaming machines
Contents (g)	Civic Regalia

Additional Items:

Where no premises address is shown, the item is not based at one location and cover is provided anywhere within the **territorial limits**.

Item Description	Sum Insured	Excess
Benches	£20,979.00	£100
Bus Shelter	£8,925.00	£ 100
Planters	£37,800.00	£100
Cycle Racks	£2,100.00	£100
Dog Waste Bins	£6,664.35	£100
Grit Bins	£2,920.05	£100
Noticeboards	£17,407.95	£100
Signs	£34,986.00	£100
Street light/lamp post	£973.35	£100
Defibrillators	£6,884.19	£100
Electrical supply	£11,680.20	£100
MUGA	£105,000.00	£100
Play equipment and surfacing	£105,000.00	£100
Play area bench and bin	£973.35	£100
Chain and collar, mayoral robes, chain case, town crier outfit	£16,537.50	£100
Portable IT/Sound Equipment	£10,347.25	£100
Container	£3,255.00	£100
Silver Bugle	£630.00	£100
mower	£4,200.00	£100
Portable Furniture	£2,677.50	£100
Play equipment, surfacing, bench & bin (weavers)	£84,000.00	£100
Container (Fox's Field)	£3,853.50	£100
Brushcutter, hedge trimmer (inc. batteries & chargers)	£2,100.00	£100

The excess stated applies to each and every loss.

Operative Endorsements: 1, 2, 3 & 7 (please refer to the Endorsement section of the policy wording)

Part D – Money

	Limit any one loss
1. Loss of Non-Negotiable Money in the situations specified in items 2(a), 2(b), 2(c)(i) and 2(c)(ii):	£250,000
2. Loss of other Money:	
(a) in transit in the custody of any Member or Employee or in transit by registered post (limit £250), or in a Bank Night Safe	£5,000
(b) in the private residence of any Member or Employee	£500
(c) in the premises	
(i) in the custody of or under the actual supervision of any Member or Employee	£5,000
(ii) in locked safes or strongrooms	£5,000
(iii) in locked receptacles other than safes or strongrooms	£500

Excess: £50 each and every loss

Personal Accident Assault Limits: Stated in Section 3(c) of the policy wording

Operative Endorsements:

1. In respect of **Section 1 – Special Definitions**, the definition of Person Insured is extended to include any person between the ages of 16 and 90.

Part E – Public Liability

Limit of Indemnity: £15,000,000

Excess: £100 each and every claim in respect of Section 2(d)(ii)

Operative Endorsements:

1. Environmental Clean Up Costs. The following Special Definitions are added to Section 1:

Clean Up Costs

- a) Testing for or monitoring of Pollution or Contamination
- b) the costs of Remediation required by any Enforcing Authority to a standard reasonably achievable by the methods available at the time that such Remediation commences.

Remediation

Remedying the effects of Pollution or Contamination including primary, complementary and compensatory actions as specified in the Environmental Damage (Prevention and Remediation) Regulations 2009.

Enforcing Authority

Any government or statutory authority or body implementing or enforcing environmental protection legislation within the territorial limits.

Cover

With effect from 01 July 2009 or the inception of the policy if later, the **insurer** will indemnify the **insured** in respect of all sums including statutory debts that the **insured** is legally liable to pay in respect of Clean Up Costs arising from environmental damage caused by Pollution or Contamination where such liability arises under an environmental directive, statute or statutory instrument.

Provided always that:

- a) liability arises from Pollution or Contamination caused by a sudden, identifiable, unintended and unexpected incident which takes place in its entirety at a specific time and place during the Period of Insurance. All Pollution or Contamination which arises out of one incident shall be deemed to have occurred at the same time such incident takes place
- b) the **insurer's** liability under this Extension shall not exceed £1,000,000 for any one occurrence and in the aggregate in any one Period of Insurance and will be the maximum the insurer will pay inclusive all costs and expenses. This limit will form part of and not be in addition to the Limit of Indemnity stated in the Schedule
- c) immediate loss prevention or salvage action is taken and the appropriate authorities are notified

Exclusions

The **insurer** shall be under no liability:

1. in respect of Clean up Costs for **damage** to the **Insured's** land, premises, watercourse or body of water whether owned, leased, hired, tenanted or otherwise in the **insured's** care, custody or control
2. for **damage** connected with pre-existing contaminated property
3. for **damage** caused by a succession of several events where such individual event would not warrant immediate action
4. in respect of removal of any risk of an adverse effect on human health on the Insured's land, premises, watercourse or body of water whether owned, leased, hired, tenanted or otherwise in the **insured's** care, custody or control
5. in respect of costs in achieving an improvement or alteration in the condition of the land, atmosphere or any watercourse or body of water beyond that required under any relevant and applicable law or statutory enactment at the time Remediation commences
6. in respect of costs for prevention of imminent threat of environmental damage where such costs are incurred without there being Pollution or Contamination caused by a sudden, identifiable, unintended and unexpected incident
7. for **damage** resulting from an alteration to subterranean stores of groundwater or to flow patterns
8. in respect of costs for the reinstatement or reintroduction of flora or fauna
9. for **damage** caused deliberately or intentionally by the **insured** or where they have knowingly deviated from environmental protection rulings or where the **insured** has knowingly omitted to inspect, maintain or perform necessary repairs to plant or machinery for which they are responsible
10. in respect of fines or penalties of any kind
11. for **damage** caused by the ownership or operation on behalf of the **insured** of any mining operations or storage, treatment or disposal of waste or waste products other than caused by composting, purification or pre-treatment of waste water
12. for **damage** which is covered by a more specific insurance policy
13. for **damage** caused by persons aware of the defectiveness or harmfulness of products they have placed on the market or works or other services they have performed
14. for **damage** caused by disease in animals belonging to or kept or sold by the **insured**.

Part G – Employers Liability

Limit of Indemnity: £10,000,000

Operative Endorsements:

None

Part H – Libel and Slander**Sum Insured**

£250,000

Excess: 10% each and every claim or £1,000 whichever is the lower**Operative Endorsements**

None

Part I – Motor Vehicles

Insured Vehicle: All as described in
Persons Entitled to Drive: the Certificate of
Limitation as to Use: Motor Insurance

Cover: Section 22

A. Comprehensive

Excess : Section 23

Amount	Description
£ 150	Accidental Damage , Fire , Theft , Windscreen , Theft total loss
£ Nil	Third party

Additional to any other Excess which applies

Age and Inexperienced Driver Excess: Section 11

(a)	Under 25 years	£150
(b)	Over 25 years inexperienced	£150

Additional to any other Excess which applies

Repair Limit: £Nil

Section 12

Damage to Property Limit:

£5,000,000 Applicable to any Commercial Vehicle, Minibus, Agricultural Vehicle and Special Type

£50,000,000 Applicable to any Private Motor Car

Personal Effects Limit: £150

Section 13

Medical Expenses Limit: £250

Section 14

Additional Cover : Section 25

U. Occasional Business Use

Not Operative

V. Loss of No Claim Discount/Excess

Not Operative

Operative Endorsements:

None

Part J – Motor Legal Expenses and Uninsured Loss Recovery

Limit of Indemnity: £100,000 per insured incident

Operative Endorsements:

None

Part K – Inspection Contract

Service: Inspections of each item of Plant described in the Plant Specification under Contract Number EI-122004-0467.

Operative Endorsements:

None

Part N – Fidelity Guarantee

Persons Guaranteed:
All members and employees

Sum Guaranteed
£2,000,000

Excess: £100 each and every loss

Operative Endorsements:

None

Part O – Personal Accident

Cover is limited to £500,000 any one person and £2,000,000 any one incident.

Persons Insured:

Employees

Capital Sum	£50,000.00
Weekly Sum	£300.00
Cover	Sections 2 and 3 - Accident and Assault Cover

Volunteers

Capital Sum	£50,000.00
Weekly Sum	£300.00
Cover	Sections 2 and 3 - Accident and Assault Cover

Directors/Councillors

Capital Sum	£50,000.00
Weekly Sum	£300.00
Cover	Sections 2 and 3 - Accident and Assault Cover

Operative Endorsement:

1) Special Condition 4 of Section 5 is inoperative provided always that the **insurer** will not make any payment of any benefit or in respect of any expense or loss arising from any Person Insured who has attained the age of 90 years unless such expense or loss arises during the period of insurance during which the Person Insured attains the age of 90

Part P – Legal Expenses**Section:**

3. Employment Disputes and Compensation Awards	Operative
4. Legal Defence	Operative
5. Property Protection and Bodily Injury	Operative
6. Tax Protection	Operative
7. Contract Disputes	Not Operative
8. Statutory Licence Protection	Operative

Limit of Indemnity: £200,000

Operative Endorsements

None

General Notes

1. Fair presentation of the risk

You must make a fair presentation of the risk to us at inception, renewal and variation of your policy. This means that we must be told about all facts and circumstances which may be material to the risks covered by the policy and that you must not make a misrepresentation to us about any material facts. As part of your duty of fair presentation, you must ensure that the information detailed within the schedule is correct and complete. A material fact is one which would influence the acceptance or assessment of the risk. If you have any doubt about facts considered material, it is in your interests to disclose them to us.

Failure to make a fair presentation of the risk could result in the policy either being avoided, written on different terms or a higher premium being charged, depending on the circumstances surrounding the failure to present the risk fairly.

This policy is compliant with the principles of the Insurance Act 2015 law reforms. It also incorporates an 'opt out' which has the aim to promote good customer outcomes. We have opted-out of the 'proportionate reduction of claim remedy' available to insurers under the Insurance Act 2015. This means that in cases of non-disclosure or misrepresentation which are neither deliberate nor reckless, if we would have charged an additional premium had we known the relevant facts, we will charge that premium and pay any claims in full rather than reducing claims payments in proportion to the amount of premium that would have been charged.

We believe that our 'additional premium approach' should, in most situations, be more favourable to our customers when compared to the proportionate reduction of claim remedy. Our additional premium approach does not affect our right to apply the other remedies available under the Act for non-disclosure or misrepresentation.

2. Cancellation

All insurance policies run for a fixed period of time. The Insured can terminate an insurance contract verbally or in writing at any time by calling 0800 917 9531 or emailing Customers.team@uk.zurich.com. Zurich may cancel the policy by giving 30 days' notice in writing. In such an event the insured will be entitled to a return of premium in respect of the unexpired portion of the period of insurance.

If you cancel your policy before the start date, you will be entitled to a full refund of premium. If you cancel within 14 days of the start date, you will be entitled to a full refund of premium, providing no claim has been made. After 14 days, if no claim has been made, we may offer a full or partial refund, depending on the time the policy was on risk and the circumstances at the time of the cancellation request. Please note, a cancellation charge of £50 may be applied.

3. Bonus and fee structure

Employees and businesses who carry out work for ZIC UK are remunerated in various different ways for selling insurance contracts. Employees receive a basic salary and also receive a bonus based on a number of factors, including the achievement of sales and quality targets. Businesses which work for the insurer on an outsourced basis receive a fee and also additional payments based on a number of factors, including the achievement of sales and quality targets.

Claims contact information

Although we'd all like to control the future, sometimes accidents are unavoidable. That's why we've made it as easy as possible to make a claim. More information can be found [here](#). Ready to make a claim? Please use the contact details below to ensure you're connected to the right team:

Type of Claim	Claims team	Claims contact details
Buildings, contents including 'All Risks' items	Property Claims	Online: https://propertyclaims.zurich.co.uk/index.html Tel: 0800 028 0336 Email: farnboroughpropertyclaims@uk.zurich.com Address: Zurich Municipal Property Claims, PO Box 3303, Interface Business Park, Swindon, SN4 8WF
Business interruption		
Money		
Works in progress		
Public liability	Liability Claims	Online: https://liabilityclaims.zurich.co.uk/index.html Tel: 0800 783 0692 Email: fnlc@uk.zurich.com Address: Zurich Municipal Casualty Claims, Zurich House, 1 Gladiator Way, Farnborough, Hampshire, GU14 6GB
Employers liability		
Personal assault under Money		
Personal accident		
Financial and administrative liability	Motor Claims	Online: https://motorclaims.zurich.co.uk/index.html Tel: 0800 916 8872 Email: zmnewmotorclaims@uk.zurich.com Address: Zurich Municipal Motor Claims, PO Box 3322, Interface Business Park, Swindon, SN4 8XW
Motor Claims		
Legal Expenses	DAS Legal Claims	Tel: 0117 934 2116

How to make a claim:

1. You can make a claim using the online portal, by email or phone using the contact details above.
2. A claim form may be sent for you to complete, or you may be asked to send details in writing.
3. If you have any questions, please call the relevant office for guidance.
4. For out of hours help/emergency property losses - please contact 0800 028 0336

DAS Head and Registered Office:

DAS Legal Expenses Insurance Company Limited | DAS House | Quay Side | Temple Back | Bristol | BS1 6NH
Registered in England and Wales | Company Number 103274 Website: www.das.co.uk
DAS Legal Expenses Insurance Company Limited is authorised by the Prudential Regulation Authority
and regulated by the Financial Conduct Authority (FRN202106) and the Prudential Regulation Authority.

DAS Law Limited Head and Registered Office:

DAS Law Limited | North Quay | Temple Back | Bristol | BS1 6FL
Registered in England and Wales | Company Number 5417859 Website: www.daslaw.co.uk
DAS Law Limited is authorised and regulated by the Solicitors Regulation Authority (registered number 423113).

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BASINS ALLOMENTS ADVISORY BOARD MINUTES
Council Chamber, Wellington Town Council, 28 Fore Street, Wellington TA21 8AQ

Monday 19th February 2024 at 6pm

Advisory Board Present:

Cllr Janet Lloyd (Chair)– Town Council (JL)

David Lee – Plot 77 (DL)

Mary Bradford – Plots 25 & 26 (MB)

Annette Kirk- Town Council Assets & Events Officer (AK)

Tenants:

David Cappel (DC)

1. Welcome

2. Apologies

Councillor C Govier

3. Appointment Of Tenants To Join Advisory Board

- It was agreed that DL and MB would speak to Tenants to see if they could get two other tenants to join the advisory board.

4. Plots Available

- a. No plots available
- b. 10 people on the waiting list.

5. Maintenance and Repairs

- a. It was noted the cost of three skips at £320.00 plus VAT each
- b. It was noted the cost to remove Asbestos from plots 88 and 96 – Total cost: £325.00 plus VAT. DC confirmed that Taunton Priorswood recycling centre, Taunton would take asbestos free of charge.
- c. It was noted the cost for the new padlock and chain. Total Cost £96.57
- d. Plot 7 – removal of plum tree – Quotation £370.00 + VAT received from Chris Groves Associates. Advisory Board agreed that the tenant should deal with the tree and cover the cost of its removal.

6. Inspections

It was agreed that the Assets & Events Officer along with DL and MB would inspect the worst plots and issue warning letters to these tenants.

As the ground is very saturated at present, making it difficult to get on the plots, it was agreed that the remaining plot inspections be put back to middle end of March.

7. AOB

- a. JL spoke about the Court Fields School Parent & Community Group initiative. We may see more activity on the school plot.
- b. DL asked that the main track hedgerow is cut back and topped. The main concern now is the bird nesting season. It was agreed that the Community Warden would tidy the hedgerow now. We would look at getting the hedgerow cut back and topped by a contractor in November.

8. Date of Next Meeting:

The Advisory Board agreed to have a meeting in April – Date: 22nd April 2024

Meeting closed: 6.30pm