

WALFORD PARISH COUNCIL

Minutes of Walford Parish Council Meeting



Held at Bishopswood Village Hall
Wednesday 4 September 2019 at 7.30pm

Present: Councillors: Monica van Lienden (Chair), Ian Matthews (Vice-Chair), Joanne Akers, Karen Chinn, Simeon Cole, Ruth Dolman, Eric Drummond, Heather Evans, Richard Jackson, Elizabeth Jordan, Sian Newbert and Bob Puzey

In attendance: Richard Abolins (Parish Clerk), Yolande Watson (Ward Councillor) and 10 members of the public.

1. **Apologies:** – Councillors Guy Smith
2. **Declaration of interests:** – Cllr Jackson and Newbert declared an interest in item 7.1 as neighbours. Cllr Puzey declared an interest in item 14 as a neighbour.
3. **Adoption of Minutes of previous meeting:**
It was **resolved** to adopt the minutes of the meeting held on 14 August 2019 as a true and accurate record. They were signed by the Chair.

It was moved and **resolved** to change the order of proceedings so that item 14.2 was dealt with before item 14.1

4. Walford Community Support Scheme:

- 4.1 In the absence of the scheme co-ordinator, Cllr Chinn presented the report (attached).

5. Public participation session:

- 5.1 The Ward Councillor presented her report (attached). Following up on questions, it was clear that in future there would be greater enforcement over the unauthorised removal of trees and hedgerows. This would be taken up by the Environmental working group.
- 5.2 A member of the public informed the meeting that a trustee of Walford Village Hall, Cyril Powell, had died suddenly.

6. Policies and procedures:

- 6.1 It was **resolved** to change the frequency of Council meetings to monthly. It was further **resolved** that meetings would be held on the third Wednesday of each. The Clerk will amend the standing orders and present them to the next meeting for approval.
- 6.2 It was **resolved** that the Chair should act as media spokesperson if necessary. It was further **resolved** that in her absence, the Clerk will act as her deputy.
 - 6.2.1 It was proposed to change the responsibility for Health and Safety in the Generic Risk Assessment to the Council. It was proposed to change the title of the Volunteer lone working policy to the WCSS lone working policy. Subject to these amendments, it was **resolved** to approve the policies and procedures for Data retention and records management, Complaints, Generic risk assessment, Volunteer GDPR disclaimer, Safeguarding, Lone working and Use of private cars.
In the Training and Development policy, it was proposed to add "Publicly funded training must be approved by the Council to ensure its relevance, content and appropriateness". Subject to this amendment, it was resolved to approve the policy.

7. Planning applications:

Cllrs Jackson and Newbert left the room

- 7.1 192723, Land at the Leys, Bishopswood, erection of one dwelling and detached garage and construction of associated works.
The Council wanted the height of the new buildings to be no more than the existing garage. It also wanted proper environmental and ecological surveys undertaken. Other than these requirements, there were no other objections.

Cllrs Jackson and Newbert re-joined the meeting

- 7.2 192800, 6 Coughton Place, Coughton, proposed 3 bed dwelling with parking
There was concern about the retention of the adjoining hedgerows, but there were no other objections.

WALFORD PARISH COUNCIL

Minutes of Walford Parish Council Meeting



8. Finance:

- 8.1 Cllr Chinn reported that in their meeting the Finance Committee had resolved to change its meeting frequency to whatever the Council decided.
They were investigating deposit accounts with a greater rate of interest than currently being earned on deposits.
Work had begun on a risk register using a template from HALC. Cllr Chinn asked for working groups to feed their individual risk items to the Clerk for incorporation into the full document.
Approval had been given for expenditure on website training.
Budget information for the year 2020/21 should be given to the RFO as soon as possible, so that he can begin drafting the budget for the November meeting.

9. Personnel:

- 9.1 Cllr Akers reported that at the last meeting, the Personnel Committee had primarily dealt with the policies and procedures which had been brought to this meeting.
Having obtained an increase in the training budget, further HALC training for councillors had taken place on 22 August.
No date had been set for the next meeting; this would be set when required.

10. Community engagement:

- 10.1 Cllr Puzey presented his report (attached). Unfortunately, consideration of the terms of reference had been omitted for the agenda and will be presented at the next meeting.
10.1.1 In considering the strategy document, a few amendments were suggested; page 2 - correct website, page 9- remove reference to gypsies, page 10 – section 3.8 needs to include cost consideration and on page 11, page 14 – to include an estimate of expenditure. Subject to these amendments, it was **resolved** to approve the document.
Cllr Puzey will update the document.

11. Safety:

- 11.1 In the absence of Cllr Smith, Cllr Newbert presented the report (attached)
11.1.1 It was **resolved** to approve the terms of reference for the Safety Working Group.
11.1.2 Riversea Holdings had agreed to look into the costs of new signage at the canoe launch and consider whether to bear the cost or share it. It was **resolved** to authorise the working group to find costs for new signage at the canoe launch.
The following items were not proposed by the Safety Working Group.
11.1.3 Before the Bank Holiday, a portaloo had been installed at the canoe launch site on the grounds of health and safety. The Clerk had exercised his emergency powers following a discussion between Councillors at the HALC training session. It had come to Councillors notice that in the absence of toilet facilities at the site, members of the public were relieving themselves in the undergrowth. In the long term, provision of toilet facilities needed to be discussed and resolved in full Council, but the current situation could open the Council to charges of failure of its duty of care. It was **resolved** to continue with this hire until the end of September, but to relocate it to a more appropriate position. Cllr Cole will attend to this.
11.1.4 The Chair will co-ordinate with the Ward Councillor to obtain more information relating to the Bishopswood Village Hall toilets and will report back to the Council.

12. Environmental:

- 12.1.1 Cllr Newbert present the report (attached) and the Clerk agreed to find any documents relating to land owned by the Council.
12.1.2 It was **resolved** to approve the terms of reference for the Environmental Working Group.

WALFORD PARISH COUNCIL
Minutes of Walford Parish Council Meeting



13. Neighbourhood Development Plan:

- 13.1 Andrew De La Haye presented the report on progress (attached). To avoid confusion, it was agreed that the agenda items 13.1.1 to 13.1.10 would be taken in the order referred to in the progress report.
- 13.1.2 It was **resolved** to appoint Chris Barron to the steering group.
 - 13.1.6 It was **resolved** to approve the National and Local Planning Hierarchy.
 - 13.1.9 The project planning documents were noted.
 - 13.1.4 It was **resolved** to approve the document "Purpose, aims and objectives"
 - 13.1.1 It was **resolved** to reconstitute the Neighbourhood Planning Committee as the Neighbourhood Development Plan Steering Group
 - 13.1.3 It was proposed that it was not necessary for the Clerk to attend Steering Group meetings. Subject to this, it was **resolved** to approve the terms of reference for the Neighbourhood Development Plan Steering Group.
 - 13.1.5 It was **resolved** to approve the Service Level Agreement with Herefordshire Council and the Chair signed it.
 - 13.1.10 It was **resolved** to delegate authority to the Steering Group to appoint a consultant.
 - 13.1.8 It was **resolved** to delegate authority to the Steering Group to apply for grant funding.
 - 13.1.7 It was **resolved** to approve the use of a separate NDP website for the duration of the project.

14. Kerne Bridge Canoe Launch:

- 14.2 Cllr Matthews presented a report from the working group (attached) and asked for the recommendations within it to be considered.
- It was **resolved** that the working group prepares a report to show the financial benefits of the site to the parish and a business plan prepared for a period of the next three years.
- It was recommended that professional advice is taken to define the nature of the contract with Riversea Holdings and to define the meaning of the contract in respect of who is responsible for maintenance and repairs. The Council did not accept this recommendation.
- It was recommended that WPC confirm 25% of receipts are held in reserve for maintenance works that WPC is liable for. It was pointed out that the Reserves Policy already covers this eventuality. In the interests of the taxpayers of the parish, it was recommended that the insurance certificate and summary of cover is published on the PC website.
- It is recommended that a structural and general inspection survey is conducted on the site, and that RHL/WPC prepare risk register for the site. This will be passed to the Finance Committee who will incorporate it into the full risk register.
- 14.1 Cllr Cole explained that the working group had been established to manage the transfer of the site from Herefordshire Council and to install a management partner to manage the site. Particularly following the establishment of the Safety and Environmental working groups, it only left maintenance to be dealt with. Rather than have a working group, it would be more effective to have a maintenance co-ordinator who would liaise with the Council, the working groups and Riversea Holdings to ensure the site was well maintained.
- With the agreement that an Environment co-ordinator would be appointed to liaise with the maintenance co-ordinator, it was **resolved** to terminate the Kerne Bridge Canoe Launch Working Group.
- It was **resolved** to appoint Cllr Cole as the Maintenance Co-ordinator.

The time being 21.35, the Chair adjourned the meeting. It will re-convene on Thursday 12 September 2019 at 7.30pm in Bishopswood Village Hall.

SIGNED M van Lienden DATE 16 October 2019

Walford Community Support Scheme

Parish Council Meeting Wednesday 4th September 2019

Since our last Parish Council meeting in June, we've provided over 65 hours' worth of volunteer support to members of our Scheme. 16 shopping trips, 25 social visits or outings & transport to 6 appointments.

We've held trips to Westonbury Mill Water Gardens & Ledbury. Held our annual Summer Soiree at the Mill Race, attended the monthly lunches at Bishopswood village hall, as well as our usual coffee mornings. We have also managed to secure another venue, free of charge, we can use for a meeting place in addition to the Church, in the form of the Residents lounge at Fowbridge Gardens. We held our first event there a few weeks ago in the form of a Bingo afternoon.

The use of the lounge at Fowbridge has led to another two Service Users joining our ranks, & we hope to increase our numbers further with other social afternoons held there in the coming months. Another two service users joined us last month, also, so an increase of 4 more since our last meeting. We also have another volunteer as of this month, who had attended our Quiz Night earlier in the year.

I am now sending out information of upcoming events, on a fortnightly basis. These events are open to all in our Parish. Please do let us know if you'd like to be included on our mailing list. It's an effective way of being made aware of what's going on in our Parish.

The Support Scheme working group continue to meet monthly & we are currently working on updating some of our documentation & targets for the year.

We are always looking for volunteers who can spare any time at all, no minimum or maximum obligation. Please do contact us if you're interested. Similarly, if you have any concerns about any residents in the Parish, please contact us in confidence & we will do our best to find a way to assist.

Work in Specific Parish:

Goodrich and Welsh Bicknor:

1. Connectivity issues: mothers with buggies unable to walk children from Dean Swift Close area to the primary school, which Cllr Gort and I walked and identified the problem
2. Investigating the responsibility to clean up area near the bridge of A40
3. Investigating the lease of 'land at rear of Goodrich Primary School'
4. Issues raised by local resident – no free school bus for over 16s (SEN)
5. Outstanding - Noticeboard @ Dean Swift Close area

Walford:

1. Leys Hill junction – ongoing communications and possible Traffic Regulation Order to be enacted after receipt of traffic survey
2. Local grubbed out hedgerow on Leys Hill – ongoing
3. Conditions (removal of trees) found to have been breached on a Howle Hill property
4. Commented on the Community Support Scheme Report which was revised
5. Walford Parish (Bring and Share) Party booked! Sunday 27th Oct from 11am – 4pm
6. Participating in the Environmental Working Group (EWG) and invited them to a (closed) talk on recycling by EnviroSort in October
7. Obtained large area maps for the Neighbourhood Development Plan Team and EWG
8. P190316 (Howle Hill Nursery application) has been referred to the Planning & Regulatory Committee
9. Issues raised by local residents include speeding cars through the Parish; request for main drains on Walford Road; a need to reopen public toilets at Bishopswood Village Hall therefore have researched lease of Bishopswood Village Hall, Asset Transfer of HE45859 and Management Agreement of WPC with Riversea Holdings Ltd

Whitchurch

1. On-going conversations with local residents and Herefordshire Council Officers about animal welfare concerns at a property in Whitchurch
2. Actively engaged with Highways and Balfour Beatty issues: C1257, A40, Wye View Lane, dropped curbs.
3. Held a C1257 stakeholder meeting in mid-July which was uneventful. The appeal is to be heard at end of October. I have received significant number of e-mails from and held many conversations with local residents about this issue
4. Went on a walkabout with Chair to see Wye View Lane and through The Doward
5. Have been communicating with three main Tourism Associations to support a possible Whitchurch/Symonds Yat West 'Tourism Task Group'
6. Monmouth Recycling facilities are closed to Herefordshire residents. I did raise this with Officers and the Waste Management Team will soon be sending out a briefing to Parish Councils affected by the change
7. Met with Cllr Morris to talk through next steps for a Baby & Toddler Group
8. Issues raised by local residents – Herefordshire Bypass; lack of football pitch and activities for teenagers; parents worried about children walking/cycling to Memorial Hall from Ridgeway via Llangrove Road; closure of recycling facilities (see above)

Across the Three Parishes:

- Commenting on every planning application in the Parish and investigating those where the Parish Council have expressed concerns
- Primary Schools – invited to deliver talks on local democracy; how to preserve hedgehogs and their habitats and reducing single use plastic in homes and schools; recommending EnviroSort talks in schools and Parishes
- Connectivity – looking at walking routes across the Parishes - starting with children and families accessing local facilities such as schools, pubs and shops, which links to the Sustainable Mode of Travel Strategy and a future a Rural Movement Strategy
- Researching the number of Carers in the Ward

Herefordshire Council (HCC):

1. Carrying out my responsibilities and duties on four Council Committees - Planning & Regulatory, Audit & Governance, AONB Joint Advisory Committee and Local Access Forum
2. On 8th August, three colleagues and I had a talk on and tour of EnviroSort (Recycling Centre) and now organising talks on recycling in local schools and Parishes (Walford on 27th Oct). Consequently, because of my work with www.wyeup.org.uk, I was invited to be part of organising the 'Recycling Week' which is 23rd – 29th Sept. At the meeting, I was able to communicate with Drop the Stop Team my concerns on not knowing the timetable of grass verge cutting
3. Working behind the scenes with colleagues on strengthening the 'public health' and 'carbon reduction' aspects in local planning legislation to inform the Core Strategy
4. Commented on the Corporate Plan and Corporate Delivery Plan which are being reviewed
5. Hereford Bypass - decision to pause and review
https://www.herefordshire.gov.uk/info/200196/roads/252/herford_2020/4
6. Beryl Bikes launched:
<https://www.herefordshire.gov.uk/info/200243/cycling/312/cycling/13>. You'll need to download an app - <https://beryl.cc/bikeshare/herford>
7. Children's and Young Peoples Plan adopted:
https://www.herefordshire.gov.uk/info/200148/your_council/698/children_and_young_peoples_partnership
8. Suicide Prevention Strategy approved
9. Quarter 1 2019/20 Budget approved
10. Youth Justice Plan for determination
11. Did you know you can subscribe for updates on Council matters by signing up to:
<https://public.govdelivery.com/accounts/UKHEREF/subscriber/new>

Community engagement Working Group – Report to Council

The working group has met twice to date during which time we have developed TOR, outlined an engagement strategy, identified and developed proposals for the priority areas and produced an outline implementation plan.

Our top priorities are:

Reorganisation of the Parish Council website, to fix those areas not working and broaden the content and focus to include non-parish council items that may be of interest to parishioners such as community news, church news etc.

Getting the parish newsletter into production with a similar broad, news-based approach.

There is a small training cost to get the website redevelopment underway. By using the same tools, the training can be utilised in the development of the Neighbourhood Development Plan website, which is critical to the success of that project.

Quotes for the newsletter production and postage are being sought. It is expected that a budget increase will be required for the initial publication, but a cost reduction is expected as we move towards electronic delivery.

We are submitting the following for approval by full council:

1. Terms of reference for the Community Engagement Working Group.
2. Community Engagement Strategy.

If there are no objections, we will continue to redevelop the website and newsletter per the plan.

Walford Parish Council Safety Working Group Meeting on 28 August 2019 Notes

Present: Cllr S Newbert, Cllr M van Lienden, Cllr E Jordan, W Cansdale, D Berry

Apologies: Cllr R Jackson Cllr G Smith

- TORS for Agenda for approval
- Update W Cansdale Leys Hill Junction and B4234. Cotswold Traffic Consultancy to be commissioned to provide report which will be paid for by 4 residents. Petition to improve junction has 89 signatures. Signage to Leys Hill still not visible from Kerne Bridge approach. Either sign should be repositioned or vegetation trees should be cut down - Simeon/Balfour Beatty
- Barriers to Canoe Launch site entrance - no costings as yet. Might require coordination with BVH
- Signage for footpath from Launch site to Kerne Bridge - costs to be divided between WPC and RHL. Discussion with RHL suggested.
- Smart Water - promotion possible at Community Party.
- Speeding in parish - variable speed limits need to be reassessed. Links in future to parish website for comments on safety issues from residents would be useful.

EWG Meeting 31.7.19

Present Sian Newbert, Elizabeth Jordan, Richard Jackson, Guy Smith

Ward Councillor Yolande Watson & Andrew De La Haye Chair NDP

Absent Simeon Cole

Apologies None

Declarations None

Sian Newbert was elected co-ordinator and Elizabeth Jordan note taker.

Terms of Reference To be recommended to the council 4.9.19 with one amendment-
To meet bi-monthly.

Items discussed

1. In formulating an environmental policy it was agreed to initially collate information from relevant authorities. To this end it was agreed to draft a letter for the clerk or co-ordinator to send out.
2. It was agreed to ask the clerk for any maps/plans/documents held by the Parish council showing land owned/managed by the council. Yolande Watson brought 2 wonderful maps of the Parish to the meeting showing the designated protected areas and the outline of the Parish. She said she would see if she could get hold of copies for the council.
3. It was agreed to liaise with the NDP on environmental issues.
4. Recycling issues were discussed and it was agreed to look at ways to engage & inform the community as this is an area where there is a lot of confusion. A kind invitation was issued by Yolande Watson to attend the Walford Parish Party event. EWG will support the Walford Parish Party event with recycling information and possibly a relevant environment display to be agreed.
5. Green tourism was discussed including improving infrastructure, cycle paths, public transport, walking. It was decided to see if there was some way of reviving the Ross-Kerne bridge cycle path.
6. Loss of hedgerows was discussed which is of national concern. This is something to be factored into planning decisions.

Walford Parish Neighbourhood Development Plan

Report of progress to Walford Parish Council Meeting 4th September 2019

Written by the chair: Andrew De La Haye

1. Walford Parish is required to increase its housing by 14% between 2011 and 2031. This equates to 91 new houses based on 648 houses on the HCC register in April 2011. It is required to demonstrate how and where it would put these houses. It must place these houses within the main settlement of Walford (Coughton), and the minor settlements of Bishopswood and Howle Hill.
2. Currently there are 9 completed houses and 23 commitments leaving 59 more to go.
3. The Walford Parish Neighbourhood Planning Committee has met three times since my last report and has progressed many items of planning and organising, as well as outlining the process of making an NDP in order to educate ourselves and the parish council. In addition we have met with our supporting planning officer in HCC, Karla Johnson, and she has given us a good understanding of how the plan can be developed including some good guidance notes as well as an evidence base and the types of support available from HCC.
4. Since my last report we have had one member withdraw (Richard Jackson) from the committee and we request an additional member to join, namely Chris Barron, who has extensive experience in planning matters within the parish. *I request your approval for Chris to join the group.*
5. I ask for any questions or comments about the following documents which are designed to inform you all at a high level about what it is we are doing.
 - 5.1. **National and local planning hierarchy** which shows the relationship between NPPF and Core Strategy and our NDP.

Walford Parish Neighbourhood Development Plan

- 5.2. **Outline NDP document** which gives an idea of the content headings of the draft NDP. We will develop the content based on these.
- 5.3. **Project statutory deliverables** which are the things that we must deliver to HCC or which must be delivered to us by HCC. There will be many more deliverables which will support us in developing the plan in the best interests of the parish.
- 5.4. **Outline project plan Gantt chart** which shows an optimistic overall project timescale of nearly 2 years. It is entirely possible that it may take longer as we are still at the stage of understanding the activities involved. This should become clearer in the next month or two.
6. With respect to the assignment of the steering committee I need the council to instruct us in terms of our **Purpose, Aims and Objectives** as well as our **Terms of Reference**. We have made a proposed draft of these for you to either approve as is, or to modify, so that this becomes a council document issued to the steering group. Please note we are asking to change from a steering committee to a steering group in order to be able to act more efficiently in our meetings.
7. With respect to the council's relationship with HCC in the matter of making an NDP I ask the council chair to sign the **Service Level Agreement (SLA)** so that we can be sure of HCC support and response times when we get to regulatory reviews etc.
8. *I ask approval in principle for the steering group to use consultants and, in line with this, to apply for funding to pay for those consultants.* Funding of up to £9,000 is available from Locality, and Lottery funding of up to £10,000 may also be available. Please let me know any control parameters you wish to apply to us in this matter. The parish council would be the party making the contract with the consultants and the grant funding would be applied for by the parish council.
9. *I also ask your permission to develop an NDP website that is separate from the council website.* A website will be the main vehicle for communication with NDP stakeholders and the project team. The amount and complexity of data required to support the project would

Walford Parish Neighbourhood Development Plan

overcomplicate security, navigation and maintenance if added to the existing website. Many councils have taken the route of a separate NDP website.

9.1. We have a quote from Eyelid Productions – the developers of the existing website - of £440 with an ongoing cost of £90 per annum for the duration of the project. The full amount is expected to be grant funded. On NDP adoption the website will be closed, the majority of data transferred to archive and the final plan and other relevant documents moved to the parish website.

10. Next meeting of the Walford Parish Neighbourhood Planning Group is on 10th September 2019. It will address the selection of appropriate consultants as well as working up our budget and we will be starting to look at the evidence base (such as NPPF and Core Strategy) to understand the constraints which we will be operating under.

KBCL Working Group Report 01

4th September 2019

Purpose

The purpose of this report is to inform Walford Parish Council and the Parishioners of Walford of the Kerne Bridge Canoe Launch Project as we come to the end of the third season.

Summary

The Kerne Bridge property was acquired by the Parish of Walford in June 2016 as an asset transfer from Herefordshire Council and is managed by Walford Parish Council [WPC].

The land is registered at the Land Registry with the title number HE55664 in the name of WPC who act as custodians on behalf of the parishioners of Walford.

Together with the annual precept, which is supported by taxation of parishioners based on property value, the KBCL project is the only regular revenue source to the council and as such is expected to provide for other council projects such as the Walford Community Support Scheme.

It is therefore of singular importance that the operation and value of the project be fully understood by both Councillors and parishioners alike.

The project is controlled under a contract dated 26th March 2018 which is assigned to operate until 16th April 2027.

The company contracted to manage the site is Riversea Holdings Ltd. [RHL], registered at 1 Wyeclyffe Terrace, Bath Street, Hereford, United Kingdom, HR1 2HG.

Activities of the Working Group

The working group has convened on two occasions, the first on 18th July 2019 and the second on 7th August 2019.

Both meetings were open to the public where opinions were shared with respect to interpreting the contract and their concerns associated with safety and the environment of the project/site.

Three things were identified that the WG could achieve.

1. Provide a clear overview of the project and publicise the financial contribution. This should be a positive view for the Parish and for WPC/RHL and is necessary as the financial contribution of the project is critical to support other projects such as the Walford Community Support Service.
2. Understand the obligations and liabilities of the contract. It is necessary to understand the financial risk to the Parish associated with the maintenance of the site and to define what expenditure the Parish is liable for.
3. Address issues associated with the site regarding Safety, Environmental. This needs to be done within the bounds of the Parish Council statutory duties and aligned with the Safety and Environmental WG.

Individual Issues Arising

Project Overview and Financial contribution.

A document prepared by WPC titled "Business Plan" dated May 2018 was shown to the WG this used to be available on the WPC website and provided an overview of the project, including the background and history plus a financial summary of income and expenditure. Currently there appears to be no published financial information with respect to income and expenditure of the project in connection with the due dates for payments as defined by the contract or what money has been disbursed to date for repairs and maintenance.

Definition of the Contract

At the first meeting it was clearly expressed that it was necessary to understand the contract and to work in association with RHL to achieve the greatest benefit for the parish, WG members and members of the public expressed opinions on the Contract with respect to responsibilities and liabilities for both RHL and WPC.

The title page of the contract refers to a Management Agreement which implies that the entire operation of the property is the responsibility of RHL who would under such an agreement be expected to provide a fixed payment to WPC on a regular basis and take the risk of any profit or losses based on their own management decisions.

However, the contract allows the possibility that it may be construed as a lease agreement under which a variability of magnitude of payments is allowed in accordance with the terms defined.

Further, during the 7th Aug meeting, a member of the public stated the original contract concept was for RHL to manage an asset on a landlord/tenant arrangement whereby WPC are responsible to keep the asset in a workable order and RHL are there to manage the operation at the site in return for a percentage of the revenues.

Owing to the uncertainty in the different interpretations of the contract and the lack of legal opinion the working group is unable to make a recommendation of how the contract should be interpreted.

Maintenance Responsibilities

Clause 3.3 - Records the responsibilities for RHL within the property and states "Riversea shall pay all present and future rates, taxes and other impositions and outgoings payable at any time during the term in respect to the Property, its use's and any works carried out there".

Clause 3.4 - Relates to RHL to maintain 3rd Party Insurance for liability risk in relation to the Property.

Clause 3.5 - Defines WPC responsibility within the property to repair and maintain the car park and payment machine and goes on to say that RHL is responsible, on completion of the contract, to return the site in no worse state than at the commencement in April 2017 and provides a schedule to the effect of the state at that time.

The working group was informed that since the commencement of the agreement with RHL it has been WPC position to consider all maintenance and repair costs throughout the property as the responsibility of WPC.

It needs to be confirmed if this is correct as WPC should not be using public monies for expenditure it is not responsible or liable for.

To this effect the working group was informed that 25% of all receipts from RHL has been budgeted to pay for maintenance and repairs.

To date these costs have been limited in extent, however the potential site repair costs are unknown and could potentially exceed revenues.

Liabilities

The working group was informed that RHL carries insurance to meet the requirements of the contract, however in the event that WPC is responsible for all maintenance, then WPC must carry public and 3rd party liability insurance for the property.

Currently the parking machine is not covered by warranty, there is an option for a maintenance agreement for an annual fee to cover any call out during the year.

Safety

Safety relating to Canoe launches during adverse conditions, the WG was informed that this had been discussed with the Canoe operators all of who are members of professional associations who provide a code of conduct which operators are required to follow. Therefore canoe launch safety is the responsibility of the individual operators.

Safety relating to using the road instead of the public footpath to gain access to the Inn on the Wye, concern was raised that there is no footpath on the road and visibility is limited on the section between the car park and the Inn on the Wye public house, it was proposed that better signage would assist in routing the public via the FP to a safer crossing point.

Overall site safety, concern was raised regarding safety to the public using the site it was suggested that a site risk register is drawn up to identify general maintenance required to mitigate potential issues.

Environment

Since the toilets at Bishopswood Village Hall were shut by Herefordshire Council in 2014, concern was raised as there are no public toilets available on the site. There is long history between WPC/BVH/HC in trying to resolve this situation which is an item already under review for discussion by the full council.

Summary

1. There is a lack of information with respect to the overall financial contribution of the project and its future contribution to the Parish.
2. There is lack of clarity as to the nature and style of the contract and who is liable and pays for the maintenance of the property.
3. There is a lack of clarity as to what repairs are required or budgeted for at the car park.
4. There is a lack of clarity as to whether a maintenance contract is necessary for the parking machine and what insurance is held by WPC to cover damage in the event of vandalism or losses due to theft from the machine.
5. There is a need to publish details of the contract and associated documents in existence.
6. There is a lack of clarity as to the potential risk and cost to the Parish.

Recommendations

1. It is recommended that the working group prepares a report to show the financial benefits of the site to the parish and a business plan prepared for a period of the next three years.
2. It is recommended that professional advice is taken to define the nature of the contract and to define the meaning of the contract in respect of who is responsible for maintenance and repairs.
3. It is recommended that WPC confirm 25% of receipts are held in reserve for maintenance works that WPC is liable for.
4. In the interests of the taxpayers of the parish, it is recommended that the insurance certificate and summary of cover is published on the PC website.
5. It is recommended that a structural and general inspection survey is conducted on the site, and that RHL/WPC prepare risk register for the site. This is of particular importance as it is minuted that WPC did not undertake any searches of the property before transfer in 2016.
6. It is recommended there is improved signage to assist the public to use the public footpath to access the road.