

MINUTES of a Meeting of Melksham Without Parish Council held on Monday 23rd July, 2012 at Crown Chambers, Melksham at 7.00 p.m.

Present: Cllr. Mike Mills (Chairman), Cllrs. Alan Baines; Rolf Brindle; Pat Nicol; Elizabeth Bean; Mike Sankey; Don Millard; Paul Clark; Steve Petty; Gregory Coombes (*from 7.10pm*) and Maurice Hubert (*until 9.05pm*).

Apologies: Cllrs. Richard Wood (Vice Chair) and John Glover

142/12 **Register of Interests:** The Clerk reported that under new legislation (“Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”) all Councillors needed to complete the new online Register of Interests form by the end of July. Councillors could either complete the registration online themselves, or fill in a hard copy for the staff to complete for them.

143/12 **Declarations of Interest:** Cllr Elizabeth Bean declared an interest in the item relating to Shaw Pre-School garden fence as owner of the property adjacent to the Pre-School Garden and as a member of Shaw Hall Committee. She also declared an interest in the Insurance item concerning 3 Beeches Green as a member of the Shaw Hall Committee and close neighbour, and on the item relating to the footway outside Shaw Church as an acquaintance of the Jackson family. Cllr Steve Petty declared an interest in all items relating to Planning as a member of Wiltshire Council Western Planning Committee; and in the items relating to Western Way Roundabout, in SCOB (Shadow Campus Operations Board) and Area Board matters and the Wilts & Berks Canal Trust letter as a Wiltshire Councillor. Cllr Rolf Brindle declared an interest in the Wilts & Berks Canal as the Parish Council representative. Cllr. Coombes declared an interest in the item re flooding at Corsham Road as a resident, when it was discussed.

144/12 **Best Kept Village Competition Results:** The Chairman was delighted to announce that in the West Wiltshire round of the Competition Bowerhill had won equal first in the Large Village category, with Beanacre coming second in the Small Village Category. In the Medium Village category Shaw came 5th, Whitley 6th and Berryfield 7th. Bowerhill now goes through to the County round with judging imminent.

The Council resolved to suspend Standing Orders to allow for a period of public participation.

145/12 **Public Participation:**

a) **Phil McMullen, Melksham Community Area Partnership:** The Chairman welcomed Phil McMullen who had taken over the role of MCAP Co-ordinator from Miriam Zaccarelli in April.

Phil McMullen introduced himself to those that he did not know, and explained that he was attending the Council meetings of all those in the Melksham Community Area to introduce himself and take any questions. The Partnership was continuing to develop the MCAP Action Plan and had plans to update the Walking Map originally produced by Melksham 1st. The MCAP Waterways Group was currently very active and was pleased to hear of plans to be able to walk the route of the canal from Bath to Oxford. MCAP were also working closely with the Community Area Partnerships in Devizes

and Corsham on consultation with Wiltshire Council over savings to be made on bus routes.

Other future activities involved Neighbourhood Planning with the Chair of Melksham Area Board, Wiltshire Councillor Jonathan Seed, suggesting a federated Neighbourhood Plan with the theory that money would be saved as only one referendum would be needed.

(Cllr Coombes joined the meeting at 7.10pm).

Cllr Baines commented that the new waterway would bring together different groups with reference to Neighbourhood Planning, but Melksham Without Parish Council should have separate plans for other areas. The biggest implication would be the need for development to fund the canal; and this could be contentious.

The Council reconvened.

146/12 **Minutes, Planning Committee 16th July: Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*

147/12 Arising from Min. 145/12 **Deferred Planning Applications b) Wilts & Berks Canal Trust – proposal to create a new waterway and towpath:** The Chairman reported that this planning application had still not been issued for consultation by Wiltshire Council. Cllr Baines explained that local landowners would like a meeting with the Parish Council to discuss the planning application. This was noted.
Resolved: *The Council write to the Planning Officer James Taylor, to establish what information is still missing preventing the application to proceed.*

148/12 Arising from Min. 147/12 viii) **Wiltshire and Swindon Waste Site Allocations Local Plan:** The Clerk reported that the advice given at the Planning Committee was not strictly correct as a Strategic Site (Waste Transfer Station) was still being included for Bowerhill at the running track land. Wiltshire Council Officers had advised that Bowerhill no longer had a Strategic Site. However closer investigation showed that they deemed the Hampton Park site to be separate from Bowerhill. Wiltshire Council had admitted that their wording had been very misleading and had agreed to extend the deadline for a week to enable the Parish Council to comment on the consultation. She would thus be re-submitting the Council's original objections to the Waste Transfer Station and emphasising the Parish Council wished to see smaller industrial units at the site, Cllr Baines requested that the Council mention in particular the impact of traffic in and out on the A350 en route to the M4. The Clerk reported the document also included a reference to a World War I airfield at Bowerhill(!) and this information would be corrected at the same time. Cllr Millard explained that he was aware of businesses that would move to Melksham if there was a ring road linking Lacock to Melksham.
Resolved: *The Council reiterate previous objections and include the points given above.*

149/12 Arising from Min. 147/12 (v) **Tree Preservation Orders:**
i) **TPO refused:** The Chairman reported that a TPO (W10 00020IND) for a tree on the back boundary of 205A Woodrow had been refused. It was noted that the application had been made in 2010 and a TPO (W10/00005/IND) for an Oak on land west of Falcon Way had also recently been refused. The Clerk advised that the two refusals made in the last month be investigated. This was agree

Resolved: *The Council write to the Tree Officer at Wiltshire Council to find out why the requests for TPOs had been refused and to find out if the applicant had a right of appeal.*

ii) **New TPOs for trees at Golf Course:** Cllr Nicol commented that there were a lot of mature trees on the golf course land that was to be sold by Wiltshire Council for development. The Clerk emphasised that the any TPOs must be in place before any planning applications are made for the area.

Resolved: *The Council seek permission from Wiltshire Council for Cllrs. Nicol and Brindle to access the golf course land to ascertain if any trees would benefit from a TPO.*

150/12 **Planning Correspondence:**

i) **Shaw Pre School fencing:** The Chairman reported that resident Mr Chivers had written asking that the wooden fence erected by Shaw Pre-School be left in situ and not be replaced by a metal fence as per their agreement with the Parish Council. A joint letter signed by the Shaw Hall Committee Chairman and Pre School Committee Chairman also requested that the wooden fence remain in place. The letter acknowledged that some of the Area Board grant received to install a metal fence may have to be repaid.

The history of the fence and the sequence of events were reviewed. It was noted that the Pre-School had not taken up the offer of help from the Parish Council to resolve this issue at the time of installation, and had proceeded to install a wooden fence contrary to the agreement with the Parish Council who own the playing field, contrary to their planning permission, and contrary to intentions expressed in the Area Board grant application.

Resolved: *i) The Council refer the matter to the Area Board.*

ii) The Council write to resident Terry Chivers to thank him for his letter and to make clear that it was a matter for the Parish Council and the Pre School to address.

ii) **Wiltshire Core Strategy:** The Council noted Wiltshire Council's reply to Duncan Hames MP and that his comments had been recorded as a representation.

iii) **Lorry Park for Bowerhill:**

The Chairman reported that Alan Creedy's (Head of Service, Sustainable Transport, Wiltshire Council) reply to the Council's letter meant that the Council were no further with getting a Lorry Park for Bowerhill. Cllr Petty queried if Wiltshire Council had checked why the facilities in Warminster and Chippenham were not being used; and he suggested that drivers' working hours regulations was what deterred them, not cost or convenience. Cllr Baines felt that it was a slur on Great Bear Distribution to suggest that problems were due to their commercial operations as Great Bear provided facilities for their own drivers on site and had attended several meetings to try and address the problems. The Council still hoped that an overnight facility could be provided when the Running Track land was developed. The possibility of giving access to the toilet facilities in the new Pavilion was also discussed. The letter stated that there was no need to provide a Lorry Park in Bowerhill in line with the Core Strategy policy; however the Council felt that this was based on distorted facts. The Core Strategy considered Bowerhill a strategic site in terms of hosting a Waste Transfer site and the A350, with its crossroads with the A365, were part of the advisory freight network.

Resolved: The Council reply to refute the letter, based on the points made above, and make clear a Lorry Park was needed at Bowerhill.

- iv) **National Planning Policy Framework:** The Council noted the letter from Duncan Hames MP with a response from Bob Neill MP, Parliamentary Under Secretary of State for Communities and Local Government regarding EDM2824 Planning Appeals for Town, Parish and Community Councils.
- v) **New opportunities for sustainable development and growth through the re-use of existing buildings - Consultation:** It was agreed that this consultation should be examined in more detail. Councillors expressed concern that “Change of Use” could be granted without a formal planning application; leading to inappropriate use of buildings. The closing date for comments was 11th September 2012. *Resolved: This matter be considered at the Planning Committee on 13th August.*

151/12 **Finance :**

i) **Outstanding grants:**

Relate Mid Wiltshire: It was noted that the Finance Committee had reserved a grant of £100 for Relate Mid Wiltshire pending receipt of details of how their service helped residents of Melksham Without, rather than just the wider Melksham Community Area. These details had now been received and reviewed. *Resolved: The Council award Relate Mid Wiltshire a grant of £100.*

ii) **Receipts:** The Council noted that the following receipts had been received since the last meeting:

Carson Tyre – Western Way roundabout planting + management	£	1,237.25
(Fee less £200 deposit previously paid)		

Allotment Rent (Briansfield) Re-lets	£	12.50
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iii) **Accounts for payment:** It was noted that as the Council do not meet in August, salary cheques for August had also been raised for approval with a payment date of 20th August 2012.

The Council had received the invoice for the Town Hall hire for the SCOB Rural Parishes meeting on 12th June. Cllr Sankey explained that the SCOB have no funding. The Council agreed to cover the cost of the room hire. It was noted that in future any similar type meeting could be held at Melksham House free of charge as its now owned by Wiltshire Council (*Chq 4208 refers*).

Resolved: The following accounts be checked and approved for payment:

** Paid since the last meeting*

* 4181	Re-issue of Chq 4106 as cancelled as not received WALC: “Communications” training day £60 + VAT	£	72.00
* 4182	Whitley Players: Grant (<i>Min 79/12 refers</i>)	£	250.00

* 4183	Townsend Garden Centre: Oak tree for Bowerhill Sports Field dedication event. <i>VOID – Townsends do not accept Cheques. See Terry Cole expenses Chq 4194.</i>	£	24.99
4184	Glasdon UK Limited: 2 x Bins with sponsorship plaques @ £369.70 each + Fire expire washers (£1.03) + Ground Lock installation tool (£28.06) + VAT <i>NB: 50% of each bin value invoiced to Robinson Fish & Chips and Eddie's Diner</i>	£	922.18
4185	Sign Marketing: Dog Fouling signs for Bowerhill Sports Field (238.00) + VAT	£	285.60
4186	Wiltshire Publications Ltd: Quarterly newsletter in Melksham News (£140.00 + VAT)	£	168.00
4187	British Telecom: 01225 705700 Cr Chambers Telephone Line rental 01/07/12 to 30/09/12 Calls 05/04/12 – 05/07/12 £75.96 + VAT	£	91.15
4188	Paul Filkins: Beanacre Grasscutting 2 x cuts @ £45 each	£	90.00
4189	Bristol Wessex Billing Services Ltd: Wessex Water supply for Berryfield Allotments 09/12/11 – 31/05/12	£	55.60
4190	Bristol Wessex Billing Services Ltd: Wessex Water supply for Briansfield Allotments 09/12/11 – 30/05/12	£	41.94
4191	Countrywide Farmers plc: Shears (£17.49) + Maintenance materials (£2.49) + VAT	£	23.98
4192	Leekes: Maintenance materials (£13.69) + VAT	£	16.44
July Salaries:			
4193	Mrs Mary Jarvis: July salary + additional hours + expenses (postage £7.75)	£	
4194	Mr Terry Cole: w/e 05/05/12 & w/e 09/06/12 – 07/07/12 + travel allowance + mileage (£73) + expenses (Oak tree £20.82 + VAT)	£	
4195	Mrs Margaret Mylchreest: July salary incl. sick pay (£65.36) + Expenses (Ink cartridges x 3 £29.98 + VAT)	£	
4196	Mrs Teresa Strange: July salary + Expenses (cleaning Materials (£1.90) + Colour photocopying (£5.20) + VAT	£	
4197	Mrs Elaine Cranton: June office cleaning	£	
	Total Salaries:	£	3,737.65

4198	Inland Revenue: PAYE Tax & NI for Employer/ee	£	859.69
4199	Wiltshire Council – Wiltshire Pension Fund: Employer/ee Superannuation for M. Jarvis/T. Strange	£	711.28
August Salaries:			
4200	Mrs Mary Jarvis: August salary	£	
4201	Mrs Teresa Strange: August salary	£	
4202	Mrs Margaret Mylchreest: August salary	£	
4203	Mr Terry Cole: w/e 14/07/12 – 03/08/12 + travel allowance	£	
4204	Mrs Elaine Cranton: July office cleaning	£	
	Total Salaries:	£	3,149.93
4205	Inland Revenue: PAYE Tax & NI for Employer/ee	£	638.12
4206	<i>VOID CHEQUE – Incorrect amount, see Chq 4210</i>		
4207	GRANT: Relate Mid Wiltshire	£	100.00
4208	Melksham Town Council: Room hire 12/06/12 for SCOB Rural Parishes meeting	£	32.25
4209	Mark Hussey Plant & Engineering: To move boulders at Bowerhill Sports Field boundary £45 + VAT	£	54.00
4210	Wiltshire Council – Wiltshire Pension Fund: Employer/ee Superannuation for M. Jarvis/T. Strange <i>Reissue of Chq 4206</i>	£	625.23

iv) **Carsons Tyres – Western Way Roundabout sponsorship:** It was noted that Carson Tyres had paid the outstanding account for the roundabout sponsorship, less the £500 maintenance fee and his original deposit of £200. (*See Min 151/12 ii) Receipts*). David Carson had written explaining that he wanted to employ another contractor to cut the grass fortnightly and maintain the planting directly. The Chairman reported that , although at first he had agreed with Mr Carson, that roundabout maintenance was poor, English Landscapes were now cutting it weekly and it looked very good. If another contractor was used, Wiltshire Council would still have to pay English Landscapes for this work as part of the bigger contract, whether the grass was cut by them or others. It was noted Wiltshire Council Officer Tim Woolford had advised that Carson Tyres could not ask another contractor to undertake the maintenance; only the Parish Council could do this as they held the relevant Section 96 licence.

Resolved: *The Council reply to Mr Carson that it wished English Landscapes to continue with the maintenance and grasscutting for the Western Way roundabout.*

152/12 **Minutes, Council Meeting 18th June :** **Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*

- 153/12 Arising from Min. 81/12 **ROSPA Play Area Inspection:** The Finance Officer reported that the Parish Caretaker's qualification had been clarified with ROSPA Playsafety Ltd. The Operational Inspection course is for those responsible for the operational monthly/quarterly inspections and for those in a maintenance role. They had confirmed that a separate independent inspection was still required annually.
- 154/12 Arising from Min. 82/12 **Whitley Footway – CATG recommendations to the Area Board:** Cllr Baines corrected the figures about the cost increase since the last financial year. The total cost had increased by over £4,000 since the last financial year, but there would be a saving of about £500 if stages 2 & 3 were done together as one project.
- 155/12 Arising from Min. 85/12 viii) **Purchase of Electric Comb Binding Machine:** It was noted that these special offer was closed as all machines had sold out.
- 156/12 Arising from Min. 90/12 **Land behind the Spa:** The Clerk reported although Wiltshire Council Officers had mentioned again at 19th June SCOB Meeting that they were keen for the Parish Council to take over this land, no details had yet been received from Lucy Murray-Brown. Cllr Brindle commented that the field had been cut for silage a fortnight ago by a contractor. Councillors discussed the pros and cons of taking over the land and possible uses for it and agreed no decision could be made until more details were known. **Resolved:** *The Council write to Lucy Murray-Brown explaining that the Council was interested in knowing details re how the land could be accessed and what it could be used for.*
- 157/12 Arising from Min. 92/12 **Formal Opening of Jubilee Field:** The Chairman formally thanked the staff for all their hard work involved in the Opening event. Councillors praised the children from Bowerhill Primary School as a delight. It was clear the children enjoyed their part in the ceremony and the comments they made in their own words were excellent. It was noted that the Lord Lieutenant, Ms Sarah Troughton was very impressed with the relationship between the Parish Council and the local community and was overwhelmed by the community support for the project. Ms Troughton wished to be invited to the future opening of the new Pavilion building. The Council also noted that Cllr Baines had not contacted Moles Brewery as it was felt inappropriate to include the Brewery in the celebrations as school children were taking part. It was agreed that the event went very well, despite the rain. **Resolved:** *The Council write a formal letter of thanks to all those who attended the Formal Opening.*
- 158/12 Arising from Min. 103/12 **Green and Grey Bins at Shaw:** It was noted that School Lane residents had voted amongst themselves to have their green and grey bins collected on separate days. Councillors queried whether this was possible. Cllr Bean reported that at the site meeting with residents, Mark Stansby of Wiltshire Council and Wilts Cllr. Mark Griffiths, one option considered was the use of a smaller vehicle that could turn around at the top of the lane. Cllr Baines queried why the issue had been referred to the CATG (Community Area Transport Group) as they only dealt with transport issues and can only assist with proposed schemes. **Resolved:** *The Council write to Mel Scott at Wiltshire Council to express support for the residents' preferred option for the green and grey bins to be collected on different days. If this was not possible then the Council felt the use of a smaller collection vehicle should be investigated. Copy of letter to be sent to Cllr. Mark Griffiths.*

159/12 **Litter Bins:**

- i) Arising from Min. 105/12 **Bins from Bowerhill Golf Course:** The Chairman reported that Wiltshire Council would empty the bins at no extra charge providing they were on part of the English Landscapes round. The proposed sites were:
- a) Bowerhill Sports Field by wooden footbridge at Knorr Bremse end of field
 - b) Behind Harvard Close, Bowerhill
 - c) On Common land grass opposite shop in Blenheim Park, Bowerhill.

Resolved: *The Council request that the bins from the Golf Course be relocated to the above sites, subject to the sites bins being regularly emptied.*

- ii) Arising from Min. 106/12 **Beanacre:** Cllr. Clark reported that sites had been agreed for the Old Road, Beanacre, the bus stop opposite Beechfield House, outside Burnt Cottages and Westlands Lane. Following discussion it was agreed to support new bins in Beanacre as follows:

- a) One new McDonalds Bin be placed outside of Burnt Cottages Beanacre on A350
- b) One new Mc Donalds Bin in the old road, at the location agreed with Cllr Griffiths on 11th June
- c) The traditional litterbin removed from outside Burnt Cottages to be replaced and relocated in Westlands Lane near the railway bridge.

Resolved: *The Council ask Wiltshire Council to provide 2 new McDonalds bins and 1 replacement bin in Beanacre at the locations detailed above.*

- iii) **Sponsored Bowerhill bins:** The Finance Officer reported that the two bins were now stored at the Pavilion for safe keeping and awaiting payment by the two sponsors before installation by the Parish Caretaker.

- iv) **Un-emptied bin, Sandridge Lane:** Cllr Millard reported that the bin on Sandridge Lane was full and needed emptying. The grass around the bus shelter and notice board also needed cutting.

Resolved: *1. The Council ask Wiltshire Council to empty the bin as soon as possible and ensure it was on the regular emptying schedule. 2. The Caretaker be asked to cut the grass around the bus shelter and notice board*

- 160/12 Arising from Min. 109/12 a) **Wiltshire Council new Dog Control orders:** The Council noted the reply from John Carter, Head of Public Protections (Food and Environment), Wiltshire Council on the definition of “reasonable excuse” for dog fouling. Details were also received of the training to become an Authorised Officer able to issue Fixed Penalty Notices in relation to dog related issues. The cost of the one day course offered by the Keep Tidy Group was £299 + VAT per delegate, however at present there were no courses offered with a South West venue. It was noted that The Keep Tidy Britain group were still the only Defra approved courses for authorised officers.

Resolved: *The Council arrange training for Cllrs. John Glover and Mike Sankey to become Authorised Officers.*

- 161/12 Arising from Min. 109/12 c) **Wiltshire Council Code of Conduct:** The Clerk reported that Wiltshire Council had adopted their draft Code of Conduct, with no amendments and

therefore the Parish Council needed to adopt their final Code of Conduct as a formality. There was still scope for the Parish Council to add any discretionary items to the Code of Conduct at a later date. For example, “treat with respect” had been removed from the Wiltshire Council code and may wish to be considered for inclusion. It would be a useful exercise to compare the NALC Code of Conduct with the Wiltshire Council Code. It was noted that Wiltshire Council would be investigating any complaints and so it would be easier for them to enforce their own Code of Conduct.

Resolved: *The Council note that Wiltshire Council had now adopted their draft Code of Conduct and formally adopt Wiltshire Council’s final Code of Conduct.*

- 162/12 Arising from Min. 109/12 e) **Subsidence Claim – 3 Beeches Green:** The Council noted the advice from their Insurers that any correspondence from the claimant should be referred to the Council’s Insurers, without discussion.
- 163/12 **Minutes, SCOB Rural Parish Councils Special Meeting 19th June:** The Council noted these Minutes. The Clerk confirmed they had been circulated to those present at the meeting no amendments had been made. The Chairman reported that it was a useful meeting, with lots of useful information coming from it. Some of the rural parish councils had not attended because they did not feel themselves to be part of the Melksham Community Area and were more aligned to Devizes or Trowbridge due to their location.
- 164/12 **Minutes, Joint Sports Field Forum, 27th June:** **Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*
- 165/12 Arising from Min. 112/12 **New Maintenance Contract:** The Chairman reported that the English Landscapes contract with Wiltshire Council had been extended to May 2013. This meant that Wiltshire Council would be paying English Landscapes for the specified works at Bowerhill Sports Field whether or not they did the work. The Clerk advised that she had been trying to find out if that would mean that English Landscapes would continue to book the football pitches, and would retain the income. Wiltshire Council had accepted that the Parish Council had already been paid £11,000 as a contribution to the first year’s maintenance costs and would not ask for this to be paid back. The Chairman suggested that the football clubs be contacted to ascertain when they had already paid up to English Landscapes. It was noted that the contract extension would give the Council more time to put a new contractor in place.
Resolved: *The Council approve the decision for English Landscapes to continue maintaining Bowerhill Sports Field until May 2013, when their contract with Wiltshire Council expired.*
- 166/12 **Joint Sports Field Forum Recommendations:** **Resolved:** *The recommendations as detailed in Mins. 113/12 – 119/12 be formally approved by the Council.*
- 167/12 **Minutes, Allotment Committee 2nd July:** **Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*
- 168/12 Arising from Min. 125/12 **Rats at Berryfield Allotments** and Min. 126/12 **Cockerels at Berryfield Allotments:** The Clerk presented a report following her visit with the Allotment Warden to both Berryfield and Briansfield Allotments on 19th July. The report highlighted overgrown plots, concerns re chicken welfare and plots where cockerels were

still being kept against allotment rules. The Clerk emphasised that the Council has strict rules concerning sheds but was more lax re aspects concerning chicken and cockerel housekeeping at the allotment sites. It was not just a question of having the correct one third area for chickens, as set down in the allotment rules. Some tenants were able to keep chickens very successfully, whereas others did not appear to respect animal welfare needs such as a clean pen and closed feeders even for small pens. The Council needed to review rules re keeping livestock and to formally approve chicken pen proposals as was done for sheds and other constructions on allotments.

The verge around the whole Berryfield site was overgrown with grass and nettles at the far side of the Allotments, with some tenants using the verge as additional growing space and some tenants for dumping waste. It was agreed that this grass verge around the site should be cut once a year in high summer. It was further agreed to ask the grass-cutting contractor for Briansfield Allotments to do this work

Resolved: 1. The Council formally approve the recommendations for actions on the Clerk's report. 2. The Council cut the grass verge around the Berryfield Allotment site once per year in high Summer.3. The keeping of livestock be considered at the next Allotment Committee

- 169/12 **Allotment Committee Recommendations: Resolved:** The Recommendations as detailed in Mins. 123/12 – 133/12 be formally approved by the Council.
- 170/12 **Minutes, Staffing Committee 2nd July: Resolved:** The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.
- 171/12 Arising from Min. 136/12 **Staff Training:** The Clerk reported that a Fire Marshall course was available on the 28th August or in September. She was on holiday on 28th August so would book a place for the September course. However, the only Health & Safety Course available at present was an online module. It was agreed that the Clerk should not do an online course for Health and Safety but seek to attend a local course in the Autumn. The Finance Officer reported that she had been investigating a variety of options for Street Work training for the Parish Caretaker, including talking to Wiltshire Council and Ringway Parkman to see if Terry could join in with any Parish Steward training taking place.
- 172/12 Arising from Min. 138/12 **Requirement for additional Part-Time Office Assistant:** Cllr Sankey commented that he had suggested that an Apprentice might be suitable for the role and the Council discussed how that could work in practice. **Resolved:** The Council investigate the Apprenticeship scheme with Wiltshire College.
- 173/12 Arising from Min. 139/12 **Council Website:** The Finance Officer reported that the Website's online privacy policy had been updated to meet the requirements of new EU legal requirements on Cookies. Under the legislation, websites must inform users if cookies were used and give an the option to disable them. The website now contained a pop up "Cookie Control" when you enter the website. The only information saved in Cookies is when a user moves around the site, it retains where they have been to count them as one visit only. That information is deleted when the user leaves the website. The Council was pleased to note that a "new visit count" has been set up on the website with 3,734 visits counted since the 1st July which averaged over 200 hits per day.

174/12 **Staffing Committee Recommendations: Resolved:** *The Recommendations as detailed in Mins. 136/12 – 141/12 be formally approved by the Council.*

175/12 **Neighbourhood Planning:**

- a) **Joint meeting with Town Council:** The Chairman reported that there would be a joint meeting with Melksham Town Council on Neighbourhood Planning on 25th July at 6.30pm. The meeting would be attended by the Chair and Clerk of the Parish Council and Cllr Sarah Cardy and the Town Clerk, Steve Gray of Melksham Town Council. The Chairman emphasised that he would be making it clear that the Parish Council were working on their own plans and would only be working together with the Town Council on items of joint interest, such as the Canal. Cllr Petty explained that Neighbourhood Planning was an Agenda Item for the next Area Board meeting on 8th August. Cllr Coombes expressed concerns that Plans drawn up by local community groups would be subjected to editing by Wiltshire Council. The Clerk explained that all Plans had to be in line with Wiltshire's Core Strategy. Cllr Petty pointed out that there was already a conflict with the Canal plan as the Core Strategy stated that there would be no more housing in Berryfield which would have to be rescinded for the Canal to proceed. The Clerk acknowledged that there was a need to define the boundaries of the individual Neighbourhood Plans e.g. for Shaw & Whitley, Beanacre, with Wiltshire Council. She explained that each Neighbourhood Plan would have an allocated Planning Officer. Wiltshire Council would also be responsible for the formal community consultation; both to agree the boundaries of a proposed Neighbourhood Plan and to carry out the final referendum.

It was agreed that a presentation by a Planning Officer to all the councils in the Melksham Community Area would be a useful exercise.

Resolved: *The Council write to Phil McMulle of the Melksham Community Area Partnership to ask if the Partnership could host a special evening on Neighbourhood Planning, inclusive of a presentation from a Wiltshire Council Planning Officer.*

- b) **Wilts & Berks Canal Trust:** The Council were in receipt of a letter from the Trust and landowners requesting a meeting with the Parish and Town Councils re Neighbourhood Planning and the Melksham Link Canal Project.

Resolved: *The Council defer this item until the Canal planning application was received.*

- c) **MCAP Waterways Group:** The Council noted that the next meeting of this group was on Tuesday 28th August at 7.15pm at the Adventure Centre.

- d) **British Waterways:** The Council noted that British Waterways ceased to exist on the 2nd July and was replaced by the Canal & Rivers Trust.
(*Cllr Hubert left the meeting at 9.05pm*)

176/12 **Highway & Rights of Way issues:**

- a) **Spa Road roadworks:** The Clerk reported that a complaint had been received about the lack of alternative bus routes for Bowerhill residents to reach the Hospital and Doctor surgeries during the Spa Road roadworks. A reply was awaited from Wiltshire Council.

- b) **Cars parked in Halifax Road:** The Chairman had received several ‘phonecalls from residents of De Havilland Place and Stirling Close about cars being parked in Halifax Road by workers from the Industrial Estate; who expressed concerns about potential accidents and what could be done to speed up the double yellow lines that had been agreed for the area. The situation was expected to get worse when the Wiltshire School of Gymnastics expanded into the Christie Miller car park, leaving even fewer off road parking spaces in the Industrial Estate.
- The Clerk reported that Wiltshire Council Senior Traffic Technician, Jamie Mundy had informed that the new procedure in place was for all requests to be collated on an annual basis and then scored using a matrix system to ascertain priority within Wiltshire. The submissions for requests for this year had now been collated and were being scored ready for submission to the Cabinet Member by the end of August. It was never a quick process and could take as long as a year before double yellow lines were in place.
- c) **Footways:**
- i) **Footway outside Shaw Church:** The Chairman declared an interest in this item as his daughter-in-law was the Catering Manager at Mavern House. He reported that a complaint had been received by a resident of Mavern House that the bad surfacing of the surrounding footways caused difficulties and possible danger, especially to disabled residents of Mavern House. Cllr Baines explained that there were only 6 sites in the whole County that were to receive footway maintenance. Funding was available for new schemes but there were no funds available for maintenance.
- Resolved: The Council forward the complaint to Wiltshire Council Highways and ask them to investigate, raise as an issue with the Area Board and inform the resident.*
- ii) **Footway at end of Shails Lane, Bowerhill:** Councillor Nicol reported this footway also had a poor surface, since a big muddy puddle always forms at the end of Shails Lane where the footway joins the main road.
- Resolved: This matter be referred to Wiltshire Council*
- iii) **Beanacre Footways:** The Council noted an email and photographs from the Area Highways Engineer detailing the work carried out on the Beanacre Footways as well as photographs taken by Cllr Clark. The photographs indicate that the footpaths did not need clearing by machinery and in most places just needed the debris sweeping up. It had been agreed that the path not visible from the road will be manually cleared.
- d) **Footpaths:**
- i) **Application to divert footpaths MW22 and MW23, south of Snarlton Farm:** Cllr Baines explained that the route of the diversion was subject to flooding in winter. He suggested an alternative diversion from the Bridlepath at MW41 to link at Browns Lane.
- ii) **Application for an Order to record a public footpath at Clackers Brook:** Cllr Brindle confirmed that this was the original field path before the new houses were built, and hence it links to the bridge. The path is very muddy but often used.
- Resolved: The Council reply that the path has been used “as of right”.*

e) **Street Closures:**

i) **Market Place Street Closure:** The Council noted the Street Closure order for the Market Place for the Food Festival for 15th/16th September. Cllr Petty queried why the Taxi Rank was not being closed. **Resolved:** *The Council ask Wiltshire Council where the taxis will be sited during the Food Festival.*

i) **Street Closure for Lowbourne (part) and Sandridge Road (part):** The Council noted the application for temporary road closure for the Wiltshire 10 Race on 16th September, 9.55 a.m. – 10.00 a.m..

f) **Proposed 40mph speed limit, part of A3102 and Melksham Distributor Road:**

Councillors queried if this road had been adopted as signs stated that the road was to be used at the driver's discretion. When Western Way was recently resurfaced the Distributor road had been used for a diversion. It was noted that some signs were missing and some were still covered up. A 30 m.p.h. limit was to be retained on the old Snowberry Lane road.

Resolved: *1. The Council find out whether the new Distributor Road has been adopted; pointing out that it had been used recently as a diversionary route. 2. Subject to the road being adopted, the Council agree that the 40mph limit was appropriate although it may be reviewed once the new school was built there.*

g) **Forest & Sandridge School – need for crossing at new roundabout on A3102:**

Cllr Millard had received complaints from parents having difficulty crossing the road at the new roundabout, especially with young children and pushchairs. He had spent time at the roundabout watching the traffic and agreed the traffic moved very fast round the roundabout and often did not indicate. Cllr. Brindle agreed that the traffic here was haphazard and dangerous and was concerned that the proposed 40mph limit could still be in place when the new school was built. The Council noted the email from Alli Moon, School Business Manager, Forest & Sandridge School that they too had raised concerns with Wiltshire Council over this crossing and had requested a Crossing Patroller as a temporary measure until the new school was built.

Resolved: *The Council raise the issue of the need for a crossing at the new roundabout at A3102, with the Area Board.*

h) **Traffic Works report:** The latest Traffic Works report was noted.

177/12

Flooding, Corsham Road: The Council noted letters of concern, about surface water flooding, from residents of Corsham Road. Cllr Coombes informed as a resident that when there was a “cloudburst”, the flooding was terrible. Over the years there had been various investigations by civil engineers it had been agreed years ago that pipes would need replacing. Cllr Baines reported that this issue was discussed at the last Flood Operations Working Group (North) and that there was no quick fix solution. There would be a lot of investigative work needed with a view to replacing all the pipework from the brook to 209 Corsham Road. Danny Everett will require the consent of all the property owners and the Parish Council had passed on the details of the Shaw & Whitley “Connect” magazine to enable Danny to notify residents of his intention to carry out survey work. The work would be likely to be spread over 3 years, with budgets competing with other schemes in the County.

Resolved: *The Council refer the letters of complaint to Wiltshire Council Flooding Officer and copy in the Area Highways Engineer.*

178/12 **General Correspondence for Action:**

- a) **Sustainable Communities Act 2007 – should parish councils be able to submit proposals?:** It was agreed that more information was needed on this consultation before comments could be made.
- b) **Wiltshire & Swindon Sports – Community Games: Resolved:** *The Council pass the information on the Community Games project to the sports teams who currently use Bowerhill Sports Field.*

179/12 **General Correspondence for Information:**

- a) **New Rail Service for Melksham Station:** The Council noted an email from Graham Ellis containing a TransWilts Community Rail Partnership press announcement and hoped that a direct service from Swindon and Chippenham via Melksham would one day become a reality.
- b) **Youth Action Wiltshire – letter and information**
- c) **Wiltshire Compact – information**
- d) **CIB (Charities Information Bureau) South West – recent updates to Funders Database, Rural Opportunities Bureau**

Meeting closed at 10.00 p.m.

Chairman, 10th September 2012