

MINUTES of the Bowerhill Sports Field Working Party of Melksham Without Parish Council on Monday 16th January 2012 at 8.20 p.m. at Crown Chambers, Melksham.

Present: Cllr Mike Mills (Chairman); Cllrs Richard Wood; Alan Baines, Rolf Brindle, John Glover and Pat Nicol.

Apologies: Cllr Mike Sankey

369/11 **Declarations of Interest:** There were no declarations of interest.

370/11 **Minutes, Bowerhill Sports Field Working Party 30th June 2011:** The Minutes of the last Working Party were noted.

371/11 Arising from Min 130/11 A **Boundary Line for Link Road:** The Working Party reviewed an email response (dated 14th December 2011) from Mark Honeybun, Strategic Projects and Development Manager, Wiltshire Council. The Working Party expressed concerns that Wiltshire Council were proposing to take a measurement for the Link Road land from a marked out football pitch contrary to the measurement from the boundary line (Avon Tyre Depot) that had been previously discussed. Football pitches are movable and often re-marked in a different position to allow the grass to recover.

Recommendation: *The Council reply that the measurement needs to be defined from a fixed point; at a specified distance from the northern boundary of the field.*

The Working Party were pleased with the sentiments contained in Paragraph 4 of the email. *“If the road/fence needs less than this when the time comes then the Council can do a quick transfer of the surplus on identical terms to the main area. Alternatively, if it turns out that a bit extra is needed I trust that MWPC would transfer such additional land back to the Council for £1 so long as the pitch is shifted across, with markings, goal posts etc at the Council’s cost.”*

Recommendation: *The Council reply that they agree with this suggestion outlined in paragraph 4.*

372/11 Arising from Min 130/11 B **Registration as Jubilee Field:**

i) **June Plaque unveiling:** The Working Party noted the report by the Chair on his meeting with John Chapman, Queen Elizabeth Diamond Jubilee Fields in Trust. The Chairman reported that John Chapman had agreed that the Bowerhill Sports Field would make a suitable Diamond Jubilee field. The Parish Council cannot apply officially until they own the land. John Chapman had urged that pressure be put on Wiltshire Council to complete the transfer to the Parish Council quickly. The Fields in Trust wants each field to hold a community day when the plaque is unveiled, to coincide with the official royal celebrations at the beginning of June. In special circumstances the plaque can be awarded later in the year, but it has to be completed in 2012.

Recommendation: *The Council inform Wiltshire Council of the June deadline for the Jubilee Field award.*

ii) **Reversion clause:** The Chairman reported that John Chapman had informed that with any Transfer agreement there is a reversion clause so in theory the land could revert back to Wiltshire Council ownership who could sell the land for

development. This is against the criteria for a Diamond Jubilee field as they are to be protected for sport and leisure for perpetuity. Wiltshire Council would have to agree that if the land reverted back to their ownership then they would only build on it if they provided an identical sized land nearby for sport and leisure and the Diamond Jubilee name would then move to the new land.

The Clerk reported that John Chapman had reviewed the draft Transfer agreement and could see no mention of a Reversion clause, however in a similar document for Calne it had been included. John Chapman had concluded that the Transfer agreement did not preclude the Sports field from becoming a Jubilee field however, the Clerk reported that the agreement did state that the land reverts back to Wiltshire Council.

The Working Party agreed that the priority was the transfer of the land and that they did not want to put that at risk at this stage by requesting changes to the Transfer agreement to accommodate the Jubilee Field in Trust conditions.

373/11 Arising from Min 130/11 B **Protection of Field in perpetuity:** The Working Party noted an email from Michael Williams, JCP Solicitors dated 16th December 2011 outlining ways in the Sports Field could be protected in perpetuity.

374/11 **Advice from NALC re Travellers:** The Council had sought advice from NALC as to who would take responsibility for the cost of clearance after damage from travelers. The advice from NALC was that it would be the responsibility of the landowners. The Working Party agreed on the importance of the Sport Field Maintenance Reserve for such items of expenditure.

375/11 **Draft Legal Agreement:** The Working Party reviewed the Draft Legal Agreement between Wiltshire Council and Melksham Without Parish Council along with the associated Sale Documentation. It was noted that the Land Registry Transfer document had the wrong address for the Parish Council and that no map had been supplied with the documents.

The Clerk reported that she had sent a two page list of queries, and had received a 3 page reply from Michael Williams. The Working Party agreed that they were not legal experts and that they trusted the judgement of the Solicitors employed on the Parish Council's behalf. They agreed that the best way forward was for Michael Williams to prepare a draft agreement that he was happy with, and that the Wiltshire Council Solicitor agreed with, that included all the points of concern highlighted in his correspondence with the Clerk. The Council would then had a final draft to review. The Clerk outlined the concerns that she had raised with Michael Williams.

The Working Party expressed their thanks for the Clerk's hard work and attention to detail reviewing all the legal paperwork.

Recommendation: *The Council request that Michael Williams continues his contact with the Wiltshire Council Solicitor in forming a draft Legal Agreement that both parties were happy with; taking into account the concerns raised by the Clerk. The Council advise Michael Williams of the Diamond Jubilee Field in Trust June deadline.*

376/11 **Minutes, Joint Sports Field Forum, 18th July 2011:** The Minutes of the last Sports Field Forum were noted.

377/11 Arising from Min 145/11 **New Pavilion, Bowerhill – 2nd amended draft Plan:** Cllr Baines provided a 2nd amended draft Plan which took into account the recommendations from the last Sports Forum meeting that the Youth Club end of the Pavilion needed to be bigger than 2 x changing rooms. This revised plan provides a large room for the Youth Club that was now possible to divide into two smaller rooms of useable space (3.6m x 4.5m and 3.3m x 4.5m) and the original small area was now bigger too. It would be up to the Youth Club to decide which of the two areas they wanted to use as a kitchen, and where the doors were to be situated. It could be that patio doors may be desired at one of the sets of windows. The plan now also provided enough room for a stairwell upstairs if the loft space was converted at a later date. A 1.2m canopy is shown across the front of the drawing, as requested.

It was noted that the existing Pavilion was approx 21m x 8m and this revised design was 24m x 12m. Although it is a significantly bigger footprint it reflects the current Sports England standards that need to be adhered to. The Outline Planning Consent for the new Pavilion shows a building 30m x 10m.

The Working Party expressed their thanks to Cllr Baines for his work on the revised Plan.

378/11 Arising from Min 146/11 **Meeting with Wiltshire Council:** The Working Party noted that the meeting with Wiltshire Council to discuss the plan for the new Pavilion was still on hold. However, the plan for the Pavilion did not impact on the Legal Agreement and so it was agreed that the Parish Council would not push for a meeting date at this stage.

Recommendation: *The Council ask the Joint Sports Field Forum to review the 2nd amended draft Plan for the Pavilion before contacting Wiltshire Council to meet to discuss the Plan.*

379/11 Arising from Min 148/11 **Emergency Vehicular Access to the Field:** The Chairman reported that he had met with Security 2000 and all was in hand. They held the keys to the Sports Field gate and posts in a specific marked place and all staff were informed. The Chair had also contacted Rob Bridges of Melksham United youth football club (who play on the field on Saturdays) and Mike Rogers of Melksham AFC (who play on Sundays) to make them aware that Security 2000 hold keys.

It was noted that the individual who needed assistance from Wiltshire Air Ambulance had actually been taken ill at Christie Miller Sports Centre, and not on the field but that was where the helicopter had landed.

Recommended: *The Council inform both Christie Miller and Wiltshire Air Ambulance that the gates and posts to the field are locked and that Security 2000 hold keys to open them. Contact details for Security 2000 on site are to be provided.*

380/11 **Pavilion changing facility and pitches – works specification:** The Working Party were very concerned that Wiltshire Contract had renegotiated their contract with

English Landscapes with only a verbal agreement. Cllr Baines questioned if the users were aware of these changes.

Recommended: *The Council put the revised works specification on the Agenda for the next Joint Sports Field Forum.*

381/11 **Date for next meeting of the Joint Sports Field Forum:** It was agreed that the next Sports Forum would be held on Monday 6th February after the Planning Committee.

Meeting closed 9.30 p.m.

Chairman, 23rd January 2012