

MINUTES of a Meeting of Melksham Without Parish Council held on Monday 18th June 2012 at Crown Chambers, Melksham at 7.00 p.m.

Present: Cllr. Mike Mills (Chairman), Cllrs. Alan Baines; Rolf Brindle; Elizabeth Bean; Gregory Coombes (*until 9pm*); Pat Nicol; Elizabeth Bean; John Glover; Maurice Hubert; Mike Sankey (*from 7.35pm*) and Richard Wood.

Apologies: Cllrs. Don Millard, Paul Clark and Steve Petty. Cllr Mike Sankey and Wiltshire Councillor Roy While sent apologies that they would be attending late due to attending the Shadow Cabinet Operations Board Meeting.

72/12 **Declarations of Interest:** The Chairman, Cllr Mike Mills declared an interest in Bowerhill Village Hall Trust as a Trustee, in the Bowerhill Residents Action Group (BRAG) as the Chair, in Bowerhill Youth Group as a helper, in Melksham Gardeners' Society as a member, and in the Chair's Allowance. Cllr Alan Baines declared an interest in the Melksham Christmas Lights Group as a volunteer. Cllr Rolf Brindle declared an interest in BRAG as a member and the Melksham Gardeners' Society as a member. When the land behind the Spa was discussed, Cllr Brindle also declared an interest as he lived adjacent to the site. Cllr John Glover declared an interest in BRAG as a member, in the Melksham Railway Development Group as a member and in the Melksham & District Girl Guides as his wife was involved at a County level. The Financial Officer, Mrs Teresa Strange declared an interest in Melksham & District Guides as her daughter was a Rainbow, in Party in the Park as her husband was a volunteer, in Melksham Country Dancers as her children participated in the recent annual event, in Melksham Gardeners' Society as Secretary and in the Financial Regulations that related to her role. Cllr Richard Wood declared an interest in Planning Application PA W/12/00511 Land north of 592 Semington Road, when it was discussed, as a neighbour.

73/12 **Minutes, Planning Committee 11th June: Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*

74/12 Arising from Min. 55/12 **PA W/12/00863 Extension to Whitley Methodist Chapel:** The Chairman reported that Cllr Millard had concerns that the disabled toilet would not be big enough for a wheelchair to turn round. It was understood that this was the issue with the current disabled toilet hence the plans to extend the Chapel. It was agreed that this would be dealt with under Building Regulations.

75/12 Arising from Min. 57/12 (b) **PA W/12/00581 Pcocks Poultry, Proposed warehouse:** Cllr Coombes asked if a decision had been made on this application. The Clerk reported that no notifications had been received on the application. The Financial Officer offered to track the application online and to report to Cllr Coombes on its outcome.

76/12 a) **Planning Applications:** The following applications were considered and there were no objections:

- i) **W/12/1033 Mr David Elmer, 486 Semington Road, SN12 6DR:**
Proposed extension to ground floor and separate dwelling into two dwellings
- ii) **W/12/1063 Mr J Garrod, 8 Osprey Close, Bowerhill, SN12 6XY**
Proposed two storey side extension

b) **Western Area Planning Committee 20th June 2012:** The Chairman reported that the following planning applications were being considered by the Wiltshire Council Planning Committee:

- i) **PA W/12/00467 Land north of Craysmarsh Farm, Formation of 1.5MW Solar Voltaic Farm:** Cllr Glover reported that he understood that Wiltshire Councillor Roy While had called in this application as it was the first Solar Farm application in Wiltshire and as such, set a precedent for future solar farm applications. However, he had heard there was another application for a solar farm at Lower Foxhangers, Devizes.
- ii) **PA W/12/00511 Land north of 592 Semington Road, Erection of detached 4 bed dwelling:** It was noted that Planning Officer James Taylor was recommending that permission be granted. The Clerk reported that the Officer's report was misleading in stating that the Parish Council had initially made no objections. This was incorrect as the Council had stated several objections to the initial planning application (W/11/03029/FUL) for a 5 bed dwelling; and had then been informed that all their objections had been addressed in the new application. The Council then discovered that this was not the case as drawings were inaccurate and the boundary line incorrectly drawn. A letter had then been sent to the Planning Officer stating that the Council wished to re-consider an application which was factually accurate.

Cllr Wood expressed concern that highway requirements for such a wide visibility splay meant that the wall of the existing cottage would have to be demolished. Such a wide splay was out of character and over the top.

77/12 **Planning Correspondence:**

- a) **ASDA Pharmacy application:** The Chairman reported that Asda had been granted automatic permission for a pharmacy licence under regulations that allowed pharmacies which would be open for over 100 hours per week. Cllr Glover asked if the licence could be withdrawn should the store not meet the 100 hour requirement. The Council felt it was unfair that the two supermarkets Sainsburys and Asda had been granted automatic licences due to meeting the 100 hours clause requirement whereas Leekes and St Damiens Surgery who were offering both a surgery and pharmacy had been required to go through the application process and had then been refused on appeal. Their facilities would have covered the same area as Asda
- b) **Sahara Sandpit -Certificate of Lawfulness Appeal:** The Clerk reported that a Public Inquiry would be held on 3rd July at 10.00 a.m. into this Appeal for existing use or development for importation and processing, screening, crushing and handling of inert materials with assoc. storage and resale and retention of weighbridge and associated facilities. All Planning Inquiries were open to the public to attend
- c) **Sustainable Communities Act – Letter from Duncan Hames MP:** The Council noted the response from Duncan Hames to support the need for a speedy introduction of regulations so this Act could be implemented. The letter also

confirmed that the MP had had made representations for a right of appeal against planning permission for local councils.

78/12 **Finance Committee Minutes, 28th May: Resolved:** *These Minutes be formally approved by the Council and signed by the Chairman as a correct record.*

79/12 Arising from Min 45/122 **Outstanding grant matters:**

i) **Whitley Players:** It was noted that the Finance Committee had reserved a grant for the Whitley Players pending the receipt of their Audited Accounts in time for review at the Full Council meeting. These accounts (May 11 to May 12) had been received and were reviewed.

Resolved: *The Council accept the accounts provided in line with the grant application requirements and award the Whitley Players a grant of £250.*

ii) **Bowerhill Youth Group:** *As the Chairman had declared an interest, Vice Chair Cllr Wood took the Chair for this item.*

The Finance Committee had recommended a grant award of £400 to the Bowerhill Youth Group. The Chairman informed that a decision had been made on the 30th May that the Bowerhill Youth Group should close at least temporarily due to the current low numbers and so a grant would not have been needed. However as it appeared the new Pavilion would now be constructed much earlier than anticipated, the Youth Leader Janet Jory had asked if the Youth Club could continue and cover the £200 cost of insuring equipment rather than get rid of it, so that the equipment could then be moved over to the new Pavilion.

Resolved: *The Council award £200 to the Bowerhill Youth Group.*

iii) **Further outstanding grant matters:** It was noted that there were still some outstanding grant matters. The Financial Officer reported that any organisations that had reserved grants pending requests for additional information would be contacted at the same time as the grants were issued, so that all groups were contacted simultaneously.

80/12 Arising from Min. 48/12 **Allotment Account:** The Council reviewed the Projected figures for the Allotment Account for 2012/13 and 2013/14 based on the Finance Committee's recommendations. It was noted that costs appeared higher because in the past only the Allotment Warden's cost had been shown but now in addition to the Caretaker's allocated one hour per week managing the Allotments, his grass-cutting work at Berryfield Allotments was included as well. For 2012/13 there would not be income for Briansfield as this had already been collected in 2011/12 financial year when the Council had granted a 50% rent reduction because the plots had never been dug. With the recommended £5 rent increase effective from 1st October 2012, the allotment account should be back on track and break even in 2013/14.

81/12 Arising from Min. 51/12 **Annual Review of Financial Risk Assessment and Financial Regulations:** It was noted that, under the Financial Risk Assessment section 6a the Parish Caretaker's equipment should be inspected by a ROSPA trained person. The Finance Officer was delighted to report that the Parish Caretaker, Terry Cole, had successfully renewed his ROSPA qualifications on 22nd May 2012 and was now qualified in:

i) Routine Play Area Inspection and Maintenance Training

ii) Level 2 Operational Inspections of Children's Playgrounds (Credits = 2)
In addition, Terry's name had been entered onto the RPII (Register of Play Inspectors International Ltd) Register.

Cllr Wood queried if the Council still needed a separate, independent annual ROSPA inspection if the Parish Caretaker held the relevant qualification himself. There was discussion as to the merit of maintaining an independent inspection, as the Parish Caretaker both maintained and inspected the play areas.

Resolved: *The Council contact ROSPA to seek their guidance of whether a separate, independent annual inspection is required for the Shaw and Beanacre Play Areas.*

82/12 Arising from Min. 49/12: **Whitley Footpath – CATG recommendations to the Area Board:** The Chairman reported that at the Area Board meeting (6th June) the CATG recommendations were all approved, with the £7,500 funding for the Whitley Footway agreed. Cllr Baines reminded Councillors that the project to complete the footway in Top Lane still needed funding from the Substantive Fund administered by Wiltshire Council Portfolio Holder Dick Tonge. Cllr Baines felt that the Parish Council may have to improve on their offer of £1,500 for the project, as the cost had increased by £500 since the last financial year.

Cllr Greg Coombes commented that at the Area Board meeting he asked Cllr Griffiths why he had never attended a Parish Council meeting, and Cllr Griffith had replied that the Parish Council did not invite him. It was agreed Cllr. Griffiths should be invited when there were items relating to Shaw and Whitley

83/12 Arising from Min. 50/12: **Bowerhill Sports Field Completion:** The Clerk confirmed that Mark Lovell Design Engineers were happy to be proposed as the Council's independent adjudicator if there was a future dispute with Wiltshire Council over any additional land requirements for the link road construction.

84/12 **Finance Committee Recommendations:** It was noted that the recommendation in Min. 49/12 was not to be actioned it had been overtaken by events.

Resolved:

i) *The Recommendations detailed in Mins. 45/12 be formally approved by the Council with the following amendments:*

Grant Award 8. Bowerhill Youth Club: The Council award a grant of £200 (as per Min 79/12 ii) above.

Grant Award 29. Whitley Players: The Council award a grant of £250 (as per Min 79/12(i) above.

ii) *The Recommendations detailed in Mins 46/12 to 48/12 and 50/12 to 53/12 be formally approved by the Council.*

85/12 **Audit and Financial Matters:**

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

JCP Solicitors on behalf of Wiltshire Council: Cash maintenance £11,000.00
settlement for the Bowerhill Sports Field.

- ii) **Fraudulently altered cheque:** The Finance Officer reported that cheque no. 4128 issued in May had been cancelled as Lloyds Bank had detected that it had been fraudulently altered. The cheque had been written out to the CPRE for £29 but had been altered to £2,900 and made payable to an individual. The Police had been contacted by Lloyds Bank, and CPRE had been informed. The cheque was reissued on Chq 4141. The Finance Officer explained that in view of this, she was checking all outstanding cheques from the previous month to ensure that payees were in receipt of their payments. Cllr Glover asked if payments by BACS would be more secure. The Finance Officer explained that the Council were still bound to pay by cheque under the regulations of the Local Government Act 1972.

Resolved: *The Council write to Lloyds Bank thanking them for their vigilance in detecting the fraudulently altered cheque.*

- iii) **Accounts for payment: Resolved:** *The following accounts be checked and approved for payment:*

4131	TOTAL Equipment Ltd: 3 rd QTR rent 01/07/12 – 30/09/12	£	1,608.75
4132	Mr Mike Mills: 1 st instalment of Chair's Allowance	£	200.00
4133	Diana Lindsey: Internal Audit for year ending 31/3/12	£	199.50
4134	Atkinson Bookbinders Ltd: Binding of Annual Parish Meeting minutes (2 volumes) £120 + carriage	£	132.00
4135	RM Software: PC support £90 + VAT	£	108.00
4136	Paul Filkins: Beanacre Grass Cutting 2 x cuts	£	90.00
4137	British Telecom: Broadband 01/05/12 – 31/07/12 £61.45 + VAT	£	73.74
4138	Broker Network Ltd: Additional premium to Aviva Insurance Policy (add assets at Bowerhill Sports Field)	£	70.53
4139	Walker Fire (UK) Ltd: Fire extinguisher inspection £51 + VAT	£	61.20
4140	Community First: Annual Membership 2012/13	£	36.00
4141	C.P.R.E: Annual Membership 2012/13 <i>Re-issue of Chq 4128 cancelled as fraudulently altered</i>	£	29.00
4142	C.P.R.E. Wilts. Cllr Coombes to attend AGM with buffet	£	10.00

SALARIES

4143	Mrs Mary Jarvis: June salary + additional hours
4144	Mrs Teresa Strange: June salary + additional hours + expenses (Engaging Communities Toolkit £3) + Mileage for Code of Conduct Training £10)

4145	Mrs Margaret Mylchreest: June salary		
4146	Mr Terry Cole: w/e 12/05/12 – 02/06/12 + travel allowance + mileage (£63.60) + expenses (Petrol for lawnmower £4.61 + VAT)		
4147	<i>Void Cheque: Re-issued on Cheque 4148</i>		
4148	Mrs Elaine Cranton: May Office Cleaning + Sick Pay 02/05/12 & 30/05/12		
	Total Salaries:	£	3,605.26
4149	Wiltshire Council – Wiltshire Pension Fund: Employer/ee Superannuation for M. Jarvis/T. Strange	£	690.84
4150	Inland Revenue: PAYE Tax & NI for Employer/ee	£	841.92
iv) Grant Awards 2012: Resolved: The following awards be made:			
4151	Bowerhill Village Hall Trust	£	2,580.00
4152	Shaw Hill Playing Field and Village Hall	£	3,150.00
4153	Whitley Reading Rooms	£	750.00
4154	The Rachel Fowler Centre	£	300.00
4155	Bowerhill Residents Action Group (BRAG)	£	400.00
4156	Atworth Youth Group	£	150.00
4157	<i>Bowerhill Youth Group – VOID CHEQUE – Re-issued 4178</i>		
4158	Melksham & District Guides	£	250.00
4159	Carers Support, West Wiltshire	£	300.00
4160	Group Five	£	300.00
4161	Happy Circle Day Centre	£	150.00
4162	Melksham PHAB Club	£	250.00
4163	West Wiltshire Citizens Advice	£	200.00
4164	Wiltshire Bobby Van	£	100.00
4165	Wiltshire St John Ambulance	£	100.00
4166	Melksham Christmas Lights	£	350.00
4167	Melksham Music Festival & Party in the Park	£	400.00
4168	<i>Bowerhill Villager – VOID CHEQUE – Re-issued 4180</i>		
4169	Shaw & Whitley Connect	£	250.00
4170	PCC of Shaw & Whitley	£	250.00
4171	Whitley Methodist Church	£	250.00
4172	Melksham Railway Development Group	£	150.00
4173	AFC Melksham	£	250.00
4174	Melksham Country Dancers	£	100.00
4175	Melksham Gardeners' Society	£	250.00
4176	Golden Fleece Cricket Club	£	200.00
4177	Melksham Tourist Information Centre	£	500.00
4178	Bowerhill Youth Group	£	200.00
4179	<i>* See Min 88/12</i>		
4180	Bowerhill Villager	£	250.00

- v) **Internal Audit:** It was noted that the Internal Audit had been completed and the Auditor's Report described the Council's internal controls as "very satisfactory". There were no matters of concern. The Council expressed their thanks to the Clerk and the Finance Officer for their hard work and was pleased to note that no amendments were needed to the Statement of Accounts for year end 31st March 2012.
- vi) **Annual Return and Governance Statement for External Audit: Resolved:** *The Statement of Accounts in the Annual Return be formally approved by the Council and signed by the Chairman together with the responses in the Annual Governance Statement. The Council approved and the Chairman signed to confirm the Council's sound systems of internal financial management.*
- vii) **External Audit and Inspection of Accounts:** The dates for the accounts to be inspected by electors, prior to the External Audit were as follows:
Date of inspection period: 25th June to 20th July 2012
Date auditor can be contacted by public: 24th July 2012
- viii) **Purchase of Electric Comb Binding Machine:** The Clerk requested permission to purchase an electric comb binding machine at the discounted price of £99.00. The usual price was £268.99 (44% saving) and it would be useful for making up documents. Cllr Baines raised concern that the machine would only bind large documents (38mm) rather than a variety of sizes up to 38mm. It was agreed to check this out prior to purchase.
Resolved: *The Council purchase an electric comb binding machine for £99, as long as it bound a variety of different sized documents.*
- vii) **Outstanding account – Carson Tyres / English Landscapes:** The Clerk reported that the invoice to Carson Tyres (£1,737.25) sent in February for the Roundabout sponsorship had still not been paid due to David Carson's concerns about the standard of maintenance. As a result of the site meeting, the grass was now being cut more frequently out of a surplus from the landscaping cost. David Carson had now confirmed he would pay the planting cost but not the annual maintenance cost of £500; as he felt maintenance was not up to standard. It was noted that the Council had previously agreed (*Min. 449/11 (b)*) that the cheque 4062 (£1,614 (£1,345 + VAT)) to English Landscapes should be held until Carson Tyres had agreed that they were happy with the planting.
Resolved: *The Council now forward the Cheque 4062 to English Landscapes for payment of their invoice for the planting at the Western Way roundabout.*

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

86/12

Public Participation:

1. Report from Wiltshire Councillor, Roy While: Wiltshire Cllr Roy While reported on the following items:

- a) **Western Area Planning Committee -20th June:** The following applications would be reviewed:
- i) **PA W/12/00467 Land north of Craysmarsh Farm, Formation of 1.5MW Solar Voltaic Farm:** Approval has been recommended

- ii) **PA W/12/00511 Land north of 592 Semington Road, Erection of detached 4 bed dwelling:** Approval has been recommended
- iii) **Bowyers Site Re-submission:** Refusal has been recommended.

Cllr While stated that he was keeping an open mind on all of these applications.

Cllr Glover commented that there was another current solar farm application at Lower Foxhangers, Devizes. Cllr While commented that the Officer's report was balanced and noted that the current Government policy was to encourage solar farms.

- b) **Core Strategy:** This was due to approved by the Cabinet on Tuesday 26th June.
- c) **Area Board:** The latest Area Board meeting contained details of the "Melksham Picture" with many developments opening up from the Campus development.
- d) **Small Grants:** A new small grants scheme was being operated by the Area Board who were encouraging small groups e.g. Scouts etc to apply for grants up to £300.
- e) **PA W/12/1033 Mr David Elmer, 486 Semington Road, SN12 6DR:** This planning application had just been received and would go to the Western Area Planning Committee as its outside the village limits and related to one dwelling being split into two; a grey area in terms of planning regulations.

The Chairman reported that the Council had considered this application and made no objections. The Clerk queried whether it was outside the village policy limit.
(See also Min. 76/12 d)

- f) **Shadow Community Operations Board:** The SCOB had met earlier that evening and considered the Feasibility Brief; with the aim to finish it in the next couple of weeks. They planned to meet with the Architect in August and then prepare recommendations to the Area Board in September before moving onto the Design Phase.
- g) **Credit Union:** Cllr Coombes commented on the presentation on the work of the Credit Union at the recent Area Board meeting; and asked Cllr While if the session was for information only or whether Wiltshire Council were actively encouraging the Credit Union. Cllr While reported that he had been talking to the Chair of the Credit Union about his concerns as to how people would keep in touch with them and understood this would be through the Library. Wiltshire Council staff were being encouraged to invest in the Credit Union; to provide investment for the Union to lend back to those in need. He would be promoting the Credit Union through his newsletter around Bowerhill and on his website.
- h) **Abbi Gutierrez:** It was noted that Abbi would be taking maternity leave in August.

2. SCOB Rural Parishes meeting – Tuesday 19th June

Cllr Bean asked if the Rural Parishes meeting was still to be held tomorrow evening. The Clerk confirmed the meeting will be held in the Town Hall at 7pm.

Cllr Sankey confirmed that Roy While, Lucy Murray-Brown and Ros Griffiths of Wiltshire Council will also be in attendance and the Chairman, Mike Mills had kindly agreed to chair the Meeting.
The Council reconvened.

- 87/12 **Bowerhill Sports Field Working Party Minutes, 11th June: Resolved:** *These Minutes be formally approved by the Council and signed by the Chairman as a correct record, with the following amendments:*

Min 60/12 b) i) Running Track Land: Amend “had been sold” to “is close to being sold”

Min 60/12 b) ii) Rugby Pitch: Amend “Woolmore Farm” to “Dunch Lane”

Min 62/12 Amend “would be in attendance on the day” to “would be invited to attend on the day”

Min 67/12 b) Green Fence at Knorr Bremse: Line 7 Amend “funding” to “fencing”

- 88/12 **Bowerhill Sports Field Working Party Recommendations: Resolved:** *The Recommendations as detailed in Mins. 59/12 – 68/12 be formally approved by the Council.*

- 89/12 Arising from Min. 60/12 a) **Formal Handover Ceremony:** The Chairman reported that as Mark Hunnybun was not at the Formal Handover Ceremony he was unable to present the £1 coin to him. It was agreed that a cheque should be made payable to Wiltshire Council for the transfer of asset of Bowerhill Sports Field to Melksham Without Parish Council for £1 to complete the audit trail. It was noted that there was a legal difference between paying for something and receiving it for free.

Resolved: *The following account be checked and approved for payment:*

4179	Wiltshire Council: For transfer of asset of Bowerhill Sports Field to Melksham Without Parish Council	£ 1.00
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- 90/12 Arising from Min. 60/12 b) vi) **Land behind the Spa:** The Chairman confirmed that no more details were known since Lucy Murray-Brown’s announcement at the recent Area Board meeting. **Reserved:** *The Council write to Lucy Murray-Brown at Wiltshire Council to confirm that the Parish Council would be interested in the land behind the Spa, subject to finding out more details including where the land is, and its current use.*

- 91/12 Arising from Min. 61/12 **Fields in Trust:** The Clerk reported that the final draft of the “Deed of Dedication” Clause 6, Line 3 had been amended from “Melksham and thereabouts” to “Bowerhill and thereabouts” following advice from the Solicitor. This ensured that, if the land ever had to be handed back to Wiltshire Council, then alternative land would have to be provided in the vicinity of Bowerhill rather than elsewhere in the Melksham Community Area which was very large. The Chairman explained that the Deed of Dedication following signature would then be sent on to the Solicitor in the morning with the aim of completing by the end of the week.
Resolved: *The Council formally approve the Deed of Dedication of the Bowerhill Sports Field as a Jubilee Field under the Fields in Trust scheme and the Chairman, Vice Chair and Clerk sign the Deed of Dedication.*
The Deed of Dedication was then signed at this Meeting.

92/12 Arising from Min. 62/12 **Formal Opening of Sports Field:** The Chairman reported that a revised date for the Formal Opening of the Sports Field had been suggested, of Friday 6th July. This was because the Fields in Trust plaque and representative, John Chapman, would not be available for 30th June. The Clerk confirmed that John Chapman would be available for 6th July and that Fields in Trust had confirmed that the plaque would be available then. The Chairman reported that Janet Jory was keen to donate chocolate and crisps from the Youth Club for the event. It was agreed the Council provide some additional sandwich platters and squash to be served from the Pavilion Club. Cllr. Baines offered to ask Moles Brewery if they would arrange a celebratory toast. The Chairman had invited the School Council and Headmaster of Bowerhill Primary School to come along and say a few words. It was agreed to invite MP Duncan Hames as well as the local media. **Resolved:** *The Council hold a Formal Opening of the Sports Field on Friday 6th July at 2.30pm.*

93/12 Arising from Min. 63/12 **End of English Landscapes contract:** Cllr Glover asked whether new contractors had been sought for taking on the contract from the beginning of December. The Clerk explained that the new Sports Field Management Committee. May wish to do this. Following discussion it was agreed to seek contracts for maintenance of the field for at least the first year. It was agreed that the current latest existing specification for the English Landscape contract be used for the Sports Field, and a request to be made for costs to be itemised individually for things such as spiking etc. Cllr Bean explained that at Shaw Playing Field it proved too costly to use a regular contractor to spike and maintain the field at £4,000 and it had to be curtailed.

Cllr Bean reported that a new adult football team from Trowbridge had started renting Shaw Playing Field which was welcome use and income. The Council welcomed this news.

Resolved: *The Council obtain quotations for a one year contract for the maintenance of the Sports Field from 1st Dec 2012 to 30th November 2013, based on the current revised specification for English Landscapes, for the new Sports Field Management Committee to review.*

94/12 Arising from Min. 64/12 **Constitution of new Sports Field Management Committee:** There was concern that the proposed committee needed some sort of structure or plan, otherwise it may become unwieldy. Cllr. Glover suggested that there be a limited number of user representatives. The Clerk offered to draft a list of suggested names for the meeting.

95/12 Arising from Min. 66/12 **New Dog Signs:** Cllr Glover suggested that articles be put in the two local newsletters "Bowerhill Villager" and "BASRAG" announcing that Bowerhill Sports Field will continue to allow access to dogs but if fouling is found then dogs will be banned. The Clerk reported this would be put in the next Council newsletter. The Council then reviewed quotations which had been obtained for new dog signs:
Resolved: *The Council accept the quotation from Sign Marketing as follows:
1 X 20" x 12" Aluminium sign for Sports Field Fence near Pedestrian Gate in Westinghouse way at a cost of £30 + VAT
1 X 20" x 12" Aluminium sign fitted on to existing posts using back rails near Shails Lane at £42 + VAT*

2 X 20" x 12" stickers to change name to Bowerhill Jubilee Sports Field on two existing signs @ £14 each = £28 + VAT
1 X 20" x 12" Emergency Access sign for Double gates at Westinghouse Way £30 + VAT
Total cost for signs = £130 + VAT

- 96/12 Arising from Min. 67/12 b) **Green Fence at Knorr Bremse:** The Clerk confirmed that she had also requested quotations for the extra fence panels required near the bridge at the Knorr Bremse end of the field. The Chairman confirmed that it was imperative that when the Pavilion was replaced and the link road built that the existing fence panels be kept for re-use.
- 97/12 Arising from Min. 68/12 **Sports Field Key holders;** The Clerk reported that she was compiling a list of key holders. Cllr. Glover suggested that when the English Landscapes contract ended in 30th November 2012 the Council change the locks to the bollards, gates and Pavilion and re-issue keys to user groups and relevant personnel, who must sign for them on receipt.
- 98/12 Arising from Min. 69/12 **Budget Costings:** The Council reviewed an amended budget prepared by the Finance Officer showing amendments requested by the Finance Committee and maintenance costs of the existing Pavilion. It was agreed that the new Pavilion should be far more efficient in terms of water and lighting costs and contain automatic switching devices and motion sensors. Cllr Glover advised that it was essential for a capital reserve to be established for the Sports Field and Pavilion; a more detailed assessment of costs could be made in one or two year's time.
Resolved: *The Revised budget as presented by the Finance Officer at this meeting be accepted.*
- 99/12 Arising from Min. 70/12 **Addition to the Insurance Policy:** The Finance Officer reported that the Sports Field would be automatically covered by the Council's insurance for Public Liability as it was blanket cover encompassing all that the Council owns. The fences and gates had been added to the policy and were now insured (All risks) for £10,000 based on the cost of £6,000 installation cost in 2004 and encompassing the new green fence to be installed. Three sets of goal posts were also added at a value of £2,000 per set, giving at total of £6,000. It was noted that only the 3 adult pitches had goal posts, and not the 2 junior pitches. The additional premium for the additions was £70.53 (*Cheque 4138*).
- 100/12 **Withdrawal of Village Green Application for Bowerhill Sports Field:** The Clerk commented that the Parish Council owe a lot to the Village Green legislation and that the application had been made 15 years ago in September 1997. Agreement had at last been reached with Wiltshire Council to acquire the majority of the Sports Field land. The Council noted the draft letter by the Solicitors to withdraw the Parish Council's Village Green Application
Resolved: *The Parish Council now instruct the Solicitor to withdraw the Village Green application for Bowerhill Sports Field.*
- 101/12 **Minutes, Annual Council 21st May 2012:** **Resolved:** *The Minutes of this Meeting be approved by the Council and signed by the Chairman as a correct record.*

- 102/12 Arising from Min. 19/12 **Neighbourhood Plans:** It was noted that the Chairman, Cllr Bean, the Clerk and the Finance Officer would attend the WALC Neighbourhood Plan training session on Saturday 23rd June.
- 103/12 Arising from Min. 26/12 **Green and Grey bin collections, School Lane:** Cllr Bean reported that she was meeting Wiltshire Councillor Mark Griffith at School Lane on 19th June at 8am, as this was bin collection day. The Council noted the letter from BT Open Reach stating that they feel that the request for the removal of the BT box was unjustified as they feel the box does not block visibility. Cllr Baines commented that they had been misled by Wiltshire Council that BT had not sought permission for the box. The Chairman confirmed that at the Area Board meeting he again reported that the Council were not in favour of closing the lay-by, as did Cllr Baines at the CATG (Community Area Transport Group) and the Clerk in writing to the Area Board.
- 104/12 Arising from Min. 33/12 **Falcon Way roundabout planting:** The Council noted confirmation from Tim Woolford, Wiltshire Council that English Landscapes had now agreed to take on maintenance of this roundabout.
- 105/12 **Litter bins from the Golf Course:** The Chairman reported that Tim Woolford's letter also invited the Parish Council to find 3 sites for the 3 spare bins taken out of the old Golf Course. The following sites were suggested:
1. End of Halifax Road in the Bowerhill Industrial Estate – in the grass
 2. Bowerhill Sports field – at the footbridge, near Knorr Bremse
 3. Westland Lane, Beanacre - over the railway bridge
- The Chairman queried who would empty the bins when English Landscapes contract ends at the end of November 2012. It was agreed to make sure that Wiltshire Council could empty bins at all the sites before they were put forward.
- The Finance Officer advised that Norman Burgess at Wiltshire Council had previously stated that English Landscapes charged £90 per bin for installation. The Parish Caretaker had agreed to install the new bins that were currently on order.
- Resolved:** *The Council find out if Wiltshire Council was able to empty bins regularly at the three sites suggested above and if so to ask that the three spare bins be relocated at these locations.*
- 106/12 Arising from Min. 40/12 ii) **Beanacre – new litterbins:** The Council discussed where best to site the bins. The suggestions were:
- a) To replace the bin at Burnt Cottages with a new MacDonald bin – as closer to town.
 - b) To put the replacement bin from Burnt Cottages further into the village.
 - c) To put the 2nd MacDonalds bin in Old Road – as per revised location put forward by Wiltshire Councillor Mark Griffiths
- Resolved:** *This item was deferred to July to allow for consultation with Cllr Clark.*
- 107/12 **Highway Issues:**
- a) **Snarlton Lane motorbike issue:** It was noted that Paul Millard, Wiltshire Council was going to install some sleepers in the gap, that horses would be able to step over, but that would prevent access by motorbikes.
 - b) **Request for 20 m.p.h. speed limit – First, Middle & Top Lane, Whitley:** A request was made to the Area Board for a 20 mph speed limit in these lanes. The

MAB Update stated that 20mph speed limits were being trialled in Wiltshire. The Clerk reported that an email from resident Bob Brownrigg emphasised the worst problems were in Top Lane and Corsham Road. Cllr Sankey advised that a 20 m.p.h. zone needed to be self enforcing, and therefore some form of traffic calming would be required.

Resolved: *The Council support the request to the CATG for a 20 m.p.h. speed limit in First Lane, Middle Lane and Top Lane, Whitley*

- c) **Zig Zag bus, Whitley:** The Council noted a copy letter from a Whitley resident to Wiltshire Council that expressed concern at the lack of low floor access on some Zig Zag services. Cllr Baines commented that Faresaver's contract was up for renewal in September and the Zig Zag service could be cut..

Resolved: *The Council reply to thank the resident for his letter and concerns.*

- d) **Proposed 40 m.p.h. speed limit A3102 (part) and new Distributor Road, East of Melksham:** **Resolved:** *The Council support the proposed 40 m.p.h. speed limit*

- e) **Lorry Park, Bowerhill & Night-time Toilet Facilities:** The Council noted that the Great Bear Distribution Site Manager Danny Jones had replied that the company was not prepared to open up their night-time toilet facilities for use by other lorry drivers. The Clerk reported that Dick Tonge, Wiltshire Council had confirmed that he would investigate whether a lorry park could be made part of the Planning Application for development of the old rugby field.

108/12 **Melksham Area Board & SCOB:**

- a) **Joint Rural Parishes Meeting:** The Council noted this meeting on 19th June (*See also Min. 86/12 h*)
- b) **Chair's Report:** The Council noted the Chair's Report of the Area Board meeting on 6th June.

109/12 **General Correspondence for action:**

- a) **Consultation - Wiltshire Council new Dog Control Orders:** Comments were invited on the following draft Orders: i) Fouling of land by dogs, ii) Dogs Exclusion, iii) Dogs on Lead by Direction. The Chairman requested a definition for the term "reasonable excuse" and clarification re "authorised officer". Cllr Sankey informed that if parish councillors did the relevant training they could become authorised officers themselves. It was agreed to research what training was required. Cllr Sankey and Cllr Glover volunteered to undertake the training and become Authorised Officers for the Parish Council. It was noted that Councillors could also undertake training on Parking Regulations too and issue fixed penalties.

Resolved: *The Council reply to request clarification on what was a "reasonable excuse for dog fouling" and to request more information re "Authorised Officers" and training.*

- b) **Localism Act 2011 – New Standards Framework Proposals Consultation:**

Resolved: *The Council have no comments to make on the Consultation.*

- c) **Wiltshire Council Code of Conduct:** A Report from the Clerk was circulated. The Clerk reported that she attended a briefing by Ian Gibbons, Monitoring

Officer at Wiltshire Council with the Finance Officer on the 13th June. She advised the Council to adopt the Wiltshire Council draft Code of Conduct, as Wiltshire Council would be investigating any complaints in the future. It was noted that the Council was required to adopt a Code of Conduct by 1st July. Wiltshire Council would be finalising its Code of Conduct within the next few days. If their draft Code of Conduct was adopted now, this covered the Council for the 1st July deadline and the final Code of Conduct could be adopted as and when it is available. Cllr Sankey queried if the Council would need to amend its Standing Orders. The Clerk advised that the Wiltshire Code only covered mandatory requirements and the Council may wish to add its own discretionary orders, which would warrant a separate section in the Standing Orders. It would be advisable to have an Agenda Item in July, for Adoption at the September meeting. **Resolved:** *The Council formally adopt the Wiltshire Council draft Code of Conduct with a view to adopting the final Code of Conduct as and when it is available.*

- d) **Annual Civic Service Invitation Sunday 1st July at 2.30pm.** The Chairman advised that he would be attending the Service to represent the Parish Council.
- e) **Subsidence Claim, Shaw:** The Council noted that more communication had been received which had been forwarded to the Council's insurance company dealing with the claim, for advice.
- f) **Transfer of Deeds for Foresters Park to Melksham Town Council:** The Clerk reported that Wansboroughs Solicitors in Devizes had sought formal approval to transfer the deeds for Foresters Park Play Area to Melksham Town Council as this area had been transferred to the Town as far back as 1991. **Resolved:** *The Council formally approve transfer of the deeds of Foresters Park Play Area to Melksham Town Council.*
- g) **Freedom of Information request for Salary information:** The Clerk reported that a member of the public had made an email request for a breakdown of the staff salaries under the Freedom of Information Act. Advice had been sought from the Information Commissioners Office (ICO) who had advised that Staff' salary bandings rather than individual salary amounts should be supplied. (Although the Freedom of Information Act 2000 provides rights of public access to information held by public authorities, Section 40(2) provides an exemption from disclosing information about identifiable individuals where it would breach the Data Protection Act 1998.) The salary bandings had therefore been sent. The Total Cost for Salaries for the year ending 31st March 2012 (under the Auditor's definition of Total Cost i.e. Including Tax, NI contributions and Pension contributions) was also supplied. The member of public had replied that this was not acceptable, and the Finance Officer had again sought the advice of the ICO. This was again passed onto the member of public who had been advised to take the matter up with the ICO directly, if he was not satisfied. The Council agreed that the correct procedure had been followed. **Resolved:** *Any further response be forwarded to the Information Commissioners Office.*

- h) **Walk Ten Wiltshire – Saturday 1st September: *Resolved: The Council promote this event for Marie Curie Nurses, on the Parish Council website.***
- i) **Wilts & Berks Canal Partnership:** The Council noted that a major planning application was being submitted for the new “Melksham Link”. It was noted that the revised alignment now avoided the Berryfield Village Hall thus avoiding a

requirement to provide a replacement Village Hall which had previously been muted. A new road was proposed at the back of Townsend Farm with areas of new housing.

110/12 **General Correspondence for information:** The Council noted receipt of the following papers:

- a) CPRE – Annual Report for 2011/2012
- b) Energy Bill – letter from Sustainable Energy Partnership
- c) Wiltshire Online Programme – Briefing Note
- d) Chippenham Mobile Library Timetable – for Whitley
- e) Atworth Parish Council – Cleveland Bridge Weight Restrictions
- f) Melksham Events and Chamber of Commerce information

Meeting closed at 10.00 p.m.

Chairman, 23rd July 2012