

MINUTES Of a Meeting of Melksham Without Parish Council held on Monday 21st January 2013 at Crown Chambers Melksham at 7.00 p.m.

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

Apologies: Cllrs.; Steve Petty; Mike Sankey; Paul Clark; Don Millard and Elisabeth Bean and the Clerk, Mrs Mary Jarvis (due to illness)

- 365/12 **Declarations of Interest:** Cllr Baines declared an interest in PA W/12/02366 as a former work colleague of the applicant.
- 366/12 **Council Dispensation:** It was noted that the Council had granted all members of the Council a dispensation to discuss and comment on PA W/12/02298/FUL and associated plans, amendments and correspondence (Min 356/12 (b)).
- 367/12 **Staff Training and Fire Safety:**
i) **Level 2 Health & Safety: Resolved:** *The Council noted that the Clerk had re-qualified in Level 2 Health & Safety.*
ii) **Fire Marshall in Clerk's absence: Resolved:** *The Council noted that that Neville O'Sullivan of TOTAL Equipment was willing to act as Fire Marshal for the Parish Council in the event of the Clerk's absence during a fire incident.*
- 368/12 **Minutes Special Council Meeting 7th January: Resolved:** *The Minutes of this Meeting be formally approved by the Council and signed by the Chairman with the following amendments:
Min 359/12 (f) amend Min 29/12 to 295/12 and add Min. 280/12 and 285/12
Min 360/12 Add: " Resolved: The Council Precept for 2013/14 be £104,686.80 with an additional top up grant of £2,313.20 giving a total of £107,000."*
- 369/12 Arising from Min. 360/12 **Council Precept 2013/14:** The Finance Officer drew attention to the wording of the Precept request on the paperwork to Wiltshire Council, and reflected in the minutes of the last meeting. The precept request was for a figure of £104,686.80 with an additional grant of £2,313.20 rather than a total precept request for £107,000.
- 370/12 Arising from Min. 359/12 (b) **Letter to Rt. Hon Eric Pickles MP Secretary of State for Communities and Local Government:** The Council noted replies from Duncan Hames, MP and Nick Clegg, Deputy Prime Minister. The Finance Officer reported that NALC Magazine was interested in publishing the Clerk's letter to Eric Pickles.
- 371/12 Arising from Min. 359/12 (d) **Revised Budgets 2012/13 and 2013/14** and (f) **Finance Committee 12th November Recommendations:** The Council noted receipt of a copy of the revised budgets. The Finance Officer provided the Finance Committee with a copy of the Minutes of the Finance Committee with notations on the amendments made at the 7th January meeting for ease of reference for the Councillors.
- 372/12 Arising from Min. 362/12 (b) **Appointment of temporary Parish Assistant:** The Finance Officer advised that due to new legislation all *new* "designated" employees (with a contract of 3 months or more) needed to be auto-enrolled into the Local Government Pension Scheme with effect from 1st October 2012. For a member of staff to be designated, a resolution needed to be passed by the Council stating that the post is pensionable. It was

noted that the new position was for an initial 6 month period. **Resolved:** *The Council formally approve that the new temporary Parish Assistant post is pensionable.*

373/12 Arising from Min. 354/12 **Freedom of Information request:** The Finance Officer reported that all minutes from all the Council's public meetings in 2012 had now been published on the Council website and the resident had been notified.

Resolved: *It was agreed to suspend Standing Orders for a period of public participation.*

374/12 **Public Participation (1)**

PCSO Janet Gould: The Chairman welcomed PCSO Janet Gould to the meeting. PCSO Gould explained that she had come to the meeting to hear about the plans for the Bowerhill area in relation to the new development planned. The Chairman checked that PCSO Gould was aware that the BRAG (Bowerhill Residents Action Group) meeting the following night had been postponed due to the current snow conditions.

The Council reconvened.

375/12 **W12 02298/FUL -Herman Miller Development** Erection of a manufacturing and storage facility, with ancillary offices and plant and associated infrastructure including a new vehicular access from Portal Road, HGV parking, car parking, motorcycle and cycle parking, landscaping and associated works, extension of the existing Portal Road to connect to the roundabout with Westinghouse Way demolition of existing Pavilion and erection of replacement Pavilion off Westinghouse Way and associated works

The Council considered the Herman Miller planning application in general:

Resolved: *i) The Parish Council have no objections in principle to this planning application and welcome wholeheartedly this development with its clear economic benefits to the residents of Melksham Without.*

ii) The Council write to the Wiltshire Council Cabinet Minister for Economic Development to inform the Council that the Parish Council unanimously wholeheartedly welcomed the new Herman Miller development in the Melksham Without Parish.

376/12 **W12 02298 Replacement Sports Pavilion – Comments from Mike Rogers:** The Chairman read out Mike Rogers' comments re the Pavilion design. There was discussion about the proposed grey brick colour of the new Pavilion. It was agreed to support his comments except for a change of brick colour. Mike had mentioned the need for picnic benches in the area and for external seating between Pavilion doors and had suggested that the Council encourage Security 2000 to relocate to the car park site. The Council agreed that picnic benches and seating could be provided at a later date through grant support from local businesses. The Council also noted that Mike had also suggested the Council approach Knorr Bremse and other local businesses to fund out if there would be interest in future in using space at the Pavilion for daytime meetings.

Resolved: *The Council write to Mike Rogers of Melksham AFC to thank him for spending the time to come into the Council offices and reviewing the planning application; also for his kind words about the Council in the recent Wiltshire Times article.*

377/12 **W12 02298 Replacement Sports Pavilion – Council Comments:** **Resolved:** *The following comments be made:*

1. *The Council are happy to accept the proposed change to the internal changing rooms (as per the drawing provided) to allow the removal of one hand basin to*

ensure that the “team talks” are able to take place with the captain/coach able to see all players.

- 2. The Council and users of the Sports Pavilion wish to see the Disabled “blue badge” parking spaces positioned closer to the Pavilion, for ease of use.*
- 3. The Council would like to see the Basketball Court built further north to allow space for future possible expansion to a full size court. The court needs to be located so that it does not affect the position of the adjacent football pitch and to give enough room for the Sports Pavilion to be extended in the future.*
- 4. Please include litter bins at either end of the Pavilion.*
- 5. The window on the north side elevation needs to be made bigger; or two windows installed to make the most of the views of the playing field*
- 6. Please inform what the intended finish to the inside of the building will be. If the intention is to leave bare brick walls, then they need to be painted a warm white or cream colour*
- 7. Please provide for TV, laptop and broadband connection in the Pavilion*
- 8. A boot cleaning area and equipment needs to be installed outside Pavilion – as requested by Sports England and FA*
- 9. Please provide security grilles on all windows as per existing Pavilion*
- 10. Please fit an alarm system.*
- 11. Please provide details please on the intended power source to the building. Will there be a gas supply or electricity? The Parish Council would prefer a gas supply as a cheaper source of energy supply in the future. The Council is also keen to make use of solar panels or PV panels on the roof. Please give more details about the proposed heating system (It is noted that the roof faces east/west).*
- 12. Please ensure the following conditions are met as regards protection of pipes and tanks in cold weather to comply with the Parish Council’s insurance requirements:-*
 - a) All pipes and tanks in roof spaces and other void or unheated areas must be suitably lagged.*
 - b) Thermostatically controlled heating systems must be permanently on and set at a minimum temperature of 4 degrees centigrade.*
 - c) The location of the main stop valves must be clearly identified and indicate the direction of off/on”*

NB Failure to meet these conditions would nullify our insurance cover on the building which states as follows: “If in relation to any claim for Damage caused by the escape of water from any tank, apparatus or pipe to the Property Insured during the period 1st October to 31st March in respect of any building not physically occupied and used in its normal capacity on a weekly basis AND you have failed to

fulfil any of the following conditions, You will lose your right to indemnity or payment for that claim.

13. Please note there is a current funding application with the Football Association to provide floodlights on the Sports Field with the added provision of free Wifi for the Pavilion. Please would you advise whether planning permission is required for these proposed floodlights, and if so, please could this be incorporated into this planning application.

378 /12 **W12 02298 Herman Miller - Pavilion design – response from Sports England:** The Council noted the response from Sport England to the development which was in two parts, as follows:

a) **Impact upon Bowerhill playing field and new Pavilion:** Sport England had referred the proposals to the Football Association who fully supported the provision of the new Pavilion at its new location but had requested that the layout be improved to make changing rooms more team friendly and features be added to help site management; e.g. boot-cleaning areas. Hermann Miller had responded by removing one hand basin per changing room so that the team coach could be directly visible from all changing spaces, and providing a sheltered boot cleaning area. These amendments had since been approved by the FA.

In order to ensure the replacement Pavilion, car and cycle parking and basketball court was delivered, Sport England had requested the following condition be attached to the planning permission:

No development shall commence until details for the phasing of the development, including the provision of the new sports pavilion, car and cycle parking and basketball court have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The details shall ensure that the sporting use of the existing Pavilion and basketball court are not lost until the replacement Pavilion is provided

It was noted that as the FA had raised comments in relation to the replacement Pavilion, the following planning condition should also be attached to the decision notice:

No development shall commence until details of the design and layout of the new Sports Pavilion have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The Sports Pavilion shall not be constructed other than substantially in accordance with the approved details.

The applicant was also advised that the design and layout of the new Pavilion needed to comply with the FA Technical Design Guidance and contact should be made with the FA Regional Development Manager Simon.Wood@thefa.com. The Council welcomed these safeguards.

b) **Loss of Christie Miller Sports Ground:** The Council noted that Sport England did not wish to raise an objection because it was noted that replacement provision was to be secured through a commuted sum whereby Wiltshire Council would bring forward new sports facilities planned at Woolmore Farm, Melksham of two senior sports pitches. The

appropriate contribution would be in line with Sport England Cost Guidance and include an allowance for maintenance. The proposed commuted sum, subject to agreement with Wiltshire Council would be secured through an appropriate legal agreement. If the above conditions were not met then Sport England would make a statutory objection to the application. Councillors expressed concerns about the specific reference to Woolmore Farm site for the replacement provision for the loss of the Christie Miller Sports Ground. It was felt this should be widened to “Woolmore Farm or the immediate vicinity” as there was other suitable land available for example, the land between the old Golf Course and A350 Diversion which had good access, was flat and had no surrounding houses.

Resolved: *The Council submit these concerns to Wiltshire Council and Sport England.*

Standing Orders were suspended for a further period of public participation

379/12

Public Participation (2)

PCSO Janet Gould: The Chairman invited PCSO Janet Gould to make any comments about the planning application. PCSO Gould explained that she had come along to the meeting to hear about the plans in Bowerhill and stressed that she felt it important that the Bowerhill Youth Club would still have somewhere to meet. The Chairman explained that the police would be able to get to the Playing Field far quicker in the future when the link road was built as when the travellers moved on to the field the police were only a few minutes too late to prevent them. PCSO Gould agreed but commented that it would now be much easier for people to make a quick exit from the Industrial Estate too.

The Council re-convened

380/12

Other planning applications

The Council made no objections to the following planning applications:

W12 02219/FUL Jonathan Sinclair, Land at Newlands Farm, 54 Folly Lane, Shaw. Change of use of land to west of Lowden Nurseries from horticultural to domestic garden (drive).

W12 02366/FUL James Hill, 192 Westlands Lane, Whitley. Replacing conservatory with extension.

381/12

New Pavilion – Security Issues The Council discussed the proposed security at the entrance to the new Pavilion. The Chairman explained that the existing rising pillars/bollards and the boulders would remain in place and are sited at the proposed new entrance to the Pavilion.

The Chairman stated that he felt there was still a problem at the bridge at Knorr Bremse – he felt that it was still possible for someone to drive in through that access point. The new modern building and obvious use of the Sports Field would deter travellers from the field in the future. Especially as the site would be more closed in with the Herman Miller building. **Resolved:** *The Council to check with Wiltshire Council about the requested provision of an additional fence panel at this point.*

Planning Correspondence

- i) **New residential development at Forest & Sandridge School:** The Council noted two letters of concern about the proposed development which contained valid points about the site, security issues and existing rights of way which the Council will bear in mind when they review the planning applications. One of the letters concerned the site of the new school, and one related to the proposed development of the existing school site. It was noted that neither planning applications had been received yet.
Resolved: The Council write to the residents thanking them for their letters, the details of which will be taken into account when the planning applications are reviewed. The Council also advise all residents to submit their comments to Wiltshire Council Development Control once the planning applications are made.
- ii) **W12/02026 Demolition of existing house and erection of 2 new houses at 188 Woodrow:** *Resolved: The Council noted that this application had been withdrawn.*
- iii) **Appeal Ref. APP/Y3940/A/12/2176007 Belthane House (previously known as “Sheeshnag”), Shaw Hill, Shaw:** *Resolved: The Council noted that this appeal had been dismissed.*
- iv) **W12/02072/FUL Solar Farm, Broughton Gifford**
- a) **Screening:** The Council noted correspondence from Aardvark that further to the Parish Council’s comments and the Landscape Officer’s site visit (17th January) the developer was looking for locations and options for further screening from both the Norrington Common and Shaw end of the development area.
- b) **Offer of defibrillator:** The Council noted correspondence from Aardvark confirming that the developer had offered to contribute up to £1,500 to the Parish of Melksham Without for a community defibrillator, should the solar development proceed and that this would form part of a CIL (Community Infrastructure Levy). The Council also noted correspondence from Mike Wilmott, Development Control West that this type of request would not fall under either existing Section 106 legislation, or the proposed CIL. He suggested that the Parish Council pursue a direct donation as a goodwill gesture from the developer if they wished to pursue this further. Following discussion it was agreed not to accept funds but to request that Aardvark, in the event of planning permission being granted, make a gift of a defibrillator direct to Shaw Village Hall rather than the Council, for the benefit of Shaw residents,
Resolved: The Council reply to Aardvark Ltd as above to thank them for their kind offer and to make clear that if Wiltshire Council was minded to give permission, any goodwill gesture should take the form of the donation of defibrillator equipment direct to the Shaw Village Hall & Playing Field Committee.
- (vi) **Shaw & Whitley Pre School fence:** A letter was received from Val Davis, Chair of Shaw & Whitley Pre School to thank the Council for allowing the existing wooden fencing to remain until it was no longer serviceable and to confirm that funds were in place ready for the eventual replacement of the wooden fence with a metal one when that was necessary. The letter went on to explain that the Pre School had never met or spoken to the person who had written letters in the local newspapers about the fence and that the letters had in no way been written on the Pre School’s behalf. This news was welcomed by the Council.

Resolved: *The Council reply to Val Davis to express thanks for this letter and to ask if the Pre School would now write to the Melksham News and Wiltshire Times to make clear that it was not in any way linked with the person writing letters to the newspapers about the fence and that the Pre-School wished to distance itself from that person.*

vi) **W12 01256 MUGA at Hornchurch Road:** The Chairman confirmed that planning permission had been granted for the dwellings at the Local Centre Land to which the funding for the MUGA was linked under its Section 106 agreement and the developers were now moving quickly to get the development underway. The Council were pleased to note that the MUGA (Multi Use Games Area) would not require planning permission. The Chairman reported that on a recent visit to Bowerhill Primary School the children were all very excited about the planned MUGA. The Chairman had met with both residents who had originally objected to the MUGA but they were now both happy with the plans; they had misunderstood what the MUGA was and their fears were allayed by a visit to the recently installed similar MUGA at Shaw Playing Field. He knew that PCSCO Gould was very keen to get the MUGA installed ready for the school Summer Holidays.

383/12 **Minutes, Council Meeting 10th December:** **Resolved:** *The Minutes of this Meeting be formally approved by the Council and signed by the Chairman with the following amendments:*

*Min 328/12 amend from “a pumping station on Sandridge Hill” to “a **sewage** pumping station on Sandridge **Common**”*

*Min 329/12 P/A 01961 amend “allowed to **deduct** drivers” to “allowed to **distract** drivers”*

*Min 345/12 amend “Wiltshire Council with Hermann Miller had decided” to “Wiltshire Council with Herman Miller’s **agents** had decided”*

384/12 Arising from Min. 323/12 (a) **Parking Review Bowerhill:**

- a) **Halifax Road – parking restrictions:** The Council noted a report from Wiltshire Cllr Roy While which outlined the Parking Restrictions policy. This had been distributed to residents living around Cheshire, Stirling and De Havilland. Cllr While had also arranged for the Senior Officer, Economy & Regeneration to see what Council support could be given to liaising with other companies re additional parking. The Council also noted correspondence from Jamie Mundy, Senior Traffic Technician that the Parish Council’s submission for Halifax Road parking restrictions in Bowerhill had scored high enough to be done this year. This news was welcomed
- b) **Lorry Parking – Bowerhill Industrial Estate**
 - i) Jamie Mundy had also emailed the Council to explain that he was continuing to investigate the problems of lorry parking at the Hampton Park. A letter had been received from Parvis Khansari, Service Director for Strategic Services Highway and Transport confirming that the HGV parking area on the Herman Miller planning application W/12/02298 was for the sole use of the occupier. The letter also outlined that Wiltshire Council did not consider a lorry park in Bowerhill a priority for significant investment at this time.
 - ii) **Parking Restriction Review - Spa Road cul-de-sac:** The Council considered other areas that could be considered for Parking Restrictions. It was noted that a horse box was perpetually parked in the reversing space at the Spa Road cul-de-sac, preventing cars turning around. This space was also being used by cars parking there whilst the occupants eat their lunch.

***Resolved:** The Council put forward the reversing space at the end of the Spa Road cul-de-sac for provision of double yellow lines*

385/12 Arising from Min. 326/12 **Community Infrastructure Levy (CIL):** The Council noted the Department for Communities and Local Government's (DCLG) announcement that Parish and Town Councils would receive income from the new CIL directly, as follows:

"Communities that draw up neighbourhood plans will receive 25% of the planning levy charged on new developments in their area. Neighbourhoods without a neighbourhood plan but where the CIL is still charged will receive a 15% share of the revenue from development in their area, but this will be capped at £100 per council tax dwelling. The measures will come into force in the Spring. Proposals to use CIL to fund affordable housing have been dropped".

The Councillors queried how the percentage funding would work if joint neighbourhood plans were produced, as in the case of the Melksham Town and Melksham Without Joint Neighbourhood Plan. Wiltshire Cllr Roy While had indicated that the money could be allocated to the Area Board for distribution rather than local councils. This needed clarification. There was no information provided as to how and to whom the residue 75% - 85% of the funding would be awarded, and how the Local Authority planned to spend this money. Councillors were concerned that CIL gained by a development in the Parish could be spent by Wiltshire Council anywhere in Wiltshire and so not benefitting the residents in the area the Levy was gained from.

The Council noted a statement from the SLCC expressing concern that the CIL percentage amounts disadvantaged Councils who for practical reasons were unable to proceed with neighbourhood plans. It also would adversely affect Councils that had good relationships with their Local Authorities and in the past had negotiated more than 25% for Section 106 agreements.

***Resolved:** The Council write to the DCLG asking for clarification that CIL would still be paid to a Parish or Town Council in Wiltshire, where there are constituted Area Boards*

386/12 Arising from Min. 349/12 **Beanacre lay-by:** The Finance Officer reported that the office staff were still seeking to contact the correct BT department with regards to the telephone box. The notice board had been delivered to the Crown Chambers earlier that day, and were awaiting the views of St Barnabas Church, who had been contacted out of courtesy, about re-siting the new notice board in the lay-by outside the Church and Play area as it was felt to be a site more accessible to the general public. The Parish Caretaker would install the new notice board and remove the old, rotten one.

387/12 Arising from Min. 351/12 (c) **Shaw Footways:** The Council noted that a site meeting had taken place in Shaw on 17th January and the Clerk had confirmed details of the remedial work required in an email to Mark Stansby. Cllr Baines reported that this was the issue that had initially been closed but he had managed to persuade the CATG to keep open; it covered items relating to outside Shaw School and Mavern House.

388/12 Arising from Min. 351/12 (d) **Grit Bin request near Beltane Road entrance, Shaw:** Another email request for this grit bin had been received from the resident who had been unable to leave Beltane Place due to sheet ice on the road there over the last few days. A suggestion was made that a request for funding for grit bins could be made to the Area Board. Cllr Baines explained that the response would be that only through routes are gritted, and not minor cul-de-sacs.

Finance:

a) **Receipts: Resolved:** *The Council formally note the receipts since the last Council Meeting as follows:*

Allotment rents	£	25.00
-----------------	---	-------

b) **Accounts for payment: Resolved:** *The following accounts be checked and formally approved for payment:*

4278	Goughs Solicitors: Legal fees for Allotment track Berryfield Allotment £375 + £31 Land Registry fees + VAT	£	481.00
4279	TOTAL Equipment Ltd: Electricity charges for Crown Chambers for Nov & Dec £149.39 + VAT	£	156.86
4280	Bristol Wessex Billing Services: Water services for Berryfield Allotments 01/06/12 – 17/12/12	£	74.08
4281	Bristol Wessex Billing Services: Water services for Briansfield Allotments 31/05/12 – 17/12/12	£	35.10
4282	Mrs Pat Nicol: To reimburse for ingredients for mince pies (from Chairman's Allowance)	£	10.27
4283	British Telecom: Cr. Chambers Telephone 01225 705700 Line rental Nov-Mar, Calls 09/10/12 -07/01/13, less Call Package reward (- £41.50) + VAT	£	48.01

Salaries:

4284	Mrs Mary Jarvis: January salary + additional hrs (19.75hrs)		
4285	Mrs Teresa Strange: January salary + additional hours 16.75 hrs + Expenses (Cleaning Materials £4.51 + VAT) + (Refreshments for mince pie supper from Chair's Allowance 91p + VAT)		
4286	Mrs Margaret Mylchreest: January salary + Expenses (Toilet supplies for Cr. Chambers £1.66 + VAT)		
4287	Mr Terry Cole: w/e 15/12/12 – 05/01/13 + travel allowance + mileage £6.00		
4288	Mrs Elaine Cranton: December office cleaning		
	Total Salaries:	£	3,510.57
4289	Inland Revenue: PAYE Tax & NI for Employer/ee	£	845.12
4290	Wiltshire Council – Wiltshire Pension Fund: Employer/ee Superannuation for M. Jarvis/T. Strange	£	710.20

c) **Details of additional hours worked:** Cllr Coombes acknowledged that his request for the amount of additional staff hours worked, to be included in the detailed account sheet, had been acted on.

d) **Grant Aid to Wiltshire School of Gymnastics:**

The Council noted the reply from Wiltshire Council that they had awarded and paid a grant of £400,000 to the School of Gymnastics as well as increasing the area of land leased to the Gym where the extension is to be constructed. The Chairman expressed concerns about such a large amount of money being awarded in these times of austerity; especially when in negotiations over the replacement Sports Pavilion Wiltshire Council informed the Parish Council that they had no money available. He also expressed concern that Wiltshire Council gave the grant to the School of Gymnastics and then approved the planning application. This was a problem now that there was only one tier of local government (unlike the previous arrangement with District and County Councils) as Wiltshire Council were now their own “judge and jury” with no one apparently checking on their decisions. Councillors agreed and expressed concerns that this could also be the case for the proposals for the Forest & Sandridge school planning applications for both the developments at the new site east of Melksham and at the vacated site of the old school. Councillors also queried who would own the land that the extension was to be built on. Would it be Wiltshire Council or the Wiltshire School of Gymnastics?

Resolved: *The Council investigate the planning decision to see if any conditions had been imposed in relation to the affect on the adjoining ATC building; and if any compensatory parking had been offered to replace the lost parking space on the Wiltshire School of Gymnastics car park site*

ii) **Request for meeting with Dick Tonge, Cabinet Minister for Highways and Transport:**

Cllr Wood expressed annoyance at the lack of planning and foresight once again with Wiltshire Council allowing another reduction of parking spaces on Bowerhill Industrial Estate. He emphasised Wiltshire Council had a responsibility to manage and cope with the parking issues and this planning stage should form part of this responsibility. Councillors cited the example of Superior Graphics where planning permission had been given for Dance Direct to build on Superior’s car park against the advice of the Parish Council, who have now been left with the problems of Superior Graphics staff parking on residential streets (*See Min 370/12 (a)*).

Cllr Coombes felt that a lot of the problems were caused by the fact that there was no dedicated named Planning Officer for liaison and so applications were being viewed in isolation. Cllr Wood felt that Wiltshire Council were derelict in their attention.

Resolved: *1. The Council invite Dick Tonge to attend a Council or Special meeting to discuss the parking issues caused by planning decisions and to seek a plan to overcome them. 2. The requirement for a Lorry Park in Bowerhill be raised at the same meeting.*

e) **Change of name for IT host and maintenance company:** The Council noted that the proprietor of RM Software, Mr R. Memoli, had now retired and the business had been transferred to Avon IT Systems. There would be no change to the Council’s day to day IT maintenance and support as this would be continued by Clive Merritt who had set up the new company to take over the business. The website and email hosting had moved across to the new company over the weekend.

The Finance Officer advised that she had not put forward for payment the invoice from RM Software for domain registration, hosting and email for www.melkshamwithout.co.uk for £200 + VAT dated 14/12/12 as this if for provision for 2013 and RM Software are no longer the provider. It was noted that

the address and telephone number on the invoice were no longer valid; and it was understood that Mr Memoli had left the country.

Resolved: *The Council formally approve the non payment of the invoice to RM Software, and await the invoice for domain registration, hosting and email from Avon IT Systems*

- f) **VAT Training Course:** The Finance Officer requested permission to attend a SLCC VAT training course at the cost of £75. This was agreed

Resolved: *The Finance Officer attend SLCC VAT training at the cost of £75.*

390/12

Emergency Planning:

- a) **Production of Emergency Plan:** Cllr Glover gave his views on the Emergency Planning process as the Parish Council representative. He felt that the plan was now too big a job for Parish Councillors and needed the guidance of Wiltshire Council. It was agreed that a much better way forward was for Wiltshire Council to produce an Emergency Plan for the Parish Council to fill in the blanks with relevant local information. **Resolved:** *The Council reply to Wiltshire Council with these comments.*
- b) **Emergency Planning Exercise - 20th February:** The Finance Officer advised Councillors that this was the same date as the Shaw & Whitley Flooding Issues Special Meeting. It was noted that Cllr Glover had previously attended an Emergency Planning Exercise in the Parish. **Resolved:** *The Council reply that it was unable to accept an invitation to the Emergency Planning Exercise on 20th February as it clashed with the Shaw & Whitley Flooding meeting.*

391/12

Drainage and flooding issues:

- a) **209 Corsham Road:** The Council noted a letter from residents of 209 Corsham Road about flooding to their property over the Christmas period. The Council sympathised with their plight and acknowledged that Danny Everett was now undertaking the first stage of remedial action.
- b) **Shaw & Whitley Flooding Issues Special Meeting – 20th February:** The Council noted an email from Danny Everett about a planned letter drop for Corsham Road with a plan detailing areas of concern, current drainage, and what work is needed. Danny also hoped to tour the area before the meeting on the 20th February.

392/12

Speeding Concerns:

- a) **Beanacre – request for SID (Speed Indicator Device):** The Council noted a request for a SID from a resident in Beanacre. Cllr Baines advised that the request was unlikely to be granted as the last metro count for Beanacre was that 85% were travelling at 35.3mph, which only just qualifies for Community Speed Watch and not a SID. There had previously been a lack of interest from residents in forming a community speed watch group. There was discussion of speeding witnessed by Councillors, including HGVs travelling at 50mph however Cllr Baines advised that although there probably were speeding instances, the heavy volume of traffic meant that 85% were still under the threshold figure.

Resolved: *The Council reply to the Beanacre resident to explain that, due to the previous metro count the A350 in Beanacre was not eligible for a SID.*

- b) **Safety Issue, Townsend Farm roundabout:** A resident had complained about the cars screeching around the roundabout next to Townsend Farm, particularly since it was resurfaced last Summer. The cars keep the resident and her neighbours awake at night and they are concerned about the possibility of an accident as the cars race

around the roundabout, very late at night. There had been a near miss at the pedestrian crossing when a car ran the red light. The resident has been in touch with both the police and the highways department. The police asked her to go out onto the roundabout and record a licence plate number of the cars speeding around the roundabout, this was not feasible as they are gone too quickly and not appropriate at 11.30 at night. The Highways Dept. Advised that a metro strip could not be installed to measure speeds as it's a roundabout, but the resident had suggested that it could be installed at the pedestrian crossing. Cllr Brindle advised that he had made a report to the police about cars racing on the Bypass on a Friday and Saturday night until 2am. The Chairman commented that cars used to race on Westinghouse Way, from Knorr Bremse to McDonalds and then return; the police had spoken to those concerned.

Resolved: *The Council raise this issue with the Area Board and advise the resident of the action being taken.*

393/12

Highway Issues:

- a) **Lorry restriction signs at entrance to Bowerhill residential village:** Notification had been received that these signs would be installed on 14th January. The Chairman advised that they had not been installed to date, although this may have been due to the snow conditions during the last week. **Resolved:** *The Council request that this issue is not closed by CATG until the signs are actually installed.*
- b) **Grey and Green bins, School Lane, Shaw:** Notification had been received that this issue was being closed as discussions were now taking place between the residents of School Lane and Shaw School over the siting of a mirror on the School property to give visibility when pulling out of School Lane. It was noted that Mark Stansby had written explaining that Wiltshire Council does not consider requests for mirrors on the highway as a matter of policy and that if a mirror was erected on a neighbouring property that the onus of responsibility would not rest with Wiltshire Council in the event of an accident.
- c) **Closing of Highway issues by CATG:** Cllr Baines reported his continued frustration that issues are closed by the CATG/Area Board if there is no funding available to address the issue. This doesn't mean that the issue has gone away; the issues need to be parked until funding is made available. This issue is a constant battle with the CATG, with the Parish's position being supported by Atworth Parish Council. Cllr Baines reported that Cllr Seed is beginning to accept the point being made.
- d) **Wiltshire Council Highway Contract:** The Council noted that Wiltshire Council had awarded "Balfour Beatty Living Places" a five year contract for highway and street services including: highway maintenance, grass cutting, litter collections, winter gritting, flood alleviation and bridge repairs. The contract was worth £150 million. The Government were giving Wiltshire Council an additional £3.6 million extra towards road maintenance; this will be split over two years on improving transport infrastructure.
- e) **The Landscape Group:** The Finance Officer clarified a previous query from Cllr Bean advising that English Landscapes had re-branded and were now known as The Landscape Group.
- f) **Melksham Cycle Network:** The Council noted a letter of thanks for all the useful comments submitted on the Melksham Cycle Network consultation. The Chairman

expressed the thanks of the Council to Cllr Brindle for his hard work in making the submission.

The Chairman explained that he had spoken several times to Wiltshire Council about connecting the cycle path 40 to 59 using part of 39 (back of Bowerhill School) and that BRAG (Bowerhill Residents Action Group) had also requested this. Residents had even offered to do the work themselves.

g) **Hawthorn Road:**

i) **Request for lighting along path near Hawthorn Road:** Residents had requested street lighting for the path near Hawthorn Road via the Neighbourhood Watch Co-ordinator for the area at the recent Community Safety meeting. They had to park at the side of their house and then walk round to the front door. They did have lights on their houses that are activated as they approach the house but there is no other street lighting and the area is very dark at night. Residents had also requested fencing as per that provided for the private housing opposite. The Westlea Housing Association houses had no fence to separate their properties from the path to show where the boundary was, as promised by the developers. The Council agreed that this need investigation by the Planning office as the road had not been adopted by Wiltshire Council yet.

***Resolved:** The Council write to the Planning Office and ask them to advise the residents direct as to whether the developers were complying with their planning conditions in terms of supplying lighting and fencing as detailed above.*

ii) **Dog fouling – Hawthorn Road to Sandridge Road:** Councillors reported that there were bags of dog mess at the base of the streetlights from Hawthorn Road to Sandridge Road. Councillors were unsure as to who had responsibility for clearing this up as it's an adopted area but agreed that it was in the interests of the developers to clear up as they were still marketing the site. The Councillors were reminded of the dog bins that had been installed near Hornchurch Road that had been removed by the developers as an unadopted area.

***Resolved:** The Council write to the developers requesting them to clear up the unsightly mess on the approach to their new housing development.*

h) **Dog fouling – near Whitley Golf Course:** Cllr Hubert reported that there was a lot of dog fouling on the footpath beside Whitley Golf Course en route to the new Cricket Club. A sign and bin had been put up at the end of the lane.

394/12

General Correspondence for action:

a) **Diversion of FP 22 and new Footpath order, Snowberry Lane to Clackers Brook:** This item was deferred to the next meeting; no details were available in the Clerk's absence.

b) **Briansfield Allotments:** The Assistant Parish Officer, Margaret Mylchreest reported on the request from a resident to take over allotment plot (1) now the tenant had relinquished the plot. The lady wished to take on that allotment (despite her husband having another plot already) due to its close proximity to the car park as she had mobility problems, and because she had already undertaken work on the plot to assist the previous tenant. It was noted that this allotment plot had been previously identified by the Council as suitable for a disabled resident. There were currently no Parish residents on the waiting list (Town residents had expressed an interest but were currently not eligible).

***Resolved:** The Council formally approve the tenancy of Briansfield Plot 1 being offered to the resident on the grounds of her disability.*

c) **Bowerhill Sports Field:**

- i) **Land Registry completion:** The Council noted a letter from JCP Solicitors confirming that the Land Registry had now completed the application to register the transfer of Bowerhill Sports Field to Melksham Without Parish Council.

The letter asked for the plan to be checked to ensure that boundaries were correct and Councillors requested that these be done particularly due to the issues with the northern boundary; where the indicative line could be left in until the fence built.

***Resolved:** The Council staff check the plan to ensure the boundaries are correct and advise JCP Solicitors accordingly.*

ii) **Storage of legal documents:**

The Council discussed where best to store the legal documents as at present documents are kept at a variety of different solicitors dependant on their content. The Finance Officer commented that one set of documents had previously been misplaced by Solicitors and took some time to trace and locate. The Council agreed that the documents currently held by JCP Solicitors continued to be retained by them for the time being as the contract/project was still current, but needed to remember to transfer them at some point. The Finance Officer suggested that an agenda item of the next Finance Committee in June could review where legal documents were stored; and they should be added to the annual Financial Risk Assessment review.

***Resolved:** The Council instruct JCP Solicitors to continue holding the original transfer, contract and licence to occupy the Pavilion for the present time whilst the project is still current; as long as there is not storage cost implication.*

- d) **Community Events:** The Council noted an invitation from Jane Scott OBE, Leader of Wiltshire Council for planning sessions on Community Events for 2013 to build on the legacy of 2012 Jubilee and Olympic events.
- e) **People's Voice:** Councillors received details of the Wiltshire Council online survey "People's Voice". Councillors shared experiences of completing this survey, which was frustrating as there were only Yes/No answers and no opportunity to expand on ideas. It was agreed to pass on these comments to Wiltshire Council.

Meeting closed at 9.25 p.m.

Chairman, 18th February 2013