

MINUTES of a Special Council Meeting held on Monday 7th January 2013 at Crown Chambers, 7 Market Place, Melksham at 7.00 p.m. This Meeting was held to revise the Budget in the light of the Government's late decision to change the Council Tax support system. It replaced the scheduled Planning and Staffing Committee Meetings for the same evening.

Present: Cllr. Mike Mills (Chairman); Cllrs. Alan Baines; Elisabethe Bean; Rolf Brindle; Paul Clark; Gregory Coombes; John Glover; Don Millard. Pat Nicol; Steve Petty and Richard Wood.

Welcome and Apologies: The Chairman thanked everyone, on behalf of his wife Marilyn and himself, for the concern and support shown when his daughter suffered a brain haemorrhage just before Christmas. Miraculously she was now out of hospital and making excellent progress.

Apologies were received from Cllrs. Maurice Hubert and Mike Sankey.

The Clerk also passed on Wiltshire Cllr. Roy While's apologies as he was unwell.

354/12 **Leave of Absence application:** A letter was received from Cllr Mike Sankey requesting leave of absence from attending Council Meetings at present due to work commitments. It was noted that he was the Council representative on the Melksham Shadow Operations Board (SCOB) and Melksham Charities and was still able to attend these meetings. Cllr. Baines suggested he be asked for a report on those activities and this was agreed.

Resolved: *The Council grant formal Leave of Absence from Council Meetings for four months until the next Council Election on 2nd May and ask him if he would supply a written report about his SCOB and Melksham Charity activities.*

355/12 **Declarations of Interest:** Cllr. Wood declared an interest in the Appeal for PA W12 00511/FUL as a neighbour of the applicant, and abstained from voting on this matter. Cllr. Petty declared an interest in all planning issues as a member of Wiltshire Council Planning Committee and in the reference to Melksham Tourist Information Centre(TIC) in the Budget as a volunteer at Melksham TIC. Cllr. Bean declared an interest in the reference to Saw Hall and Field in the Budget as the Council representative on the Hall Committee. Cllr. Mills declared an interest in the reference to Bowerhill Hall in the Budget as a trustee of Bowerhill Village Hall. The Finance Officer and The Clerk declared an interest in matters relating to salaries in the budget.

356/12 **Council Dispensations**

a) **Councillors' Dispensation to set Council Precept:** It was noted that the Council had granted all members living in the parish a dispensation to discuss and set the Council Precept (Min.361/12.) The three members living outside the parish boundary Cllr Baines, Cllr Millard and Cllr Nicol did not require a dispensation. All other members had been granted a dispensation; as follows: Cllrs. Mike Mills, Elisabethe Bean; Rolf Brindle; Paul Clark, Gregory Coombes, John Glover; Maurice Hubert, Steve Petty, Mike Sankey and Richard Wood.

b) **Councillors' Dispensation for Planning Application W/12/02298/FUL Land south west of Christie Miller Sports Centre, Lancaster Road, Bowerhill:** It was noted that the Council as the owner of Bowerhill Sports

Field has been in negotiation with Wiltshire Council for several years and latterly Hermann Miller regarding the construction of the replacement Pavilion. The Councillors thus agreed and signed a Dispensation request for the planning application for PA MW 12/ 02298FUL for the *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 for the existing Portal Road to connect to the roundabout with Westinghouse Way, demolition of the existing pavilion and erection of a replacement pavilion off Westinghouse Way and associated works*” as this application included the construction of a replacement Pavilion. A copy of the decision would be sent to the Wiltshire Council Monitoring Officer.

Resolved: *The Council formally grant all members of the Council a dispensation to discuss and comment on Planning Application W/12/2298/FUL and associated plans, amendments and correspondence.*

357/12 **Planning Applications:** The Council considered the following planning applications:

W/12/02237 Mr. Keith Campbell, 37 Halifax Road, Bowerhill, SN12 6TU Proposed two storey side extension, rear conservatory and alterations to boundary. **Comments:** *No objections to the extension and conservatory but the Parish Council strongly objects to the proposed new wall which is too high and out of keeping with the street scene and the existing brick wall.*

W/12/02215 Mr. & Mrs. Williamson, The Lock House, Canal Bridge, Semington, BA14 6JT. Proposed demolition of existing single storey extension, erection of a two storey extension, garage and associated works. **Comments:** *No objections*

W12 02072 Installation of solar photovoltaic (PV) arrays and frames totally 22.1 hectares including associated cable trenches, electrical connection buildings and improvements to existing access. Land to west of 198 Norrington Lane, Broughton Gifford. (*Broughton Gifford Parish application*)

Comments: *Melksham Without Parish Council wish to see more landscaping and planting on the Shaw side to ensure Shaw residents are fully screened with mature growth from the Solar Farm.*

There is concern to know what policy restrictions Wiltshire Council has put in place to monitor solar farms and whether there is a limit on area given over to a Solar Farm. As this is a very large development, my Council would not support any extension to the area at a later date.

The Parish Council requests that, rather than divert Footpath BG5 – MW80, a large enough gap is left for pedestrians to walk along the existing footpath alignment. Footpaths are generally protected when other agricultural development takes place, and this should follow the same rule of thumb.

If the development goes ahead, my Council would expect to see community benefit to compensate for loss of so much green open amenity land such as a defibrillator for Shaw(and Broughton Gifford?). We understand this would be possible if the development were to go ahead.

Planning Correspondence:

- a) **Appeal for W12 00511** -Land north of 592 Semington Road. Erection of detached 4 bedroomed dwelling: A Notice of Appeal was received
Resolved: The Council re- submit all representations made on the planning application to the Planning Inspectorate.
- b) **Planning Application form wording** (Min.330/12.) A reply was received from the Area Development Manager, Mike Wilmott to inform that the current planning application format with questions was mandatory and standard throughout the country which meant it could not be amended. Cllr. Glover emphasised that this reply missed the point that when the form was filled in for retrospective applications, unless information was given about the site prior to the development, there was no way that changes made could be reversed. The Chairman referred to the fact that Superior Graphics had removed a line of trees prior to submitting an application in case a condition was made that the trees should remain. It was agreed to reply and send copies to the Secretary of State for Communities, the MP and WALC. Cllr. Coombes offered to ask WALC to take up this matter with NALC and this offer was accepted.
Resolved: The Council reply to Wiltshire Council and send copies to the Secretary of State for Communities, the MP and WALC
- c) **W12 01961 Construction of new Public house/Restaurant on land east of Ashville Centre, Commerce Way:** The Clerk emphasised that as this development site was on the Berryfield side of A350 Diversion, any community benefits should be given to the Berryfield community. She requested permission to amend planning comments to reflect this change. This was agreed.
Resolved: Planning Comments be amended to state: “ The Parish Council requires S 106 Agreement funds or CIL funds from this development to either fund a defibrillator for the Berryfield Community or give a sum of money towards the proposed new replacement Village Hall at Berryfields.”

Finance

- a) **Revised Tax Base:** The Chairman confirmed that the revised taxbase number for 2013/14 was 2,760.00 with Wiltshire Council providing an “additional top up grant” of £2,313.20. This grant was calculated to give a sum to the Parish Council of £107,000 to match the Precept of 2012/13 i.e. $2,760 \times £37.93 = £104,686.80 + £2,313.20 = £107,000$.

The Chairman reported that the Clerk and Finance Officer had written a strongly worded letter to Matthew Tiller, Chief Accountant at Wiltshire Council expressing their dismay that the “additional top up grant” had been calculated after the addition of 196 new houses in the Parish; thus giving the Parish no benefit whatsoever from the new houses in the Parish. The Finance Officer had calculated that without the new houses, Wiltshire Council would have to have given a grant of £10,836.07 (an additional £8,522.87) giving a potential Precept for 2013/14 of £115,522.87 without increasing the £37.93 to be paid in 2013/14 by the average Band D household. The Council noted Wiltshire Council’s response from Michael Hudson, Service Director Finance, which refuted this.

***Resolved:** The Parish Council continue to contest Wiltshire Council's top up grant calculation until some form of recompense was made to reflect the new houses in the Parish.*

- b) Letter to Rt. Hon Eric Pickles MP Secretary of State for Communities and Local Government from Wiltshire Council:** The Council noted this letter and agreed to send a further letter of protest in support of Wiltshire Council's concerns to Eric Pickles MP. It was reported that Wiltshire Council Jon Hubbard was taking up this issue directly with the Deputy Prime Minister, Nick Clegg.

***Resolved:** The Council make strong representations to Eric Pickles in protest about the adverse impact on Parish and Town Councils, of the Localisation of Council Tax Support. Copies of the correspondence to be sent to the Prime Minister and Deputy Prime Minister, MP Duncan Hames, Wiltshire Councillors for Melksham Without and Wiltshire Cllr. Jon Hubbard.*

- c) Decision on Capping Town & Parish Councils in 2013/14:** The Council noted the Government's announcement on 19th December that the capping proposals for Principal Authorities would **not** be applied to Town and Parish Councils for 2013/14, with the statement "No equivalent principles are being proposed for town and parish councils for 2013/14, although they may in future years". The Clerk advised that once capping was imposed, it would be very difficult for local councils to fund any additional community projects from the Precept. The Clerk advised that an increase in Precept of £1,000 would cost the average Band D household an additional 36.2p per year; and therefore a Precept rise of £3,000 would cost an additional £1.09 per year.

- d) Revised Budgets 2012/2013 and 2013/2014:** The Council noted that the revised Budgets had been prepared further to the revised Tax Base (see Min. 336/12 & 360/12a). The Finance Officer agreed to circulate an amended budget after the Special Council meeting, to detail all the budget changes.

(i) Budget 2012/13: The Finance Officer advised that, now that the Council were some 9 months into the financial year, spending could be more accurately assessed and thus the 2012/2013 budget could be more finely tuned.

***Resolved:** The Budget for 2012/13 with expenditure as detailed in accordance with the amended Finance Committee recommendations below be formally approved.*

(ii) Budget 2013/14: Cllr Baines referred to increases in expenditure due to yearly inflation and the Sports Field being taken over by the Parish Council. He advised the Council to cover these costs by a small rise in the Precept to at least cover the level of inflation and to avoid the Council being at a financial disadvantage if capping was introduced in 2014/2015. Cllr Millard stressed the difficult financial times that families were currently facing.

***Resolved:** The Budget for 2013/14 with expenditure as detailed in accordance with the amended Finance Committee recommendations below be formally approved.*

- f) **Finance Committee 12th November Recommendations: Resolved:** *The recommendations as detailed in the following Minutes be formally approved: Min 280/12, 281/12 a,c,e,f, 282/12, 285/12, 288/12, 289/12, 293/12, 294/12, 295/12, 299/12, 300/12 be formally approved.*

The following Minutes be amended:

- i. *Min. 281/12(d) be approved with an amendment to the revised estimate for expenditure for 2012/13 of £109,804.73.*
- ii. *Min. 286/12 be approved with an amendment to the Crown Chambers rates to £nil and the total to £10,590.*
- iii. *Min. 287/12 be approved with an amendment to the Office Staff Training to £250 and the total to £54,075.*
- iv. *Min. 290/12 be approved with an amendment to the Parish Insurance to £2,150, the Caretaker costs including Training to £8,875, the Whitley Bus Hardstanding to be removed as £nil and the total £13,685.*
- v. *Min. 291/12 be approved with an amendment of the General Grants £7,000 to now include provision for the Melksham Area Tourism and Wilts & Berks Canal Trust, removal of £500 separately itemised for Melksham Area Tourism, removal of £500 separately itemised for Wilts & Berks Canal Trust, Grant – Shaw Hall & Playing Field to £3,150, Grant – Bowerhill Hall to £2,580, and the total £14,130.*
- vi. *Min. 292/12 be approved with the removal of the contribution to MUGA Hornchurch Road as £nil, and the total to £18,559.*
- vii. *Min. 296/12 be approved with the removal of the Community Projects/Match Funding £3,775 to be spent from Reserves on the MUGA Hornchurch Road as £nil.*
- viii. *Min. 297/12 be approved with the amendment of the word “electors” to “Band D properties” and a “Precept of £14,000” amended to “Precept of £114,000” and the recommendation for Precept for 2013/14 to be £104,686.80 with a top up grant of £2,313.20*

360/12 **Council Precept 2013/14:** Cllr Coombes proposed, seconded by Cllr Glover, that the Precept income from Wiltshire Council for 2013/14 be £107,000; comprising of a Precept of £104,686.80 and a top up grant of £2,313.20 totalling £107,000. It was noted that the Precept for 2012/13 was £107,000 and that there would be no rise in the amount that the average Band D household paid last year of £37.93.
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.*

361/12 **Bus Hardstanding, Westhill Whitley:** It was noted that four quotations had been sought for this work, based on the specification supplied by Wiltshire Council
Resolved: *The Council formally accept the quotation from Colin Butler of Groundscape Services in the sum of £1,800 + VAT to install a new hardstanding at Westhill, Whitley.*

362/12 **Staffing Matters**

- a) **Interviews for a temporary Parish Assistant/Minute Taker:** Chairman reported that four persons had been shortlisted and interviewed on 13th December; all excellent candidates. The post was initially temporary

for six months, with a progress review after 3 months, commencing on 4th February. This gave an option to extend the post at the July Staffing Committee, if this was required. There was sufficient funding in the budget for at least one year.

- b) Appointment of temporary Parish Assistant -Rachel Burton: Resolved:** *Mrs Rachel Burton be appointed to the post of temporary Parish Assistant with effect from 4th February at a starting salary of £13,589 (pro rata) per annum.*
- c) WALC Elections Training Friday 22nd February:** The Clerk and Finance Officer sought permission from the Council to attend the Elections Training on Friday 22nd February at Devizes Bowls Club; Cost £35 + VAT per person- £70 + VAT total. This was agreed.
Resolved: The Clerk and Finance Officer attend the Elections Training on 22nd February at a cost of £70 + VAT

363/12 **Flooding Matters**

- (i) **Ditch between Cereal Partners and Bowerhill Sports field -request for grid:** Email received from Danny Jones, Area Site Manager for Great Bear to ask for permission for Cereal Partners with Great Bear to fund and install a grid over the inflow to the channels in the ditch, to prevent future flooding through channel blockages. It was noted that Wiltshire Council Flooding Officer Danny Everett had been consulted and Great Bear would be responsible for keeping the grid clear of debris in the future.
Resolved: The Council approve the grid installation and express thanks to Great Bear and Cereal Partners for doing this work.
- (ii) **Special Flooding Meeting at Shaw Village Hall 20th February:** The Council noted that those who had experienced flooding were being invited to a Special Meeting on 20th February at 7.00 p.m. when Flooding Officer Danny Everett would be present to give advice. The Meeting was to be chaired by the Council Vice-Chairman Richard Wood as The Chairman was unavailable that evening. It was agreed to invite the Chairman of the Northern Area Flooding Group, Cllr Jonathon Seed and the Wiltshire Councillor for Shaw and Whitley Mark Griffiths. The councillors for Shaw and Whitley would be attending as well as Cllr. Baines who was the Council Flooding representative.
- (iii) **Shaw Hill – pavement flooding:** A copy email from Cllr. Griffiths to a resident of Shaw Hill in response to concerns about a blocked ditch where The Beeches properties back on to Shaw Hill was received. Cllr. Griffiths had forwarded the concerns to Highways and referred to the forthcoming meeting at Shaw. It was noted that Cllr. Griffiths would be on leave for the next few weeks due to an operation.

364/12 **General Correspondence:**

- (i) **Recommendation for HGV traffic to use A365, Bowerhill:** Cllr. Petty had alerted the Council to a Wiltshire Cabinet recommendation for HGV traffic to be re-routed to A365 through Bowerhill and past Melksham Oak School

instead of using A361. The school and Bowerhill Villager had been notified at Cllr. Petty's request. The documents highlighting the recommendation made no mention of the fact that the route passed a school with 1,200 students and a letter of protest had now been submitted by the Headteacher Stephen Clark with a request that a risk analysis be done. Councillors voiced their concerns. It was noted that the final decision would be made on February 13th 2013 and comments needed to be submitted to Cllr. Dick Tonge in advance of that date. The Clerk read out comments from Cllr Sankey who requested that the Council object to this proposal which would cost Freight Transport Operators more, and suggest Wiltshire Council proactively manage the bottle neck in Seend with traffic lights or "approaching vehicle" signs such as those at Market Lavington.

Resolved: *The Council express strong objections to Cllr. Dick Tonge, the Portfolio member for Highways and ask Cllr. Roy While to call in the matter.*

- (ii) **Freedom of Information request:** A request had been received from a resident for hard copies of all Council and Committee Meetings for 2012. The Clerk advised that this would require copying of approximately 250 sheets which at a cost of 10p per sheet would cost £25.00 plus the cost of staff time, a copy of the accounts (£2 as per Min. 51/12b(iii)b) and postage (£3.29) The estimated staff time to comply with this request was 2 + hours (£20). Total cost: £50. 29. She would check with the Information Commissioner whether this charge was deemed acceptable.

Resolved: *The Council unanimously agreed that the charge should be £50.*

Meeting closed at 9.15 p.m.

Chairman, 21st January 2013