

**MINUTES Of a Meeting of Melksham Without Parish Council held on Monday 14<sup>th</sup> April 2014 at Crown Chambers, 7 Market Place, Melksham at 7.00 p.m.**

**Present:** Cllr. Richard Wood (Chairman); Cllrs John Glover; Alan Baines; Rolf Brindle; Paul Carter; Steve Petty; Mike Mills; Mike Sankey; Terry Chivers and Pat Nicol.

**Apologies:** Cllr Greg Coombes

591/13 **Declarations of Interest:** The Chairman and Cllr Petty declared an interest in the items relating to BASRAG (Berryfield & Semington Road Action Group) as members and in the Community Speedwatch for Berryfield & Semington Road as members. Cllr Carter also declared an interest in the Community Speedwatch as a member. Cllr Mills declared an interest in the items relating to BRAG (Bowerhill Action Group) as Chairman.

592/14 **Shaw & Whitley Ward Vacancies:** The Chair reported that an election would be held on Thursday 19<sup>th</sup> June for the two vacancies in the Shaw & Whitley ward, arising from the resignation of Cllrs Adam Nardell and Trudy Fennell.

The European Parliamentary Elections were being held on Thursday 22<sup>nd</sup> May.

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

593/13 **Public Participation:**

**a) Wiltshire Cllr Roy While:** Cllr While provided the following report:

- i) Planning Applications: The application for Sandridge Solar Farm would be considered at the Strategic Planning Committee on 16<sup>th</sup> April and the Campus application at the Strategic Planning Committee on 14<sup>th</sup> May.
- ii) Campus: Work is due to start in the Summer with the demolition of the rear of Melksham House and its replacement and extension. The following year will see the erection of the new building with the swimming pool to be built the following year.

The COB (Community Operations Board) which comprised of 8 local people, will close down with some members moving across to the Transition Board. The new Board will have a wider membership.

The Corsham Campus opens at the beginning of June 2014.

- iii) Proposed MUGA (Multi Use Games Area) at Hornchurch Road: Cllr While had worked with Cllr Mills for a long time on the housing development that had resulted in this s106 funding. It had gone to appeal some time ago and the residents were surprised that it had won on appeal. He had not been against the development but had just wanted to see it scaled down. The new development was attractive. Cllr While stated that he was very supportive of community facilities for the youngsters of Bowerhill and of the proposed MUGA project at Hornchurch Road.

- b) **Angie Gazzard, 39 Hornchurch Road:** Mrs Gazzard explained that she had been visiting residents in Kittyhawk Close, Hornchurch Road and Park Road with a petition against the proposed MUGA for Hornchurch Road. She had visited every house and had highlighted those on the petition that had not been written to by Wiltshire Council about the planning application for the fence. Over 50% of the residents were not aware what a MUGA was and a couple of residents did not comment as they felt that they did not have enough information. The majority of the residents were against the MUGA in that area.
- c) **Daniel Richards, 38 Kittyhawk Close:** Mr Richards explained that he had significant concerns about a MUGA in that location and had previously provided detailed objections but no one had come back to him. At the Planning Committee on 7<sup>th</sup> April the residents discussed a lot of issues, such as the detail of the s106 funding, but these were not taken into account. No consideration was given to the site as this did not need planning permission but given the number of issues raised Mr Richards felt that this needed a review. The concerns of residents about the noise with the addition of a fence and target boards was not addressed in the closed session, just the colour of the fence.

Despite the Council's consultation via BRAG, the Melksham News and the Bowerhill Villager the residents were not aware of the proposed MUGA and so the consultation was not effective.

Mr Richards had conducted a poll of the residents who had made comments on the Wiltshire Council website about the planning application and most of them were against it.

The Melksham Area Plan did not talk about new sports facilities, only about the preservation of open spaces. The existing facilities were run down and not fit for purpose.

Mr Richards outlined his main concerns about the proposed MUGA:  
Noise; amplified by 3 storey houses, noise of balls being kicked against the fence, a MUGA in Welwyn Garden City had recently been shut due to noise (evidence gained by Google search). Traffic, Parking, Litter, Intimidation of users, No changing facilities, No toilets, Incorrect location – it's the only green space where you can currently sit in peace and not have sports playing.

Mr Richards pleaded with the Council to consider his views until proper consultation has been done.

- d) **Michael Powell, 24 Kittyhawk Close:** Mr Powell explained that his house directly overlooked the planned MUGA and his bedroom window was above the level of the fencing and noise travels upwards. Most residents did not know about the proposal as they do not read the Melksham News or the Bowerhill Villager but they would read a letter from the Council. Mr Powell had concern as to what happens after dark. The older children are already in the young children's play area and with this MUGA there will be even more at the area attracting them.

There will be increased litter, he had seen youths swearing and drinking there and his daughter was scared of the people that it will bring to the area.

It is very close to the main road and he feels it's unsafe as balls (aimed at the basketball hoop) will go over the fence and into the main road; this is dangerous as the road is not gritted in icy weather and could cause an accident.

The MUGA is supposed to be for the residents, but they do not want it.

- e) **Sean Cooper, 50 Kittyhawk Close:** Mr Cooper explained that he walked his dog late at night and has been confronted by youths being lippy. It is not ideal, and they need to be dealt with, if you give them a basketball court it will not change their behaviour. The kids sit in the toddler play park as they have nowhere else to sit, they even sit on the manhole covers in the middle of the park; they need seating in the open space for older kids to sit and chat.

Mr Cooper agreed with the other concerns outlined by Dan Richards and had concerns of balls coming over the fence, as the children will use the fence to practice their rugby skills of conversions and kick the ball over the fence.

- f) **Luke Brailey, 41 Hornchurch Road:** Mr Brailey agreed with the comments of the other residents. His main concern was that the Council were looking to provide a sports facility but the area was already a green space and could be used as a sports area if the grass was cut and the area maintained properly. Mr Brailey explained that he was a PE teacher, and that children when given a choice of grass or MUGA to play on would chose the grass.

The Chairman agreed with Mr Brailey that the open space was a poor surface.

- g) **Daniel Richards, 38 Kittyhawk Close:** Mr Richards stated that a football pitch would be a good idea if that was provided.

The Chairman asked Mr Richards if goal posts would be acceptable, and Mr Richards replied that he would prefer just a grassed area.

- h) **Steve Slade, 8 Park Road:** Mr Slade explained that he had been a resident of Park Road for 10 years and walked his dogs in the area twice a day. Mr Slade was a cricket lover and would love to see the area used as a cricket pitch. He had personally witnessed vandalism in the area with young trees being ripped up and has chased youths away.

If the Council proceeded with the MUGA, how would it be maintained and managed correctly? If this is not done it will be misused and create more trouble. He agreed with all the issues raised, and thought it an ill conceived idea bringing more problems to the area.

The Chairman explained that the Parish Council manage some of the parks in the Parish, but not all of them. The maintenance would be carried out by the Parish Caretaker, Terry Cole; as he does with the MUGA at Shaw.

- i) **David Gazzard, 39 Hornchurch Road:** Mr Gazzard explained that he used to be a member of BAG (Bowerhill Action Group) later renamed BRAG (Bowerhill Residents Action Group) and had attended meetings in the past.

On the back of the completed Persimmon Homes development there was a proposal of more social housing and residents were opposed to that and also felt that parking would be affected by the new development. During a meeting a MUGA was mentioned which Mr Gazzard objected to and the meeting became very unpleasant. Barry Dalton had to intervene.

Mr Gazzard, with another resident Simon Sparkes, went to look at the proposed site with Mike Mills but it was on the basis that it was an open space, with no mention of a fence. Mr Gazzard was therefore astonished to find a planning application for a fence.

The money put aside by Persimmon was a sweetener to stop residents objecting to the plans; it was a waste of public money.

Mr Gazzard explained that there had been an article on the front page of the Melksham News about another park in Melksham that had problems with vandals and broken glass in the park. They have experienced these same problems at the Hornchurch Road Play Area and have asked for a log of incidents.

The proposed MUGA was not the best way to use funds.

With regards to the petition conducted with his wife, at the last door they knocked on the conversation with residents was interrupted by the residing 17 year old daughter who stated that there were petty minded adults, and asked where were they supposed to go? However, at tonight's meeting there was no police or young people attending to support the proposed MUGA.

Mrs Gazzard presented the petition which was received by the Council. The petition contained residents of 32 separate addresses with 22 against the MUGA, 4 for the MUGA and 6 with no view expressed.

Clr Mills commented on the aforementioned meeting with Mr Gazzard and that at the time they did not know whether there would be a fence, and that was stated at the time.

The whole point was to give teenagers somewhere to go in the evenings.

- j) **Michael Powell, 24 Kittyhawk Close:** Mr Powell stated that if the youth position was that they were in favour, it still should not be to give them something for the evenings, but for during the day.

- k) **Dan Richards, 38 Kittyhawk Close:** Mr Richards requested that his document outlining his concerns and potential other sites, be attached to the minutes of this meeting.
- l) **Proposal to withdraw fence and target boards from proposal:** The Chairman asked the residents present if they were happy for the MUGA to go ahead if the Parish Council withdrew the fence and target boards from the proposal. The residents replied that they were not.

*The Council re-convened.*

594/13 **Proposed MUGA for Hornchurch Road play area & W/14/01138/DP3 Erection of fence to enclose MUGA:** (See also Min. 503/1 & 604/13)

The Chairman invited the Councillors to give their views on the MUGA proposal.

Cllr Carter had received a copy of Mr Richards's proposal which gave a comprehensive view, it looked at other areas and he gave the points raised good consideration.

Cllr Carter commented that he thought that the purpose of the MUGA was to be in an area that was populated by the children that wanted to use it. Some of the areas proposed by Mr Richards were not in populated area (e.g. Melksham Oak and the Bowerhill Sports Field).

Cllr Carter stated that the Council should listen to the overwhelming feeling that this should not take place, it is obvious that it is not wanted but how much weight should be given to a group of residents. Cllr Carter felt that the Council should try and accord with the wishes of the parish and not impose what the Parish Council thought was a good idea.

Cllr Mills queried the detail of the community benefit in the s106 agreement for the £32,500 funding. Is it tied to the land and specifically to a MUGA? And therefore, if the Council did not put the MUGA at the Hornchurch Road play area then they cannot have the funding? Councillors reviewed the s106 paperwork and concluded that the funding had to be used for a MUGA in Hornchurch Road. Cllr Baines explained that the s106 agreement was between Wiltshire Council and the developer therefore the Parish Council were told where the MUGA had to be put, it was not a tri-party agreement therefore the Parish Council cannot put it in any other location.

*Cllr Brindle proposed that the Council dismiss this and do not proceed with the MUGA, this proposal fell as there was no seconder.*

Cllr Carter asked if there any cost implication to the Parish Council if they pulled out from the MUGA proposal. Cllr Petty commented that there would be no cost implication; the Council would just need to resolve to rescind the process. Cllr Petty asked how the Council rescinded a previous resolution. The Clerk read out the relevant clause from the Standing Orders.

## RESCISSION OF PREVIOUS RESOLUTION

34. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

Cllr Glover commented that if the Council did not provide the MUGA, the problems of anti social behaviour at the young children's play area would not change, the problems would still be there and the play area was closer to the houses than the proposed MUGA.

With regards to the comments that the play areas were run down and poorly maintained; none of the play parks in the Parish Council control were run down and there had been no issues experienced at the Shaw MUGA at all.

The road adjacent to the planned MUGA site was not a busy road, it was not the A365 but an estate road used in the majority by Hornchurch Road residents and was not a main road.

The resident's request for more seating would be even closer to the housing and would be where teenagers would gather at night.

The proposal for the MUGA was supported by the people of BRAG, in the majority of cases people who support a proposal do not turn up at public meetings, just those who are against.

Cllr Chivers agreed that the residents had made some good points, and challenged anyone to take him to a Melksham Without Parish Council maintained play area that was run down and poorly maintained.

Thousands of people live at Bowerhill but there have only been a few people complaining about the proposal for the MUGA. If there were incidents of anti social behaviour in the play area then it is up to the police to manage this.

After the site meeting Cllr Chivers spoke to local residents, and it was true to say that not many knew about the proposal but the ones he spoke to were in favour. Cllr Chivers felt that the Chair had offered a good compromise with the withdrawal of the fence from the proposal. Cllr Chivers went on to emphasise that if there are problems of anti social behaviour then the residents should contact the police.

Cllr Sankey commented that all the residents in attendance were eligible for BRAG, and that BRAG were in favour of the proposal and the Council were proceeding in good faith. It was concerning to have these objections now.

Cllr Baines explained that the Parish Council took no part in the s106 agreement which was negotiated by Wiltshire Council and the developers. The area was Wiltshire Council

owned land and they had permitted rights as land owners. The MUGA could be installed anyway; it did not need planning permission. This Council had been nominated to oversee and manage this project as the Parish Council would be given the money by the developer.

The Parish Council were concerned about the pathway running alongside the proposed MUGA site, which had been chosen as farthest away from the houses. There were concerns that stray balls would impinge on users of the footpath, and this was the origins of the decision to install a fence. The Council were advised very late in the day that they needed to lodge a planning application for the fence, and nothing that the residents have said tonight relates to the removal of the fence from the proposal. The MUGA could still happen without the fence, the consultation on the MUGA took place months and months ago.

Cllr Baines queried what the Parish Council's position would be in the future if they proceeded without a fence and there were subsequent problems of people being hit by balls from the unfenced MUGA. Would the Council be able to put a fence up at a later date? It would certainly be more costly. If Wiltshire Council refused the planning application for the fence we could go from there. The Council has to go ahead with the MUGA on the Hornchurch Road open space land as that is what the funding has been provided for.

Cllr Petty felt that Cllr Baines had spoken a lot of sense.

Cllr Carter stated that in a democracy people should be able to speak for or against and despite the legalities, looking at the opposition at the meeting that night left the Council no option other than not to go ahead.

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

Wilts Cllr While suggested that there could be a third option, as residents had commented about the poor state of the open space and it is an undulating site. Wiltshire Council money is tight and there is no way that any other money would be spent on sorting out this land. Maybe the Council could look at spending the s106 money a different way and possible defer the planning application to explore ways of transference of the s106 money.

*The Council re-convened.*

Cllr Chivers could see that there could be a problem with noise of balls against the fence, and referred back to the Chair's compromise. At Shaw there was no fence and there did not seem to be a problem. However, the withdrawal of the planning application would result in the loss of the fee. Therefore it made sense to keep the planning application in, as any permission granted would last three years, and if there was a requirement for a fence at a later date, the permission would already be granted without having the cost of re-applying again.

*Cllr Brindle proposed that this plan for the MUGA at Hornchurch Road be abandoned. This was seconded by Cllr Carter but the proposal fell with 2 votes For, and 8 votes Against.*

Cllr Glover stated that he had voted for the fence initially as he wanted to contain the play in one area but would withdraw his previous proposal for a fence in favour of an open MUGA.

Cllr Nicol expressed concern for users of the footpath in case they got hit by stray balls, especially small children who could be hurt and even knocked over.

*Cllr Mills proposed that the Parish Council seek more information and ask Wiltshire Council to see if the legal agreement could be changed and the funding used on another sports facility in the Hornchurch Road green space. This was seconded by Cllr Carter but the proposal fell with 2 votes For, 6 votes Against and 2 Abstentions.*

Cllr Baines commented that the concept of spending the s106 money on improving the field was just getting Wiltshire Council out of a hole. Wiltshire Council should be fixing the poor state of the field at their own expense. The s106 money was to provide a specific set of equipment for older children, not for improving the site. The older children had nowhere to go other than the area with the play equipment designed for younger, smaller children; they needed their own equipment.

Cllr Carter asked if the Council could ask the residents present what they wanted to see in the area.

Cllr Mills agreed that the money should not be spent on improving the field; he wanted to see if the money could be spent on another sporting facility.

Cllr Glover stated that the Council would then have to go back and start again; it had already asked pupils of Bowerhill Primary School and Melksham Oak School what they wanted. It should be about what the people of Bowerhill want, and not just the residents present at the meeting.

Cllr Chivers warned that if the Parish Council went back to Wiltshire Council without another idea of what to spend the funding on, they could just take the money away.

*Cllr Baines proposed that the planning application for the fence goes ahead and if approved the Council reassess the requirement for the fence once the decision has been made by Wiltshire Council. This proposal was seconded by Cllr Sankey and agreed with 7 votes For, 1 vote Against and 2 Abstentions.*

The Council noted that the application would be called in by Wilts Cllr While.

***Resolved:*** *The Council allow the planning application for the MUGA to proceed. If approved, the requirement for the fence to be assessed before installation of the MUGA.*



595/13 **Poor state of Hornchurch Road open space area: Resolved:** *The Council write to Wiltshire Council to request that the area should be adequately maintained and the grass cut.*

596/13 **Planning applications: Resolved:** *The following application was reviewed and the Council had no objections:*  
**W/14/02473/DP3 Wiltshire Council.** Siting of temporary mobile classroom, to cope with increased pupil numbers until the new Eastern Melksham Primary School is opened in September 2015, at Forest & Sandridge School, Sandridge Common, SN12 7QS

597/13 **Planning Correspondence:**

- a) **Notification of intention to prepare a DPD for Sustainability Appraisal and Gypsy & Traveller Site Allocations Resolved:** *The Council defer this item to the next Planning Committee on 28<sup>th</sup> April.*
- b) **CIL (Draft) Regulation List:** The Council noted a copy letter from Atworth Parish Council to Wiltshire Council on the CIL consultation. The Council were particularly interested to see if a response was received on whether Atworth PC's Parish Plan could be taken into consideration rather than a Neighbourhood Plan as the Council had its own Parish Plans in place.

598/13 **Finance:**

- a) **Receipts: Resolved:** *The Council formally note the receipts since the last Council meeting 24<sup>th</sup> March, as follows:*

Photocopying 2013/14	£	30.64
Adhoc booking for Bowerhill Sportsfield (Melksham Ladies)	£	50.00
Allotment rents (Berryfield & Briansfield)	£	195.00

- b) **Accounts for Payment: Resolved:** *The following accounts were checked and formally approved for payment:*

4588	GreenSward Sports Consultancy: Bowerhill Sports Field	£	610.09
	Monthly landscape contract £453.41 additional line marking £55 + VAT		
4589	Wiltshire Publications Ltd: Tender Advert £44 Fin Asst	£	290.40
	Job Vacancy advert in 3 x papers £198 + VAT		
4590	TOTAL Equipment Ltd: Crown Chambers Electricity	£	139.92
	contribution Feb £116.60 + VAT		
4591	Melksham Town Council: Room Hire at Town Hall for	£	21.50
	Annual Parish meeting on 24 <sup>th</sup> March		

**Salaries:**

- 4592 Mrs Teresa Strange: April salary + March add hrs as Asst Clerk (15<sup>3</sup>/<sub>4</sub>) + April additional hrs as Clerk (10)  
*At new salary scale for new position as Clerk from 1<sup>st</sup> April*
- 4593 Mrs Joanne Eccleston: April salary + additional hrs (24<sup>1</sup>/<sub>2</sub>)

+ expenses (stationery 74p + VAT)

4594	Mr Terry Cole: w/e 08/03/14 – 29/03/14 + sick pay £45.38 + Travel Allowance £41.67 + Mileage £55.20 + Expenses (compost for planting up at chestnut tree, Shaw( £5.82 + VAT)		
4595	Mrs Margaret Mylchreest: April salary + additional hrs (9)		
4596	<i>Authorised separately under Min. 612/13</i>		
4597	<i>Authorised separately under Min. 610/13 c)</i>		
		<b>Total Salaries £</b>	<b>2,994.68</b>
4598	Wiltshire Council – Wiltshire Pension Fund: Superannuation Jarvis/Strange/Eccleston	£	745.32
4599	Inland Revenue: PAYE Tax & NI contributions	£	668.95
4600	British Telecom: Crown Chambers Telephone line rental 01/04/14 – 30/06/14 Usage 13/01/14 – 31/03/14 £ 105.28 + VAT	£	126.33
4601	Wiltshire Publications: Melksham News grant advert £44.00 + VAT	£	44.00

- c) **Quotation for repair of cracked MUGA surface at Shaw Playing Field:** The Clerk reported that there was a large crack along one of the long edges of the MUGA tarmac surface. The original contractor had attended site and reported that the sheer amount of water in the ground, from all the Winter rain had forced the crack in the tarmac as the ground beneath had swollen. Any defects occurring to the tarmac were covered by a guarantee but only for one year from completion (21<sup>st</sup> July 2011). Some sections of the existing line marking would be lost by the repair work due to being covered in bitumen. **Resolved:** *The Council approved the quotation by C J Morgan to apply hot bitumen seal to approximately 36m of crack in existing tarmac surface of Shaw MUGA at a cost of £396.00 excluding VAT for labour plant and materials.*
- d) **Repeal of s150 (5) of the Local Government Act 1972 re: Council signing of cheques:** The Council noted this change in legislation but would need to put a robust system in place if no longer having Councillors signing cheques. **Resolved:** *This item be deferred until the Finance Committee on 2<sup>nd</sup> June 2014.*
- e) **Request for support from Wiltshire Unison re: Local Government NJC Pay Claim 2014:** The Council noted the request for support from Unison who were dismayed that the LGA had delayed an offer until long after the 1<sup>st</sup> April deadline when a pay increase should come into effect in order to benchmark against the new Minimum Wage to be announced. The employers had also made it clear that any offer was unlikely to exceed 1% on the current pay bill, with inflation running at 2.8%. **Resolved:** *The Council write to the LGA (Local Government Association) in*

*support of Unison's request to make a decent pay offer above the National Minimum Wage and to make a timely offer.*

- f) **Payment of part business rates to Councils:** The Council noted correspondence from the SLCC (Society of Local Council Clerks) and the Local Works following the House of Commons Business Innovation & Skills Committee's report which highlighted the need for business rates reform. Both pieces of correspondence requested support for the proposal of Sevenoaks Town Council under the Sustainable Communities Act that, in any reform, a share of business rates should be returned to local councils. **Resolved:** *The Council write to the Local Works to give their support to the Seveonoaks Town Council proposal "That the Government take the necessary action to allow a percentage of Business Rates to be paid direct to Parish and Town Councils for the benefit of local economic growth".*

599/13 **Matters arising from Minutes approved at the Short Council Meeting on 24<sup>th</sup> March.** It was noted that only urgent matters arising were addressed at the Short Council Meeting on 24<sup>th</sup> March, and that other matters still needed to be addressed.

- a) **Staffing Committee 12<sup>th</sup> February:** There were no other matters arising.  
b) **Full Council 17<sup>th</sup> February:**

- i) Arising from Min. 493/13 **Dates for Meetings 2014/15:** The Chairman reported the Clerk's suggestion that the Annual Parish meeting be held on a separate evening to the March Council meeting to enable a full, rather than short, meeting to take place. There was too much order of business to conduct both meetings on the same evening.

Discussion was held as to whether the Annual Parish Meeting should be held at Crown Chambers or at the Town Hall.

**Resolved:** *1. The Council investigate the maximum numbers of members of the public that can attend a public meeting at the Council's Crown Chambers offices.*

*2. The Council hold their Annual Parish Meeting on 9<sup>th</sup> March 2015 at the Town Hall and their March Full Council Meeting on 23<sup>rd</sup> March 2015 at Crown Chambers. The dates for the 2014/15 Meetings will therefore be as follows:*

*Full Council 2014: 16<sup>th</sup> June, 21<sup>st</sup> July, 8<sup>th</sup> September; 13<sup>th</sup> October, 8<sup>th</sup> December 2015: 19<sup>th</sup> January; 16<sup>th</sup> February; 23<sup>rd</sup> March 13<sup>th</sup> April; 18<sup>th</sup> May (Annual Council)*

*Planning 2014: 2<sup>nd</sup> June; 11<sup>th</sup> August; 29<sup>th</sup> September 10<sup>th</sup> November.*

*2015: 5<sup>th</sup> January; 2<sup>nd</sup> February; 2<sup>nd</sup> March; 27<sup>th</sup> April.*

*Finance 2014: 2<sup>nd</sup> June; 10<sup>th</sup> November*

*Staffing 2014: 30<sup>th</sup> June; 2015 5<sup>th</sup> January*

*Annual Parish 2015: 9<sup>th</sup> March*

- ii) Arising from Min. 511/13 iii) **Bowerhill Jubilee Sports Field usage (Melksham AFC invoice):** The Clerk advised that Mike Rogers had informed her that Melksham AFC had only played 4 games all season, and had paid their 1<sup>st</sup> instalment of 2 for £250. As if the Club had paid by match on an adhoc basis at £50 per match their cost would have only been £200, Melksham AFC had asked if their 2<sup>nd</sup> instalment of £250 could be waived. The Clerk advised that next season

13 teams were playing in the Chippenham & District League, rather than just 4 this season and so there would be many more games played next season.

**Resolved:** *The Council waive the 2<sup>nd</sup> instalment of £250 due from Melksham AFC, but be charged the appropriate amount of VAT as now eligible for VAT as no longer under the Inland Revenue's "10 consecutive booking" rule .*

- iii) Arising from Min. 514/13 **Community Sandbags** and Min. 515/13 **Parish Emergency Assistance Scheme (Flooding):** The Clerk advised that the grant application to the Area Board on behalf of the Shaw & Whitley Flood Group and the newly formed Beanacre Flood Group for community sandbags had been deferred as Wiltshire Council had its own Parish Emergency Assistance Scheme for Flooding.

Wiltshire Council had offered the supply of 3no. Grit bins free of charge to the Council as it was a condition of the Emergency Assistance Scheme that Councils must have suitable containers for storing sand, as well as a Flood Plan.

The Council needed to decide where to site the bins, so that permission could be sought from the landowners and the bins ordered, to enable the Council to apply to the Scheme fully. It was noted that the previous Clerk had made a start on at Parish Flood Plan. **Resolved:** *The Council seek permission to site grit bins, to store sand for the provision of sandbags in an emergency, at the following sites:*  
1. Outside the Pear Tree Public House, Whitley 2. Entrance to Shaw School, Shaw 3. In the bus lay-by at the bottom of Westlands Lane, Beanacre

c) **Special Council Meeting 3<sup>rd</sup> March:**

- i) Arising from Min. 528/13 **To approve procedure for Confidential Minutes – Change to Standing Orders:** It was noted that in line with Standing Order 75 this proposed change stood adjourned without discussion since the Council Meeting on the 3<sup>rd</sup> March. **Resolved:** *The following addition be made to the Standing Orders:*

a) A Confidential Minute will be marked "confidential", produced on pink paper and circulated with to Members with Minutes in advance. It will be signed with the public Minute of the same number.

b) The Council Master Minute Book only will include the letter C next to the open Minute: e.g. Min. 491/14C. (NB The public minutes accessible in the office are copies)

c) The Confidential Minute along with the public version of the same Minute will be retained in a separate folder marked Confidential Minutes in the Clerk's office, out of reach of the public

d) A list be kept of Confidential Minutes at the front of the CM book, to show the date, subject and Minute number.

- ii) Arising from Min. 530/13 i) **W/13/06053 112 Beanacre Retrospective application for wall and fence:** The Council noted that the Rights of Way Warden had been consulted on this planning application.

- iii) Arising from Min. 531/13 **Request from Town Council for Community Governance Review:** The Council noted a reply from Alastair Cunningham,

Associate Director, Economic Development and Planning, Wiltshire Council on this matter. Invites for comments would be made in due course, based on the requests received.

The Council also noted letters dated Feb 2012 and July 2013 sent to Wiltshire Council by Melksham Town Council requesting a boundary review. This had been supplied by Wiltshire Council at the Parish Council's request.

iv) Arising from Min. 533/13 **Tree Planting at Bowerhill Sports Field:** Cllr Mills expressed thanks to those Councillors and staff that planted trees at the Sports field recently, but that more trees would be needed for planting along Westinghouse Way. **Resolved:** *The Council apply for a pack of 210 trees in the next round of applications for the Woodland Trust free tree scheme.*

d) **Staffing Committee 17<sup>th</sup> March:** There were no other matters arising.

e) **Finance Committee 17<sup>th</sup> March:** Arising from Min. 548/13 **Grasscutting & Maintenance Contract:** The Council noted that J H Jones had clarified their pricing structure as requested and corrected their initial error in quoting the 1 year price for line marking and not the 3 year price. As the revised pricing structure still made J H Jones the most competitive quotation, the Chair and Vice Chair approved the award of the whole Grasscutting & Maintenance Contract to J H Jones under their delegated powers. **Resolved:** *The Council accept the quotation from J H Jones for the*

*Grasscutting & Maintenance Contract:*

Berryfield Allotments: From 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2017

*To cut grass at Berryfield Allotments, as per schedule* £ 735

*To cut grass at Berryfield Allotments, one off cut* £ 20

Briansfield Allotments: From 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2017

*To cut grass at Briansfield Allotments, as per schedule* £1,305

*To cut grass at Briansfield Allotments, one off cut* £ 32

Beanacre Play Area & Church Car Park: From 1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2017

*To cut grass at the Play Area and adjacent St Barnabas* £1,875

*Church Car park at Beanacre, as per schedule*

*To cut grass at the Play Area and adjacent St Barnabas* £ 42

*Church Car park at Beanacre, one off cut*

Bowerhill Jubilee Sports Field: From 1<sup>st</sup> June 2014 – 31<sup>st</sup> March 2017

PART A - NO COLLECTION OF GRASS

*Pitch marking, as per schedule*

*1A) Senior 3 pitches – fortnightly marking* 3 x £18 = £54 £1,080

*1B) Junior 2 pitches – fortnightly marking* 2 x £16 = £32 £ 640

*1C) Cost per an additional pitch marking*

*Senior* £22

*Junior* £20

*1D) Cost to mark out two respect boxes* £12 each time

*ITEM TWO – SPIKING*

2. Spiking to be done when necessary on request

Price per spiking £160

*ITEM THREE – SANDING, PATCHING AND SEEDING*

Bins are kept on site, filled with top soil for teams to use for emergency patching

3A During season pitches to be checked regularly and patched as required. Bins to be kept topped up with top soil

£ 540

3B Goalmouths -End of season, goal mouths to be sanded and seeded - over 2 sq m per goalmouth

(10 goalmouths) £ 570

*ITEM FOUR – GRASS CUTTING*

4. Grass to be cut twice per month to 35mm length from May – October &

Once per month Nov– April (18 cuts total per annum)

Please give price per cut 18 x £108.89 = £ 1,960

Please also give a price for a one-off cut £ 109

*ITEM FIVE – GOALPOST CARE*

5A. Goalposts to be cleaned/re-painted once per annum the clips on the goalposts need to be checked regularly and replaced as necessary

£ 525

5B. Goalposts (3 pairs) to be removed at the end of the season, be chained together and stored on site.

£ 270

*TOTAL NET CONTRACT COST FOR 3 YEAR CONTRACT* £12,885

*PLUS VAT* £ 2,577

*TOTAL COST OF CONTRACT INCLUSIVE VAT* £15,462

*PART B – CONTRACT AS ABOVE BUT WITH COST TO DISPOSE OF GRASS*

*ITEM SIX – GRASS DISPOSAL*

6. To dispose of grass cuttings £12,630

Plus VAT £ 2,536

*ADDITIONAL ITEMS TO CONTRACT:*

The following items may be added to the contract in the future.

To empty 4 no. bins on Bowerhill Jubilee Sports Field and dispose of rubbish.

Price to empty once per week £ 4,275

Price to empty once per fortnight £ 3,712

To collect and dispose of rubbish on Bowerhill Sports Field

One off price when required. £ 450

600/13 **Minutes, 24<sup>th</sup> March Short Council Meeting: Resolved:** The Minutes of this Meeting be formally approved by the Council and signed by the Chairman as a correct record.

- 601/13 Arising from Min. 571/13 c) i) **Wiltshire Council invoice being held back for payment for outstanding works outside Whitley Methodist Church:** The Council noted that this work did not take place on 27<sup>th</sup>/28<sup>th</sup> March as programmed as the road closure was unable to go ahead. The work has been rescheduled for 29<sup>th</sup> May. The money was still held awaiting completion.
- 602/13 **Matters arising from the Annual Parish Meeting on 24<sup>th</sup> March 2014:**
- a) **“Any Council litter bin will do” Wiltshire Council campaign:** A resident raised the issue that there were no longer separate dog waste bins. The Council noted a briefing note (176) that detailed the new policy. Cllr Mills asked for the policy to be clarified as it stated that there was a fixed amount of bins in a community, although Wiltshire Council were happy to re-site bins if requested by a Parish Council. This was being implemented at the moment with Wiltshire Council refusing to replace burnt out or damaged bins, only replacing the bins with others from within the parish. This was not considered acceptable. **Resolved:** 1. *The Council seek clarification from Wiltshire Council on the meaning of “fixed” amount of bins in a community.* 2. *The Council send a copy of the new policy to the resident who enquired at the Annual Parish meeting.*
- b) **Resident Groups minutes on Parish Council website:** Bowerhill residents at the Annual Parish meeting stated that they could not find the minutes of any BRAG meetings, this was because they were not stored on any website. **Resolved:** 1. *The Council offer to host a page on their Council website for BRAG, BASRAG and other community groups such as the Parish’s Village Halls to advertise their meetings, and store their minutes for greater public access.* 2. *The Council have a disclaimer on the hosted pages to make it clear that the views expressed were the views of the Groups and not necessarily those of the Council.* 3. *The Council encourage the groups to set up their own website with a link to the Parish Council website, and suggest they apply for Area Board funding to assist.*
- 603/13 **Minutes, Planning Committee 7<sup>th</sup> April:** **Resolved:** *The Minutes of this Planning Committee be formally approved by the Council and signed by the Chairman as a correct record.*
- 604/13 Arising from Mins. 575/13, 576/13 & 577/13 **MUGA at Hornchurch Road & W/14/01138/DP3 Erection of fence to enclose MUGA:** (See also Mins. 593/13 & 594/13). The Council noted receipt of the following papers:
- a) Email from Police Inspector Matthew Armstrong with regards to the MUGA.
  - b) Email from Mike Willmott, Head of Development Control, Wiltshire Council re: Council query on recreation/open space land behind Wellington Drive and Hornchurch Road open space.
  - c) Email from PCSO Janet Gould re: children playing football against electricity sub station at small green area near Hornchurch Road and Park Road. A “no balls games” had been requested. **Resolved:** *The Council defer this item to Wiltshire Council.*

605/13 **Planning Committee Recommendations: Resolved:** *The Recommendations as detailed in Min. 577/13, 579/13, 581/13, 582/13, 584/13 & 585/13 be formally approved by the Council.*

606/13 **Parish Enhancement:**

a) **Request to plant shrubs in green area between Locking Close & Bowerhill Lane:**

Cllr Carter reported that he had been to see the residents who had requested permission to plant shrubs in the gap between the grass and Locking Close as cars were parking on the grassed area and also blocking their driveways. There was also discussion that BRAG were planning to request the installation of a bollard on the path to stop cars driving through there.

Cllr Mills explained that the bollard was already in place.

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

Wilts Cllr While commented that some work and maintenance had already been done in this area and the bollard was indeed in place.

*The Council re-convened.*

Cllr Mills explained that the residents had already been in touch with BRAG and BRAG were going to provide plants and plant them for them. PCSO Janet Gould was keeping a close eye on the area and Janet had requested that the Council request Wiltshire Council to provide a “no parking on the grass” sign. Janet had requested the sign as it gave more power of enforcement.

**Resolved:** *The Council write to Wiltshire Council requesting a sign to be erected at the area of grass between Locking Close and Bowerhill Lane to state “No Parking on the Grass”.*

b) **Wiltshire Council 2014/15 Grasscutting arrangements:** The Council noted the Briefing Note, and invitation to Melksham Area Board grasscutting and schedule meeting to be held at the Town Hall at 6pm on 29<sup>th</sup> April.

c) **CPRE Best Kept Village Competition:** The Council noted the CPRE’s Mission Statement for the Competition. Cllr Mills expressed concern that in the previous year the judges could not find the BRAG canalside picnic area and that the Village was marked down due to dirty bus shelters. Cllr Mills had requested Wiltshire Council to clean the bus shelters but it still had not been done, and yet the Area Board issue had been closed without the issue being dealt with.

The Clerk explained that Jo was issuing new, detailed maps to accompany the entry forms this year and had noted that entrants were able to detail eyesore areas that were not under the control of entrants, for example, dirty bus shelters owned by others.

The Clerk asked if Councillors knew how to find out the population numbers of the villages entered as there were new size classifications, and the source of information had to be cited. Wiltshire Council was suggested as a source of information.



***Resolved:** The Council write again to the Area Board to complain that Issues raised were being closed down by the Area Board without the Issue being addressed.*

- d) **Noticeboard – East of Melksham development:** The Council noted a letter from Persimmon Homes that as the development was nearing completion the Council should approach Green Square Group for their request to erect a noticeboard as Green Square would shortly be taking over all the communal areas for future maintenance. It was noted that the Council were not happy with site initially chosen by Green Square, which is why the Council had contacted Persimmon with an alternative. This alternative site was to be put to Green Square. Further options if this was turned down were to ask Wiltshire Council for available sites on their land, or at the new School which was due to open in September 2015. ***Resolved:** The Council put forward their alternative site suggestion for the erection of a Parish Council noticeboard to Green Square.*
- e) **Bin relocation:** The Council noted the proposal to relocate a surplus bin (as dog waste no longer separated) from the footpath at Locking Close, Bowerhill to replace the burnt out bin outside Townsend Farm, Semington Road.

607/13 **Highways, Footpaths & Cycleways:**

- a) **Speeding traffic at Turnpike Garage:** The Council noted the Area Board update that Wiltshire Council have met with the owner of the Turnpike Garage and have agreed to improve the bend warnings in both directions. This work will be centrally funded.
- b) **Shaw name sign:** The Council noted that the new name sign was due to be installed, from the Whitley direction, at the beginning of June.
- c) **Temporary Road Closure:** The Council noted the temporary road closure planned for 12<sup>th</sup> to 22<sup>nd</sup> May weekdays 9.30 am – 3.30pm at the following roads; Roundponds, Southbrook, Addison and Dunch Lane (part).
- d) **Footway from Melksham to Vernon Farm, Devizes Road:** The Council noted correspondence from the Area Highway Engineer that Wiltshire Council had attempted to clear the path on numerous occasions which resulted in causing damage to the surface of the path due to its underlying condition. Therefore unless the footway was resurfaced the community team would only weed kill the path and remove the weeds from the kerb edge. There were no funds for rural footways to be resurfaced.

The Council had raised the issue of this footway on several occasions and felt it was not acceptable to keep replying that no funding was available. ***Resolved:** The Council write to Wiltshire Council to request that funding be allocated to resurface the footway from Melksham to Vernon Farm, on the Devizes Road.*

- e) **Lack of advisory sign re: unadopted road at Sandridge Road entrance to housing development:** The Council had requested a sign at the Sandridge Road entrance to the housing development as there was an advisory sign to warn that the road was unadopted at the Snowberry Lane end. The Council noted that the Area Highway Engineer had passed this request to Development Control to pass to the consortium of developers as the road was unadopted.

- f) **Sandridge Common blocked drains:** The Council noted that the drainage was clear on 14<sup>th</sup> January and the contractors report was awaited to see if it detailed any problems.
- g) **Berryfield & Semington Road Community Speedwatch:** The Chairman reported that Cllr Petty, Cllr Carter and himself were now trained and the Clerk advised that there were other residents on the waiting list.
- h) **Dangerous Parking outside Shaw School :** The Clerk reported that a resident had reported nearly hit a child whilst pulling out of First Lane due the lack of visibility due to the cars parked right up to the edge of the junction. Both the police and parking enforcement had been asked to visit routinely. **Resolved:** *The Council request PCSO Maggie Ledbury to show a presence outside the school during drop off and pick up times.*
- i) **Metrocount A365 Bath Road:** The Council noted that a metro count had been requested for outside the Barn House on Bath Road.
- j) **Asda Traffic flow:** The Council noted a new Area Board issue raised about the danger to cyclists/pedestrians crossing 4 lanes of traffic on exiting the National Trust site. This had also been discussed at the Chamber of Commerce and CATG and the issue echoed the initial concerns raised by the Council at the planning stage.
- k) **Paths Improvement Grant Scheme 2014: Resolved:** *The Council put forward the following PIGS bids, with the following priority: 1. New Path behind Bowerhill Primary School and Hurricane Road. 2. New Rights of Way board to be sited near the Pear Tree, Whitley 3. Improvements to Footpath at Redstocks Lane, from the Turnpike to Redstocks.*
- l) **Traffic Restrictions (Bowerhill):** Cllr Mills was delighted to report that the yellow lines in Bowerhill had finally been done. There were already 7/8 cars parking close to Kestrel Court and the bus stop but were not parked illegally, this will be monitored. Cllr Brindle reported that the lines at the Spa had not been done yet. Concern was expressed over the addition of Semington Road on the list as this had not been consulted on. The cars would just be pushed further into Berryfield to park. **Resolved:** *The Council write to Wiltshire Council to thank them for the Traffic Restrictions Order information, which strengthened the case for a lorry park to be sited out of the industrial estate.*
- m) **Melksham Cycle Strategy:** The Council noted correspondence from Duncan Hames MP with an update on the Melksham Area Cycling Strategy.
- n) **Wiltshire Council 1 Tonne Salt Bag Scheme 2014/15: Resolved:** *The Council do not proceed with this scheme.*
- o) **CATG Schemes for consideration:** The Council noted the schemes under consideration at the next CATG meeting on 29<sup>th</sup> April and that Cllr Chivers would be supporting the Westlands Lane scheme proposed by the Council.

*The following items (Min. 608/13 – 612/13), were held in committee in view of the confidential nature of the items under the reason Standing Order 62(a) engagement and terms of services of employees.*

608/13 **Minutes, Staffing Committee 7<sup>th</sup> April: Resolved:** *The Minutes of this Staffing Committee be formally approved by the Council and signed by the Chairman as a correct record.*

- 609/13 **Confidential Minutes, Staffing Committee 7<sup>th</sup> April: Resolved:** *The Confidential Minutes 588/13 & 589/13 of this Staffing Committee be formally approved by the Council and signed by the Chairman as a correct record.*
- 610/13C Arising from Min. 589/13 **Employee Sickness Report:**
- a) **Formal Investigation requirement: Resolved:** *1. The Council seek advice on how to proceed within approved Disciplinary Procedures. 2. The Council delegate powers to the Chair, Vice Chair and Clerk to heed the necessary advice and move forward with the procedures.*
- b) **Authorisation of cheque for March office cleaning and sick pay:** The Clerk reported that the cheque for the cleaner, Elaine Cranton, was still to be checked and authorised for payment. The Cleaner had worked on Weds 5<sup>th</sup> March, but was then “not fit for work” from 6<sup>th</sup> March and therefore entitled to full sick pay for Weds 12<sup>th</sup>, 19<sup>th</sup> & 26<sup>th</sup> March. **Resolved:** *The following cheque be checked and formally approved by the Council:*  
4597 Mrs Elaine Cranton: March office cleaning (1 day) + sick pay (3 days) £ 65.60
- c) **Temporary cover for Office Cleaner:** The Council noted that office staff had been doing some cleaning of the offices in the Cleaner’s absence over the last couple of months, but felt that temporary cover was now required as this was not a one off occasion. It was agreed that a contract cleaning company would be a way forward, rather than looking for a temporary employee. It was noted that the Council already employed a contract cleaner for the cleaning of the Pavilion at the Bowerhill Jubilee Sports Field and that she be contacted in the first instance. **Resolved:** *The Council contact the Pavilion contract cleaner to see if she would clean the Council offices at Crown Chambers on the same contract rates already agreed for the Pavilion, on a temporary basis.*
- 611/13 **Staffing Committee Recommendations:** Min. 588/13 was approved and a recorded vote requested by Cllr Chivers who voted Against, with 7 For and 2 Abstentions. **Resolved:** *The Recommendations as detailed in Min. 588/13, 589/13 & 590/3 be formally approved by the Council.*
- 612/13 **Outgoing Clerk’s Claim for additional paid hours for Meetings 2013/14:**  
**Resolved:** *The following cheque be checked and formally approved by the Council (see also Mins. 588/13 & 611/13).*  
4596 Mrs Mary Jarvis: Claim for additional meetings worked in 2013/14 £
- (Cllr Chivers left the meeting at 10.07pm)
- 613/13 **Drainage & Flooding relief:**
- a) **Sandridge Lane ditch:** The Council reviewed the proposed work detail to extend the ditch to provide run off where the road evens out. Cllr Brindle raised concerns that the work would involve cutting back the bottom of the hedgerow as well as clearing the ditch. **Resolved:** *The Council approve the work to Sandridge Lane ditch, but request that the work is not done until October after the birds nesting season.*

- b) **Culvert grille for Pear Tree ditch:** The Council noted that this was still outstanding and that the resident had approached Duncan Hames MP to speed up the request.
- c) **Notes of Operational Flood Working Group, 15<sup>th</sup> January:** *The Council noted these papers.*
- d) **Flood Support Scheme:** The Council noted the Government scheme to assist residents and businesses affected by the Winter flooding.
- e) **Flooding Information Request:** The Council noted that Wiltshire Council were reporting the number of flooded properties to central Government on a weekly basis, and required the assistance of Parish and Town Councils to keep them updated.

614/13 **Area Board & Community Partnership:**

- a) **2014/15 Funding:** The Council noted the papers detailing the funding for both the Area Board and MCAP. Cllr Petty explained that despite the planned funding changes to MCAP there would be little difference, with the theme groups still running as before. The only real change was the new position of Community Project Support Officer (CPSO) who would report into the Chair and Vice Chair of the Area Board and to be biddable for community led projects.
- b) **Combined MCA Safety Group & Police NPT Tasking meeting:** The Council noted the minutes of the March meeting.

615/13 **Allotments:**

- a) **Request from tenant to erect joint shed/greenhouse: Resolved:** *The Council approve the request for a joint shed/greenhouse approx. 6' x 8' to be erected on Plot 10 at Briansfield.*
- b) **Allotment Committee:** The Clerk requested an Allotment Committee meeting to consider the requests of tenants, and further to a planned Site Inspection. **Resolved:** *The Allotment Committee hold their next meeting on Monday 12<sup>th</sup> May at 7pm.*

616/13 **General Correspondence for information:** The Council noted receipt of the following papers:

- a) Wiltshire Police “Stop and Search” Project – *consultation closes 2<sup>nd</sup> May*
- b) Offer from WEC Ltd to run open evening for residents on Renewable & Energy Saving devices
- c) Quality Council Scheme - update
- d) Post Office update from MP Duncan Hames & Post Office
- e) Wilts Council Equality Objectives 2014-16
- f) “Meet the Commissioner” event – *Next event 4<sup>th</sup> June 5.30pm at County Hall*
- g) Community First Newsletter – April 2014
- h) Wilts Council Parish Newsletters – w/c 7<sup>th</sup> April, 31<sup>st</sup> March, 24<sup>th</sup> March
- i) Melksham “Our Community Matters” newsletter – 4<sup>th</sup> April
- j) WALC Newsletter – April 2014
- k) Invite to join a Rural Sounding Board (Rural Services Community Group)
- l) Information Services for Families in Wiltshire
- m) Wilts Council – Tick Awareness Campaign
- n) 55+ Seniors Forum events

- o)** Invitation to 2385 (Melksham) Squadron ATC Annual Dining In night (3<sup>rd</sup> May)
- p)** Neighbourhood Policing Award 2014

Meeting closed at 10.14 pm

Chairman, 19<sup>th</sup> May 2014