

MINUTES of the Full Council of Melksham Without Parish Council held on Monday 15th February, 2016 at Crown Chambers, Melksham at 7.00 p.m.

Present: Cllrs. Richard Wood (Chair), Alan Baines, Rolf Brindle, Mike Sankey, Pat Nicol, Mike Mills, Gregory Coombes, Ian Tait, Jan Chivers and Steve Petty.
Officers: Teresa Strange (Clerk).

Apologies: Cllr. John Glover (Vice Chair), Paul Carter and Terry Chivers.

501/15 **Housekeeping:** Cllr. Wood welcomed all to the meeting and explained the evacuation procedures in the event of a fire.

502/15 **Declarations of Interest:** Following a previous procedural query over the discussion of the Melksham Link Canal Masterplan, the Clerk had sought advice and clarification from the Wiltshire Council Ethical Governance Officer. Cllr. Wood read out the response received from him. The Clerk had queried whether the 3 Council Members that lived in Berryfield had a pecuniary interest and as such should not discuss or take a vote on matters regarding this, and the legality of the Council discussing any offers for parish council owned land. The Ethical Governance Officer had advised that the three members would not be discussing their own individual properties and that this plan would affect all of the inhabitants of this ward, not just the three members. Additionally, stopping Berryfield Councillors from taking part in any discussions could interfere with the democratic process by stopping the voice of the constituents. The Masterplan is currently not a planning application, therefore the advice from the Wiltshire Governance Team is that councillors make a declaration that they live in the area, but that they do not have a disclosable pecuniary interest. The Clerk clarified that this advice also applied to all members over discussions with regard to any offers for Council owned land.

Cllr. Wood declared an interest in all items relating to Berryfield. Cllr. Petty declared a personal interest in agenda items 6a)i) and 6a)ii) as a Canal Trust member and stated that he would not take a vote on these matters. Cllr. Glover declared an interest in agenda item 12b as an allotment holder.

503/15 **Items to be Held in Committee: Resolved:** *Agenda items 12a, 12b and 12c to be held in Committee in line with Standing Order 61: "That in the view of the special/confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw. Reason c) Preparation of a case in legal proceedings".*

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

504/15 **Public Participation:** Wiltshire Cllr. Roy While reported that the Wiltshire Council budget had taken some time, but that it was nearing completion. The Strategic Planning Committee had approved the planning application for 450 houses on land East of Spa Road (W14/06938/OUT), and he had spoken in support of this as he considered it to be the most logical site for development. He acknowledged that the Parish Council had requested that he call in planning application W14/07526/OUT, proposal for 150

dwellings and village hall on land East of Semington Road, and stated that he would do so. Additionally, there was the proposal for 235 dwellings and primary school with early years nursery on land at Pathfinder Way, Bowerhill (16/01123/OUT – resubmission of W14/04846/OUT), and he felt that the public participation at the planning meeting on 14th March would be very busy. With regard to Wiltshire Council Asset Transfers, he stated that he had raised the issue with officers and that he would be speaking to the two cabinet members involved as he considered the issue was not about money, but about community and people working together and encouraged volunteering.

The Council re-convened.

- 505/15 **Minutes, Full Council Meeting 25th January 2016: Resolved:** *The Minutes of the Full Council Meeting held 25th January 2016 were formally approved by the Council and signed by the Chairman as a correct record with the following amendments:*
Min.458/15 – the spelling of “Engalnd” corrected to “England”.
Min.459/15 – the spelling of “sealing” corrected to “ceiling”.
Min.466/15c) – the spelling of “Copper” corrected to “Cooper”.
Min.468/15a) – the sentence “A request for a pedestrian crossing for school access had also been requested from the same planning application” to be removed.
Min.468/15a) – the sentence beginning “Both these requests...” amended to “This request...”.
Min.468/15a) – the sentence “The Parish Council considered that a cost of £16,000 for a set of dropped kerbs at De Havilland Close” amended to read “the parish Council considered that a cost of £1,600 for a dropped kerb in Halifax Road opposite De Havilland Close”.
Min.468/15c) – the sentence “due to the speed of traffic coming down the hill” amended to read “due to the speed of traffic coming from Melksham”.
- 506/15 **Confidential Notes from the Full Council Meeting 25th January, 2016: Resolved:** *The Confidential Notes for Min.473/15C and 474/15C to accompany the Minutes of the Full Council Meeting held 25th January 2016 were formally approved by the Council and signed by the Chairman as a correct record.*
- 507/15 **Minutes, Planning Committee Meeting 1st February, 2016:**
a) Resolved: *The Minutes of the Planning Committee Meeting held 1st February 2016 were formally approved by the Council and signed by the Chairman as a correct record with the following amendments:*
Min.478/15 – the sentence “and stated that there had been ribbons of development” amended to read “and stated that there was ribbon development”.
Min.481/15 – the sentence “There had been a breach of enforcement with regards to drainage. Wessex Water had accepted...” amended to read “There had been a breach of conditions with regards to drainage. Wessex Water had now accepted...”.
Min.483/15 – the spelling “Digetser” corrected to “Digester”.
Min.484/15 – the date “next Steering Group meeting to be held on Weds 27th February” corrected to “next Steering Group meeting to be held on Weds 24th February”.
Min. 485/15 – the sentence “existing properties that have no access” amended to read “existing properties that have no vehicular access”.
b) Resolved: *The Recommendations detailed in Min.483/15, Min.484/15, Min.485/15a) and Min.485/15b) were formally approved.*

Cllr. Tait joined the meeting at 7.20pm.

508/15

Canal Link Project:

- a) **Core Strategy – Core Policy 16, Melksham Link:** This policy was noted. The Clerk highlighted the actual wording of the document which states that it is the route of the canal which is protected from development. Additionally the policy states that any development needs to “*demonstrate that the cultural, historic and natural environment will be protected and enhanced with no adverse effect and that adequate consideration has been given to potential impacts on ecology, landscape, flood risks, water resources and water quality*”. Cllr Baines considered that the proposed development of this area with 800 houses did not demonstrate that it was meeting this core policy.
- b) **Revised Proposed Masterplan:** It was noted that not all the landowners were on board with regard to the Masterplan and as such it could be open to change.
- c) **Parish Council Corporate View on the Masterplan:** The Clerk advised that the Council consider agreeing a corporate stance on the Canal Masterplan in order that the Council representatives on the Neighbourhood Plan Steering Group could give the Parish Council’s view. Cllr. Baines reported that the planning committee had considered this at its meeting on 1st February, and reiterated the main points made under Min.285/15. This was again discussed at length. The Council are in favour of restoring the Wilts & Berks canal and connecting it to the Kennet & Avon canal, but do not consider that the proposal to build 800 new properties is the way to achieve this.

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

A resident of Berryfield stated that he supported the restoration of the canal and that he considered the original canal Masterplan, which proposed the building of 500 new dwellings, to be just about acceptable. He felt that this latest version of the plan which proposes 800 properties was unacceptable. Additionally, as a parcel of land in the centre of the new plan did not currently show any development, this also could potentially be available at a later date further increasing the proposed amount of dwellings.

The Council re-convened.

Resolved: *The Council’s corporate view is that they are broadly in favour of the restoration of the Wilts & Berks canal and its connection to the Kennet & Avon canal, however it has concerns over the size of the development that might be necessary to deliver it.*

509/15

Draft Minutes, Melksham Neighbourhood Plan Steering Group, 27th January,2016:
The Council noted the Draft Minutes from the Melksham Neighbourhood Plan Steering Group meeting held 27th January, 2016.

510/15

Minutes, Warding Working Party Meeting 8th February, 2016:

- a) ***Resolved:*** *The Minutes of the Warding Working Party Meeting held 8th February 2016 were formally approved by the Council and signed by the Chairman as a correct record with the following amendment:
Min.487/15 – the “x” to be removed after Cllr Alan Baines’ name.*

- b) Resolved:** 1. The Recommendations detailed in Min.500/15 were formally approved.
2. The warding proposals recommended in Min.500/15 to be put forward to John Watling, Deputy Returning Officer & Head of Electoral Services, Wiltshire Council.

511/15 **Finance:**

- a) Council Receipts:** The Council noted that the following amounts have been received since the last meeting:

Paying in reference	Income Details	Amount £
500100	Allotment Rent BYF 11 & 13 £60, Ad-hoc football bookings 2 x £50, BKV Prize money £100	£260.00
500101	VOID	
500102	Grapes ad-hoc football booking - Sun24th Jan 2016	£50.00
Total		£ 310.00

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

*The following corrections were made to the Schedule of Cheques following the inspection and authorisation by the cheque signatories and were paid since the last meeting in replacement of chq 5088 which was now VOID.

Cheq no	Payee	Payment Details	Net £	VAT £	Gross £
5107*	BWBSL	Water charges for Bowerhill Pavilion 22/06/15 - 01/12/15	£58.09		£58.09
5108*	BWBSL	Water charges for Berryfield Allotments 10/06/15 - 10/12/15	£182.03		£182.03
5109*	BWBSL	Water charges for Briansfield Allotments	£77.74		£77.74
DD	Wiltshire Waste Ltd	Dec 9th & 23rd Waste removal at Bowerhill Pavilion	£51.50	£10.30	£61.80
DD	British Telecom	Broadband Services @ Bowerhill Pavilion - 01225 706693 - 1st Feb - 29 Feb 2016	£37.99	£7.60	£45.59
DD	British Telecom	Line Rental Package @ Crown Chambers - 1st Feb - 30th April 2016	£83.97	£16.79	£100.76
5110	JH Jones & Sons	Grass @ B'Hill Pavilion, Emptying bins @ B'Hill Pavilion, Grass @ allotments, grass @ Beanacrea play area, relocate bin on Portal Rd @ B'hill Pavilion	£693.50	£138.69	£832.19
5111	Condor Office Solutions	Photocopier Usage - 27/10/2016-25/01/2016	£253.03	£50.61	£303.64
5112	Jens Cleaning	October & November cleaning at Bowerhill Pavilion	£228.00		£228.00
5113	Wiltshire Council	Advertising Charges week 19/01/2016 Finance Assistant	£99.00	£19.80	£118.80
5114	EON	Electricity usage 27/12/2015 to 26/01/2016	£50.49	£2.52	£53.01

5115	Radcliffe Fire Protection Ltd	Annual service of fire alarm, detection system & emergency lighting system	£90.00		£90.00
5116	Viking	copier paper, envelopes, paper clips, wallets, etc	£72.52	£14.50	£87.02
5117	Kennet Sign & Display	2 unauthorised access signs & 1 fire assembly	£54.00	£10.80	£64.80
5118	Melksham Town Council	Contribution towards Neighbourhood Planning Expenditure	£52.20		£52.20
5119	Bowerhill Village Hall Trust	For Emergency Response Training at Bowerhill Village Hall	£12.00		£12.00
5127	Bowerhill Village Hall Trust	Booking Deposit (see 5119)	£20.00		£20.00
Salaries:					
5120	Teresa Strange	February Salary + additional hours (55.15) + expenses: Microsoft Office 365 £7.86, Pavilion Keys £24.00, BRAG Certificate Frame £7.60		£1.59	
5121	Joanne Eccleston	February Salary + additional hours (12.45)			
5122	Terry Cole	w/e 04/01/16 - 30/01/16 + Mileage £48.15			
5123	Sharon Newton	February Salary			
5124	Elaine Cranton	January office cleaning			
Total Salaries			£3,709.16	£1.59	£3,710.75
5125	Wiltshire Council - Wiltshire Pension Fund	Superannuation February	£1,024.31		£1,024.31
5126	HMRC	PAYE February	£937.11		£937.11
Grand total			7,786.64	273.20	8,059.84

The Clerk advised that the Council needed to pay a returnable deposit of £20 for the hire of Bowerhill Village Hall for the forthcoming Emergency Plan meeting. She suggested that cheque number 5127 be written out for this amount, which would then be returned after hire. **Resolved:** *Cheque number 5127 be written out to Bowerhill Village Hall for the amount of £20, as a returnable deposit for hall hire.*

Cllr. Baines noted that the Clerk and the Assistant Parish Officer had worked additional hours to cover the absence of a Finance Assistant, and he wished to thank them both. The other Council members concurred. He particularly drew attention to all the extra hours the Clerk had put in to prepare the Budget.

512/15 **RUH Hopper Bus:** Trowbridge Town Council had proposed, following the decision by Wiltshire Council to cease this service, that all Town Councils in Wiltshire came together to provide this service. It was noted that the Clinical Commissioning Group (CCG) had stated that in order for this service to be taken over it would require a central body to organise and invoice for the service. No one individual Council wished to take this on and as such the proposal fell. The Parish Council were disappointed in the decision for cessation of this service, but stated that they could advertise via the website the 3 alternative non-emergency transport options that Wiltshire Council advise the public that they can use. Cllr. J. Chivers reported that parishioners should be made aware that one of these transport options, Arriva Transport Solutions Ltd., Wiltshire's NHS funded patient transport, was for patients with acute medical needs that required an escort only. **Resolved:** *The Council publish the 3 alternative patient transport options, as advised by Wiltshire Council.*

513/15 **Public Toilet Funding:** Correspondence had been received from the Town Council with regard to the provision of public toilets in the town. The Town Council thanked the Parish Council for their offer to fund 50% of the annual maintenance and running costs (excluding rent) of the outside public toilets next to the Art House Cafe. The Town Council had resolved to explore the definitive costs and implications associated with taking over and provision of public toilets in the Market Place on a 24hour per day basis. The Parish Council welcomed this.

Cllr. Glover joined the meeting at 8.00pm.

514/15 **Highways & Streetscene:**

a) Proposed Traffic Regulation Order Consultation – 20mph & Traffic calming for East of Melksham: The Clerk reported that she had responded to the pre-consultation with the Councils comments, in that they did not support the 20mph scheme as they considered it to be a waste of Wiltshire Council funds, but that they did support the road calming measures. A response from Wiltshire Council had subsequently been received stating that all costs associated with the road traffic order would be met by the developers. **Resolved:** *The Council respond to the consultation stating that they welcome the traffic calming measures outside of the school and retail units.*

b) SIDs (Speed Indicator Device): Cllr Baines reported that the SID worked, but that the batteries did not hold their charge and he had been investigating the cost of replacement batteries for the device. It had been reported under Min.468/15 that the cost of each battery was approximately £50. It now transpires that the manufacturing company had moved from Warwickshire to Germany and the cost was now much higher, with the cost of two sets of batteries being in the region of £800 plus VAT. The Clerk had investigated the possibility of buying batteries in the UK from other manufacturers, however these were not compatible with the device. It was queried whether the cost of purchasing new batteries could be met via Area Board funding. It is a legal requirement that the devices are only erected by someone with a street works licence. It was noted that the two Town Council Caretakers will shortly have street works licences, however of the 4 parish councils in the group Melksham Without have the most permitted sites and as such the Town Council staff may not always have the time to move the device on the required fortnightly basis, even if this service was paid for by the Parish Council. It was considered that due to the number of permitted sites in the Parish it would be more beneficial to employ someone with a street works licence to work with a Parish Council volunteer to put up and take down the SID as and when required.

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

Wiltshire Cllr. Roy While stated that he was pleased that the Parish Council wished to take on the SID and would give his support to the funding of these batteries via CATG (Community Area Transport Group).

The Council re-convened.

Cllr. Wood thanked Cllr. Baines for all the research that he had carried out in order to move forward with the use of the SID in the Parish.

Resolved: 1. The Parish Council, in conjunction with the other parishes in the group, apply for funding from CATG to purchase new batteries for the SID. 2. The Council advertise via social media for anyone with a street works licence to carry out ad hoc jobs in the Parish.

515/15 **Decisions Made Under Delegated Powers:** The Clerk reported that she, the Council Chair and the Staffing Committee Chair had delegated powers to appoint a new Finance Assistant, and that Sharon Newton had started work with the Parish Council on Monday 8th February, 2016.

Members of the Public left the room at 8.25pm in line with Standing Order 61. Agenda items 12a, 12b and 12c were discussed

516/15C **Legal Items:**

- a) **Renewal of Farm Business Tenancies:** The Clerk read out correspondence from the Council's solicitor with regard to the renewal of the mutual Farm Business Tenancies between the Council and a land owner. These have been in place for a term of five years and are due for renewal on 16th March 2016. Trimac Waterways, the company proposing the Canal Masterplan, had asked whether they could carry out a badger survey on the Council's land, stating that this needed to be carried out as a matter of urgency. The solicitor had advised that Trimac Waterways would need a licence to allow ecologists onto the land to carry this survey out and that the land owner had occupational rights until the 16th March and therefore would also have to give this permission. The land owner did not object to this taking place. The Clerk advised that the Council could enter into mutual Farm Business Tenancies with the land owner for another five year period, but with a one year break clause, which would require either party to give one year's notice should they wish to pull out of the agreement. **Resolved:** 1. The Council grant permission for a badger survey to take place on its land and instruct the solicitor to draw up the necessary licence agreement. 2. If the land owner grants permission for a badger survey on his land that the Council rents, they have no objection to this. 3. The Council renew the five year mutual Farm Business Tenancies with the land owner with the inclusion of a one year break clause, subject to the solicitors advice. 4. An agenda item for the next Allotment Committee meeting to be the wording of the next rent reminder letters.
- b) **Offer of Purchase of Council Owned Land:** The Council noted that an offer to purchase Council Owned land in Berryfield had been made by Trimac (Waterways)Ltd and Wiltshire & Berkshire Canal Trust Ltd. **Resolved:** 1. The Council seek further legal advice and guidance. 2. The Council reply to Trimac Waterways Ltd. thanking them for their offer, but stating that they wish to seek legal advice. 3. The Council give Trimac Waterways Ltd. permission to carry out a badger survey on their land once a licence agreement has been drawn up by their solicitor and that the cost of this licence to be borne by Trimac Waterways Ltd.
- c) **Agreement with Marstons Brewery for siting Items at the Water Meadow Pub:** The Clerk reported that Marstons Brewery were going to draw up a simple licence agreement in order that the Council notice board and defibrillator could be mounted on the wall of their new premises. **Resolved:** The Clerk, Chair and Vice-Chair to have delegated powers to agree this licence once received.

Meeting closed at 8.51 pm

Chairman, 21st March, 2016