

MINUTES of the Full Council of Melksham Without Parish Council held on Monday 20th June, 2016 at Crown Chambers, Melksham at 7.00 p.m.

Present: Cllrs. Richard Wood (Chair), Alan Baines, Rolf Brindle, Mike Sankey, Mike Mills, Pat Nicol, Terry Chivers, Jan Chivers and Ian Tait (*from 7.05pm*)
Officers: Teresa Strange (Clerk) and Jo Eccleston (Assistant Parish Officer)

Apologies: Cllrs. John Glover (Vice Chair), Gregory Coombes and Paul Carter.

Not Present: Steve Petty

- 051/16 **Housekeeping:** Cllr. Wood welcomed all to the meeting and explained the evacuation procedures in the event of a fire.
- 052/16 **Declarations of Interest:** Cllr. Wood declared an interest in agenda item 9a as there was a cheque for his Chair's Allowance.
- 053/16 **Items to be Held in Committee: Resolved:** *Agenda items 9c and 9e 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".*
Reasons: (b) terms of tenders and proposals and counter-proposals in negotiations for contracts – for item 9e and (c) preparation of cases in legal proceedings – for Item 9c
- 054/16 **Visit from Mr. Brian Warwick, Melksham Seniors 55+ Group:** Mr. Warwick wished to give the Parish Council an update on activities carried out by the Seniors 55+ Group and his vision for putting on more activities and addressing loneliness issues in the community. He reported that a very successful Queen's 90th Birthday Party celebration had taken place today and that over 300 people had attended a Christmas Party in December, with 2 coaches being put on to transport residents from Bowerhill. Feedback from the Christmas Party was that residents would like to see more activities taking place in Bowerhill. He stated that it had recently become apparent how little older people knew about activities that were available to them. He felt that the Council may wish to support more activities in the Parish and that the Seniors Group could assist with this. He stated that funding was an issue; the Group had received some funding from Selwood and Evivo, but none from Wiltshire Council. The Rotary Club, Melksham Town and Melksham Without Parish Council are the only local funders. He stated that the Seniors Group had been disappointed in the value of the Grant that was awarded to them by the Parish Council and felt that the Parish Council misunderstood their objectives. However, he wished to mend bridges and was anxious to work with the Parish Council to identify what was needed to tackle the issue of loneliness, keep people out of hospital and find practical ways to provide facilities and services. The Seniors Group would like to use Bowerhill Village Hall during the day for some meetings and activities, but Mr. Warwick reported that it was difficult to find any available dates, especially for regular activities.
Cllr. Mills stated that he was Chairman of the Bowerhill Village Hall Trust, and reported that the hall was very popular and very well used in the day, however, they were always willing to work with all the groups involved in order to accommodate everyone. He stated that if Mr Warwick gave him some dates and times and if there was a regular

commitment from the Seniors Group, that he would take this back to the Committee and they would try to work with them to find a suitable day and time for hire. He added that many of the events already held at the Village Hall were already well attended by older people in Bowerhill.

Cllr. Wood stated that the Seniors Group had shown there was an identified need at Kestrel Court and a desire to hire Bowerhill Village Hall, however there were other villages and halls for hire within the Parish, that residents in those areas may wish to see more activities made available.

Cllr. J. Chivers said that the need for activities had been identified in Bowerhill, but asked whether this was just for those in sheltered housing, or whether it applied to those living more independently.

Mr. Warwick replied that it was both, stating that the Seniors were able to use the community room at Kestrel Court, and that identifying those in need within the private sector was more difficult. It was noted that one area of difficulty was recruiting volunteers and it was Mr. Warwick's view that this was due in part to the bureaucracy involved with checks such as DBS.

Cllr. Sankey suggested that the community action groups in each village could be asked to get more involved and ask if people wish to volunteer. Cllr. T. Chivers suggested a follow up meeting with Mr. Warwick.

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

055/16

Public Participation:

Wiltshire Councillor Roy While touched on the issue of the Community Governance Review and the fact that some of the decisions made on the 24th November, 2015, may be revisited. He stated that he understood why the Town Council had put this forward, but having talked to a Wiltshire Council solicitor felt that it could be slightly premature.

Further to his previous comments on the Wiltshire Pension Fund, he stated that negotiations were ongoing and Wiltshire Council were investigating a joint pension fund with other Councils in the West Country to pool funds and resources; this was a requirement by Central Government. He stated that the pension fund was in deficit and that the burden of this went onto Council Tax.

With regard to the Campus and correspondence to be discussed under agenda item 13, Wiltshire Cllr. John Thompson had responded to a query from the Parish Council with regard to the amount of money spent on the Rugby and Football facilities, stating that the COB (Community Operations Board) had made that decision. Wiltshire Cllr. While stated that the COB did not have any involvement with the Rugby and Football facilities, and the COB would not make those decisions; the Council made those decisions at the Area Board. He stated that the start of the building of the Campus would not happen in this financial year.

The Clerk queried the Wiltshire Pension Fund. Employees of Melksham Without Parish Council contribute into this fund as do the Parish Council as employers. She stated that neither the Parish Council nor the employees had been consulted on this and asked if any of these parties would get a vote on the future of the pension scheme.

Wiltshire Cllr. While replied that this was being addressed and that information would be coming out to pension members. No decisions have yet been made as it is still at the proposal stage.

Cllr. Wood asked Mr. Martin Pain of the Seniors 55+ Group, if he had anything that he wished to add further to Mr. Warwick's presentation. Mr. Pain stated that he was new to the Melksham area and that he concurred with most of what Mr. Warwick had said, but he felt that there was a tendency from the Seniors Group to ask what can be done for them. He would prefer to see the Seniors Group ask what they can do for Melksham and their community and more cross pollination between the younger generation and the older generation. He felt that this was something that was missing in Melksham and he was working on ways to foster this.

Mr. Colin Goodhind wished to support his request for funding from the Parish Council for the setting up of a Parkrun course and event in Melksham. He stated that this was an internationally approved formula and that there was a huge appetite for it in the area. He requested funding of £1,000 or support in kind, such as provision of a venue. There was a requirement to produce a route that was acceptable to all the landowners involved. Cllr. Wood queried whether there was a requirement for the event to be held in a park. Mr. Goodhind replied that it did not have to, but that ideally there should be some element of park land as part of the course.

Cllr. J. Chivers asked whether runners would be charged. Mr. Goodhind said that it was free to all runners. There was an initial set up fee of £3,000 as there was a requirement for 10 trained volunteers and a website.

Cllr. Mills queried whether there were any further annual fees. Mr. Goodhind stated that the £3,000 was a one off set up fee, it would then be run in the future by volunteers.

The Council re-convened.

- 056/16 **Minutes, Annual Council Meeting 23rd May, 2016: Resolved:** *The Minutes of the Annual Council Meeting held 23rd May, 2016 were formally approved by the Council and signed by the Chairman as a correct record with the following amendments: Min.017/16n) – the cheque reference for the cheque made payable to Community Heartbeat Trust was mis-transposed and should read “5226” and not “5526”.*
- 057/16 **Minutes, Planning Committee Meeting 4th June, 2016:**
a) **Resolved:** *The Minutes of the Planning Committee Meeting held 4th June 2016 were formally approved by the Council and signed by the Chairman as a correct record.*
b) **Resolved:** *The Recommendations detailed in Min.033/16 and Min.034/16) were formally approved.*
- 058/16 **Draft Minutes, Joint Neighbourhood Plan Steering Group Meeting 25th May & 1st June, 2016:** *The Draft Minutes of the Joint Neighbourhood Plan Steering Group meetings held on 25th May and 1st June, 2016, were noted.*
- 059/16 **Review of SHLAA Sites:** *The Clerk reported that with the forthcoming Housing Allocation DPD, Wiltshire Council had whittled down the number of SHLAA Sites in the Melksham area to 21. David Way, Senior Spatial Planning Officer is very keen to hear the views of the Parish Council on these sites. Resolved: Delegated powers to be given to the Planning Committee to submit comments on the 21 identified SHLAA Sites to David Way within the requested timeframe.*

060/16

Minutes, Highways & Street Scene Committee Meeting 13th June, 2016:

a) **Resolved:** *The Minutes of the Highways & Street Scene Committee Meeting held 13th June 2016 were formally approved by the Council and signed by the Chairman as a correct record.*

b) **Resolved:** *The Recommendations detailed in Min.037/16, Min.038/16, Min.041/16, Min.042/16, Min.043/16, Min.044/16e), Min.045/16, Min.046/16)1), Min.046/16)2), Min.047/16)1), Min.047/16)2), Min.048/16, Min.049/16a)1), Min.049a)2) and Min.049/16b) were formally approved.*

It was noted that the Parish Steward had been working hard in the Parish this week and that it was vital to give him as much work as possible in order that this valuable resource was not lost.

c) **10 Year Notice of End of additions to Definitive Rights of Way Map:**

Correspondence from the Open Spaces Society was considered. It stated that “ On 1st January 2026 the official (definitive) maps will be closed against the addition of paths claimed on the basis of historic evidence. Unrecorded paths, even if they are still in use, could and often will be lost forever”. They asked that paths, which with the backing of historic evidence are believed to be public highways, are claimed. Cllr. Mills queried the permissive path from Brabazon Way to Giles Wood. He understood that permissive paths needed to be shut one day a year to keep it’s permissive status, otherwise does this become a Right of Way? He could not remember a time when it was closed to the public. **Resolved:** *The Council investigate the permissive path from Brabazon Way to Giles Wood.*

061/16

Finance: Agenda Items 9c and 9e to be held in committee.

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

Paying in reference	Income Details	Amount £
93	Interest on Fixed Term Deposit 1	£63.12
95	J Gardy - Pavilion hire 11th June	£86.00
95	EON - Electricity overpayment return (chq 5209 23/5 & D/D 6/6)	£47.19
95	EON - Gas overpayment return (chq 5210 23/5 & D/D 6/6)	£256.01
	Melksham Without Parish Council - Unity Bank	£80,000.00
35	Interest - June - Instant A/C	£0.02
Total		£80,452.34

b) **Accounts for payment: Resolved:** *The following accounts be checked and formally approved for payment, with the exception of the direct debit for EON for the Gas invoice as there was a query on this:*

Chq No	Payee	Payment Details	Net £	VAT £	Gross £
D/D	Grist Environmental (formerly Wiltshire Waste Ltd)	Mixed waste - Bowerhill Sports Pavilion 27/04 and 28/04	£38.28	£0.00	£38.28
5236	Wiltshire Council	Bowerhill Sports Ground Rates 3 of 10. Apr 16-Mar 17	£47.00	£0.00	£47.00

5237	Wiltshire Publications Ltd	Melksham Independent News - Issue 657 Apprentice Vacancy	£115.50	£23.10	£138.60
5238	Jens Cleaning	Bowerhill Pavilion Cleaning - 26th April - 24th May	£204.00	£0.00	£204.00
5239	Vita Play Ltd	Installation of 2 swing frames & associated works @ Beanacre Play Area	£4,999.99	£999.99	£5,999.98
5240	Melksham Town Council	Neighbourhood Planning Expenditure 16/P/004	£110.92	£0.00	£110.92
D/D	EON	Bowerhill Sports Pavilion - Gas - 3 May-19 May	£267.60	£0.58	£268.18
D/D	EON	Bowerhill Sports Pavilion - Electric - 3 May-19 May	£82.76	£1.78	£84.54
5241	JH Jones & Sons	Grass Cutting - Allotments & Beanacre play area - May 2016 - Inv 12347	£121.83	£24.36	£146.19
5242	JH Jones & Sons	Grass Cutting - Bowerhill - May 2016 - Inv 12348	£357.92	£71.58	£429.50
5243	Viking	Copier paper & drawing pins	£43.59	£8.72	£52.31
5244	JC Combustion Services Ltd	Service Quinta Pro 45 boiler at Bowerhill Pavilion	£200.00	£40.00	£240.00
5245	Radcliffe Fire Protection Ltd	Carry out Annual service of fire equipment	£46.00	£9.20	£55.20
5246	Countrywide	rubbish sacks & aftercut patch fix	£11.97	£0.80	£12.77
5247	Complete Weed Control	Chemical Weed Control to Paths at Shaw, Ehitley, Beanacre, Bowerhill & Berryfields	£815.00	£163.00	£978.00
5248	Melksham Without Parish Council	Transfer of funds to Unity Bank	£80,000.00	£0.00	£80,000.00
5249	J.Gardy	Pavilion refund following kitchen/lounge booking on sat 11th June	£50.00	£0.00	£50.00

Salaries:

5250	Elaine Cranton	Office Cleaning 4 May to 25 May		£0.00	
5251	Terry Cole	Wages 30/04/16 to 21/05/16 & travel £47.50 & mileage £63		£0.00	
5252	Teresa Strange	Salary & additional hrs 16 1/2 hrs		£0.00	
5253	Richard Wood	Chairs Allowance First Instalment		£0.00	
5254	Jo Eccleston	Salary & additional 33hrs & expenses 8.34 & mileage 8.23		£0.00	
5255	Sharon Newton	Salary & additional 5hrs & mileage £26.73 & expenses £41.55. bleach, polish, batteries, office strip lights		£0.00	£584.85
			Salaries		£3,846.93
5256	Wiltshire Pension Fund	June Superannuation	£974.90	£0.00	£974.90

5257	HMRC	June Income Tax & NI liability	£846.63	£0.00	£846.63
5258	Total QSR Limited	Second Quarter Rental 1st July 2016 to 30th September 2016	£1,608.75	£0.00	£1,608.75
Grand Total			£94,789.57	£1,343.11	£96,132.68

- c) **Update on Insurance Claim by the Council:** All the information with regards to the damaged bus shelter had been sent to the insurance company. The make of the bus shelter had now been identified, and the Council were awaiting a site visit by the manufacturer to identify whether the shelter could be repaired or if it needed replacing. These quotes for these costs will then be forwarded to the insurance company. **Resolved:** *Delegated powers to make decisions regarding the repair or replacement of this bus shelter to be given to the Officers, the Council Chair and Vice-Chair and the Chair of the Highways & Street Scene Committee.*
- d) **Funding for Parkrun Event:** It was agreed that in principle this was a good idea, especially in supporting people to improve their health and fitness and reducing obesity. However, there was concern that if the Council gave funding for this event they would be setting a precedent for making exceptions to their Grant Aid policy which states that grants are given once a year in the Spring. It was considered that the use of the Bowerhill Sports Field and Pavilion could be a possibility as long as this did not interfere with regular bookings. There were concerns that there was not enough information about the event and who else was providing funding. It was noted that if participants were not paying to take part then Melksham Without parishioners would effectively be subsidising this event.

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

Cllr. Wood asked Mr. Goodhind whether funding had been requested from the Area Board. Mr. Goodhind replied that Melksham Town Council had said they would donate £500 to the event, but the Area Board had not yet been approached. He reported that it would be a 5k run and would be held on a Saturday morning. He stated that he needed to get the funding in principle in place to be able to apply to the organisers for it to take place and propose a route.

The Council re-convened.

Resolved: *The Council do not rule out supporting this event, but wish to find out more information first.*

- e) **Funding Opportunity from the Co-op (Verbena Court):** The Council had received an offer from the Co-op to support a local project. The local manager had recently heard about the Shed project and had approached the Council for ideas of a similar project for the east of Melksham Development. It was noted that it was difficult to get community projects moving on the east of Melksham Development due to the maintenance contract between the Developers and Green Square. **Resolved:** *The Council suggest the installation of a bench, something that some residents have requested, with the Parish Council undertaking to maintain it in the future.*

062/16

Community Action:

- a) **CAWS (Community Action: Whitley & Shaw) Summer Fair & Queen's 90th Birthday Party Event, 12th June, 2016:** It was noted that this was a great success; over 350 people attended, despite the rain, 100 children had sit down party food and £1,000 was raised. Sadly, despite all her hard work, the Chair of CAWS received some criticism. **Resolved:** *The Council send a letter to the Chair of CAWS thanking her for organising this event and her continued hard work with CAWS in addressing community issues in Shaw and Whitley.*
- b) **New Community Action Group for Beanacre:** Following the attendance of residents from Beanacre at the Annual Council meeting on 23rd May, they had contacted the Clerk to say that they were interested in setting up a Community Action Group. The Chair of CAWS had offered to give some advice on the process of setting up a new group. It was noted that a meeting had been set up for the 13th July at 7.30pm at St. Barnabas Church Hall. Cllr. T Chivers offer to carry out a leaflet drop of Beanacre to advertise this meeting.
- c) **Seniors 55+ Group Community Event, 30th June, 2016:** It was noted that the Seniors Group were holding a community event at the Canberra Youth Club, to publicise activities available for older people in the Melksham Area. The Clerk reported that she and the Assistant Parish Officer were going to attend to promote the Emergency Response Plan, Community Action Groups in the villages and highlight issues that the Parish Council are able to support residents with.

063/16

CGR (Community Governance Review): The Clerk and Cllr. Baines had attended an officer's meeting at County Hall with Mr. John Watling, Head of Electoral Services and Mr. Ian Gibbons, Associate Director, Legal and Governance. Cllr. Bruce Saunders and Mr. Steve Gray, Clerk of Melksham Town Council were also in attendance at this meeting. Mr. Watling and Mr. Gibbons wished to seek the views of both parties over the Town Council's request to have the decisions made by Wiltshire Council on 24th November, 2015, reconsidered. The Clerk and Cllr. Baines made clear the views of the Parish Council as resolved at the Annual Council meeting on 23rd May, 2016. The Clerk had subsequently put these views formally in writing to Mr. Watling and Mr. Gibbons.

Cllr. Baines reported that both Mr. Watling and Mr. Gibbons were impressed by the proposals put forward by the Parish Council for potential warding of the Parish based on the boundary lines agreed on 24th November. The Town Council had not made any warding proposals. Both the Wiltshire Council Officers stated that warding of all areas affected by the CGR needed to be decided, and that this would be for consideration by Wiltshire Council at its meeting in October.

064/16

Approval of Community Asset Transfers from Wiltshire Council to Wilts & Berks Canal Trust: The minutes of Wiltshire Council Cabinet Capital Assets Committee, held on 17th May, 2016 were noted. The Clerk advised that this document stated that the Wilts & Berks Canal Trust have to sort out all the covenants and provide a new play area prior to removing the old one. This document also discussed land at Woodrow. It was noted that should the developer pursue a planning application for this land that they would not have to contribute land, and that they should therefore be asked to contribute funding towards the northern link of the canal development. Cllr. Brindle reported that at the last Canal meeting that he had attended he had informed Wiltshire Cllr. Fleur De Rhe-Philippe that the Parish Council wished to maintain the play area at Berryfield and take on the devolved service. **Resolved:** *1. The Council write to Wiltshire Council reminding them that they are in negotiations to take on the devolved service of this play*

area to ensure that it is fully maintained and used until the point that the Canal Trust provides a replacement play area. 2. In addition it is also highlighted to Wiltshire Council that following a Planning Pre-application visit from a developer, that the Parish Council were awaiting acknowledgement from Wiltshire Council of a formal application for development of land to the east of Woodrow Road and that there could be an opportunity for this to be enabling development with a contribution to the cost of the northern link of the canal in Melksham.

- 065/16 **Melksham Health & Wellbeing Centre (previously known as the Campus):**
- a) **Response from Cllr. John Thompson, Deputy Leader of Wiltshire Council:** It was noted that Wiltshire Cllr. Thompson had not replied to the Freedom of Information request made by the Council in relation to administration and consultancy fees for work on the Health & Wellbeing Centre and the decision to spend £7.3m of the Campus budget on the new Rugby and Football facilities. Cllr. Mills considered that it was ludicrous that the Deputy Leader of Wiltshire Council did not know anything about the decisions that were made to spend £7.3m, and that any discussions undertaken should have been minuted. **Resolved:** *The Council re-iterate both the questions resolved to be asked under Min.571/15 at the Full Council Meeting held 21st March, 2016, to Wiltshire Cllr. John Thompson, under the Freedom of Information Act, copying in Mr. Carlton Brand and the Members of the Melksham Area Board.*
- b) **Update following Melksham Area Board Meeting, 15th June, 2016:** The presentation on the Health & Wellbeing Centre made at this meeting was noted.

Members of the public left the meeting and the following items were considered in Committee.

- 066/16C **Insurance Claim Against the Council:** The Clerk reported that she had signed legal documentation confirming that the Council had disclosed all information relevant to the claim.
- 067/16C **Farm Tenancy Agreement:** The Clerk reported on a discussion with the landowner with whom the Parish Council have a joint tenancy agreement with. It was noted that renewal of these tenancy agreements was going to cost both parties a large sum in legal fees. The Landowner had proposed that both parties undertake a "Gentleman's Agreement". **Resolved:** *The Council seek separate legal advice with regard to the Parish Council re-writing the Tenancy Agreement itself and signing it with the Landowner in the presence of a Witness.*

Meeting closed at 9.20pm

Chairman, 25th July, 2016