

MINUTES of the Asset Management Committee of Melksham Without Parish Council held on Monday 6th February 2023 at Melksham Without Parish Council Offices (First Floor), Melksham Community Campus, Market Place, SN12 6ES at 8:00pm

Present: Councillors Terry Chivers (Chair of Committee), John Glover (Council Chair), David Pafford (Council Vice- Chair), Alan Baines (Committee Vice-Chair), Shona Holt, Andy Russell and Rob Hoyle.

Officers: Teresa Strange (Clerk) and Marianne Rossi (Finance & Amenities Officer).

391/22 Welcome, Housekeeping and Apologies:

Councillor Chivers welcomed all to the meeting. It was noted that all members of the Asset Management Committee were present at the meeting.

392/22 To receive Declarations of Interest:

Councillor Glover subsequently declared an interest in agenda item 6a, as his grandson worked for the organisation who was being discussed under this item.

393/22 To consider holding items in Closed Session due to confidential nature:

Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business (Item **5f, 5g, 6a, 9 & 10a**) as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

The Clerk recommended that the following agenda items should be held in closed session due to their legal nature:

Agenda item 5f- Legal transfer for Whitworth Play Area.

Agenda item 5g- Template leases for Berryfield and Kestrel Court Play Areas

Agenda item 6a- Regarding a hirer which may be the start of legal action being required in the future

Agenda item 9- Update on lease negotiations for Shaw Village Hall

Agenda item 10a- Draft lease for Berryfield Village Hall

Resolved: Items 5f, 5g, 6a, 9 & 10a be held in closed session for the reasons provided above.

394/22 Public Participation:

There was one member present at the meeting, who did not wish to speak and was there as an observer. There were no members of the public on Zoom.

395/22 Play Areas, MUGAs (Multi Use Games Area) & Public Open Spaces:

a) To review latest quarterly play area inspection report and consider any actions required:

Members reviewed the latest quarterly inspection reports and were pleased to note that most items were either deemed very low or low risk. The Clerk reported that the maintenance items highlighted in the report have been reported to the Caretaker to action.

b) To approve quotation from contractors to resolve shrinkage/separation around play equipment edging at Beanacre and Kestrel Court Play Areas. (Arising from asset meeting 10th Oct 22 min.200/22a)

The Clerk explained that there was an action from the last Asset Management meeting to obtain some quotations to resolve the shrinkage/ separation around the play equipment edging, as this was something that was a trip hazard and was highlighted in play area inspection reports. She advised for background information, that the council had previously undertook a trial at the Bowerhill Sports Field by installing concrete around the edging to see whether this resolved the issue, which it did successfully. The Caretaker had previously used top soil to try and resolve the issue, however this was not suitable due to it being washed away during winter months. As the trial had worked at the Bowerhill Sports Field, a quotation had been received by JH Jones to undertake this at the play areas where it was required. Following an inspection of all of the play areas by JH Jones, it was felt that this work was only required at Kestrel Court and Beanacre, as these were the worst areas. The cost quoted to do this work was £2,112.00 + VAT.

The Clerk queried with members whether they wished to stall the work proposed for Beanacre, as there was an item later on in the agenda (item 5b) to discuss replacing some wooden equipment at this play area. If members were minded to replace the play equipment, the safety surfacing would also need to be replaced, therefore, it would not be wise to get this work done before a decision was made on the equipment. Once a decision was made with regards to whether the equipment needed replacing, this would then inform the council as to whether the edging work was required at this play area.

Members felt that, although they were uncertain at this stage whether the work was required at Beanacre Play Area, this work should be done at Kestrel Court. As the quotation received was not broken down between each play area, a separate quotation should be sought for the element of work required at Kestrel Court.

Recommendation 1: The council approve the edging work required at Kestrel Court Play Area in principle, pending officers obtaining a separate quotation for this element of the work. Officers to bring back the quotation to the next Full Council meeting for approval.

Recommendation 2: The council delay the work proposed at Beanacre Play Area until a decision has been made regarding whether any wooden play equipment needed to be replaced.

c) To consider undertaking safety surfacing clean on play areas and MUGAs in spring:

In previous years the council have undertaken two safety surfacing cleans, one in the spring to clear all of the debris from the winter months, ready for summer usage and one in the autumn to make sure that all of the algae have been removed from the surfacing to get ready for the winter months. The MUGAs (Multi Use Games Areas) are cleaned once a year, typically in the spring time. The council opted against undertaking the autumn surfacing clean in this financial year, as no concerns were highlighted in the ROSPA reports at the time. As a result, the council recommended that the surfacing was reviewed again before spring to see whether it needed to be done then. Members acknowledged that following the review of the recent play area quarterly inspections reports, moss and algae had been identified on the surfacing at some play areas. It was felt by members that as this had been drawn to their attention in the quarterly report the surfacing should be cleaned in spring.

The Clerk advised members that they had previously agreed to undertake a trial on the two new play areas in the parish with regards to only cleaning one of them and leaving the other. Both of them would be reviewed in a few years' time to compare their condition. She explained that during budget setting Whitworth Play Area (in Berryfield) was chosen to be cleaned, as it was near to the village hall where water could be accessed, whereas the closest water to the Davey Play Area (Bowerhill) was from the pavilion. It was noted that there would of course need to be an agreement in place with the Berryfield Village Hall Trust to allow the parish council's contractors to access the hall for water. Members agreed that this would be the best way forward.

Recommendation 1: The council undertake safety surfacing cleaning on the play areas and MUGAs in the spring. Officers to obtain quotations for this to bring back to a future meeting for approval.

Recommendation 2: The council clean as part of a trial the Whitworth Play Area and leave the Davey Play Area and review both of their conditions in a few years' time.

d) To consider adding weedspraying inside of play areas to the main contract

Unfortunately, this agenda item had been missed during the meeting and therefore, will be put on a future agenda for discussion.

e) To consider replacing some wooden equipment at Beanacre Play Area:

The Clerk explained that for some time now the council have been keeping a watch on the wooden equipment at Beanacre Play Area. Officers had included in the agenda pack the latest ROSPA report for this play area, for members to review each piece of equipment to see whether it needed to be replaced. The Clerk explained that in particular the overhead climber had been on the watch list for a few years now, as it was rated as a medium risk. It was noted that in the ROSPA report, it highlighted that this particular piece of equipment relied on one post for its stability. The guidance suggested that the council should consult with the manufacturer to determine suitable maintenance options.

Councillor Baines highlighted the fact that the ROSPA report did not advise that the overhead climber needed urgently replacing, but the manufacturer should be contacted for maintenance advice. He felt that it would be worthwhile obtaining a quotation for the equipment in the island of this piece of equipment. It may also be prudent to contact the manufacturer to enquire whether there was any maintenance the council could undertake to prolong its life. The Clerk explained that it had previously been very difficult to get a response from the original manufacturer on other queries the council have had, despite them previously being a local company.

The Clerk wished to make members aware that if they did wish to replace some equipment, they needed to be mindful of the fact that the whole safety surfacing in that island of equipment would also need to be replaced. It was noted that there was money put in the budget for the next financial year to replace some equipment, as it was anticipated that it may need replacing, however without any quotations, it was unknown how much any new equipment would cost.

The Clerk queried whether members wished for officers to acquire a quotation from one manufacturer to get an idea on cost. Councillor Pafford felt that there needed to be a list of equipment put together specifying the items that officers were most concerned about, so a quote could be sought for those pieces of equipment. It was noted that included in any quotation needed to be disposal of the old equipment and surfacing. This could then be brought back to a future meeting for members to consider. Members agreed that this would be the most appropriate way forward.

Recommendation: Officers to put together a list of what items they feel are most in need of replacing and obtain a quotation for replacement for a budget cost to bring back to a future meeting for consideration.

f) To review and approve the Legal Transfer documents for the Whitworth play area at Bowood View, Semington Road

Held in closed session.

The Clerk explained that the transfer legal document for the Whitworth Play Area was deferred from the Full Council meeting. Councillor Glover had raised questions, which the Clerk had sought clarification on from the solicitor prior to the meeting. These questions were as follows:

Firstly, would the council be able to have access at the back of the play area fence to cut the grass from inside of the fence line? To do this the parish council would need to access the management company's land to access on a regular basis, so permission needed to be clarified to allow the council to do this.

Secondly, at the Davey Play Area (Pathfinder Place) the safety surfacing extended to a margin outside of the play area, which the parish council asked to happen at the Whitworth Play Area. Unfortunately, even though this had been agreed by both parties this did not happen. In the future the council may wish to resurface the safety surfacing and would want to extend the surfacing margin to outside of the play area. It has been queried whether the council would be allowed to have the extra piece of land to do this should they wish to in the future.

Unfortunately, the solicitor had not got back to the Clerk on these queries yet. She queried with members whether they were happy that she continued to pursue the answers before the council signed the legal transfer documents. She acknowledged that these queries had only been made by Councillor Glover, so wanted to ensure that it was the wish of the committee as well. Members were in agreement with the queries made by Councillor Glover and the Clerk should continue to pursue the answers before any documents are signed.

Recommendation: The Clerk to pursue the answers to the above queries raised before the council approve and sign the legal transfer of the Whitworth Play Area.

g) To review the Play Area template lease options for Wiltshire Council play areas in the parish

Held in closed session

The Clerk explained that the council already resolved to ask Wiltshire Council for a 125-year lease on Kestrel Court and Berryfield Play Area, as the current leases for these areas run out in October 2023. When she had gone back to the Wiltshire Council Officer to advise on the council's decision, they came back to say that the parish council had two options with regards to these play areas. One being the 125-year lease that had been agreed by the parish council and the other being a freehold option and sent over the documentation for both options for the council to consider. Wiltshire Council have suggested that the freehold may be the most cost-effective option for both parties. It was noted that each play area would need a public open space notice, which would be merged into one

and the cost of these was around £500 and this cost must be met by the parish council. Any other costs would be met by both parties. The Clerk queried what members thoughts were on this and if they would like their solicitors to look through these documents as they were quite lengthy.

It was acknowledged that with regards to Berryfield Play Area, there was a protected corridor for the Wilts & Berks Canal route to go through the middle of it. Councillor Pafford felt that the council needed to look at the balance of advantage when looking at this and freehold would mean that the council owned

the play area and had all of the responsibilities, whereas if the council leased it for 125 years, they would not have all of the responsibilities associated with a freehold. He also felt that with a lease the council would have more control over expenditure, therefore this option may be better. Councillor Chivers disagreed with this stance, as he explained that it depended on what was detailed in the lease and what aspects the council would be responsible for. Councillor Glover echoed the thoughts of Councillor Chivers, in the fact that it's also about the land and other restrictions imposed. He explained that if the council went for the freehold option, it would be in perpetuity and as far as he could see between the two options there was no benefit to the council to lease the play areas from Wiltshire Council.

The Clerk queried whether members wished to take on a different approach for the Berryfield Play Area, as the council has always been cautious with the fact that it has the route of the proposed canal going through the middle. Councillor Baines felt that the advantage of having freehold was that if the Canal Trust proceeded with their plans for the canal, the council could seek compensation for relocating the play equipment or asking for the play area to be replaced at an alternative location. He explained that looking at the obligations of the lease, they appeared to be just as much onerous as the obligations the council would have if they owned the play areas. Furthermore, he felt that the council should follow the advice from the Wiltshire Council Officer with regards to it being more cost effective if the parish council took over the freehold of these areas.

Councillor Baines advised that with regards to Kestrel Court Play Area the parish council had already spent money on this area during the current lease period. It was noted that unlike the uncertainty with Berryfield Play Area, there was no such issues associated with this play area, so freehold would also be appropriate. Members felt that bearing in mind all of the pros and cons associated with both of these options, the council should take on the freehold as this would mean that they would own the play areas and be able to budget accordingly.

Recommendation: The council contact Wiltshire Council to advise that they would like to take over the freehold of both Kestrel Court Play Area and Berryfield Play Area. The cost of the public open space notices to be met by the parish council with the other cost being met by both parties.

396/22 QEII Diamond Jubilee Sports Field & Pavilion (known informally as Bowerhill Sports Field):

a) To receive update on current bookings and review current charges

Held in closed session

Members reviewed the report put together by the Finance & Amenities Officer. It was noted that the sports field was home to two adult football teams and one youth organisation. It was noted that for the adult team bookings all was going well with these teams.

The discussion on hiring charges for the next financial year was deferred to a future meeting as the meeting needed to finish by 22:15pm.

Recommendation 1: Officers to set up a meeting with the sports field hirer before the next Full Council meeting to discuss ongoing issues with them and this to be attended by Councillors Chivers, Baines, Glover and Pafford.

Recommendation 2: The review of hire charges for next season to be discussed at a future meeting.

b) To approve quotations for installing drinking water fountain

The Clerk explained that the installation of the drinking water fountain was an ongoing issue due to there being a requirement for an internal drain. The council subsequently arranged for the manufacturer to come out and undertake a site survey to determine what the best course of action would be. Following this, it was understood that as well as plumbing works, an electrician was required to install a single socket to power the pump that is required. A quotation has been received from the manufacturer for the plumbing element of the works, but officers have been struggling to find an electrician to provide a quotation for this part of the work.

Councillor Glover queried what worked needed to be undertaken first. The Clerk advised that officers were not sure and would go back to the manufacturer for clarification. It was also detailed in the email received from the manufacturer that the fountain was unable to be located where the council wished it to be. The Clerk explained that the council originally wished for it to be located between changing rooms 2&3 where there was already a drain, however when the original plumber came into the pavilion to access the work required it appeared that they would need to drill through a number of fire walls to access the mains water. There was also no walk through in the ceiling for the plumber, therefore, this would not be a suitable location. It was then felt that it could be located centrally between changing room 4 and the pump room, however due to the water waste needing to be pumped into the pump room this would expose piping externally, therefore it will need to be installed next to the louvre pump room door.

Councillor Holt enquired as to whether the drinking water fountain could be installed at another location in the parish. The Clerk explained that the council was also going to purchase a fountain at Shaw Village Hall, however there needed to be a water supply, so similar issues would occur there as well. As it needed a water supply to function, the parish play areas would also not be a suitable location. In addition, the idea for the fountain to be located at the Bowerhill Sports Field was so that it was at a place where it would be inspected on a weekly basis, as well as encouraging hirers and members of the public to not bring plastic bottles to the field. This was to help with the parish council environmentally friendly work and also to reduce the number of bottles left at the sports field, as when the contractors come in with their tractor to cut the grass, the plastic from the bottles get shredded. Members felt that as it was unknown as to whether the plumbing work or the electrical work was required first, this item should be deferred to a future agenda.

Recommendation: The council to defer this item to a future agenda.

c) To approve quotation for annual ventilation system service:

The Clerk explained that the annual ventilation system service was now due at the pavilion, therefore, officers had acquired a quotation from Wiltshire Air Conditioning Services. This was to inspect and service the system in the games room as well as the fans in all of the changing rooms. The quoted amount for this service was £517.50 + VAT.

Recommendation: The council approve the quotation of £517.50 + VAT to undertake the ventilation service at the pavilion.

d) To approve quotation to service water boost pumps

A quotation had been sought from Grundfos to undertake the water boost pump service at a cost of £344.52 + VAT. It was noted that this was an annual service and was one that has been recommended to be done. The Clerk confirmed that provisions for this had been included in the budget.

Recommendation: The council approve the quotation of £344.52 + VAT from Grundfos to service the water boost pumps at the pavilion.

e) To consider potential rental charges for organisations who store containers for storage in the car park:

The Clerk explained that Future of Football already had a storage container located in the car park to store all of their match day and training items. The council had previously agreed that the ATC could store a storage container in the car park on the same basis of Future of Football pending permission from Fields in Trust. The Clerk queried whether members felt that there should be a charge or lease type agreement associated with this, in particular with regards to what happens with the container if the organisation left. It was queried whether such an agreement was in place for Future of Football, the Clerk confirmed that it wasn't.

Councillor Holt queried whether the number of storage containers in the car park would be subject to planning permission. The Clerk confirmed that local authorities are allowed to erect small things such as bus shelters etc without requiring planning permission. The Clerk explained that for Future of Football's container she had written to Wiltshire Council to confirm that planning was not required for these types of items which had been confirmed. The only permission required was from Fields in Trust. Councillor Glover queried whether this would take up a car parking space, the Clerk confirmed that it wouldn't as cars could park in front of the unit, due to the space being wide enough to do so. The Clerk made members aware that the Full Council had already approved for the ATC to store a container in the car park.

Members felt that the container needed to be the same colour as Future of Footballs, to match what was already in the car park. Discussion took place as to whether these organisations needed to be charged a bond for storing the containers, so that if they left and did not remove the container on their own accord the council had some funds to remove it. Questions were raised as to whether it was fair to impose a charge on Future of Football when their container had already been installed for some time. Equally, was it fair to charge the ATC if Future of Football were not being charged. It was felt that the council needed to be consistent, therefore did not feel that these organisations should be charged.

Members felt that there should be some type of agreement in place for both of these organisations which state that they must remove the container upon ceasing using the facility.

Recommendation: The council put together an agreement for both Future of Football and the ATC which states that they must remove their storage containers upon ceasing to use the pavilion facility.

397/22 Allotments:

a) To receive report on waiting list:

Members reviewed the report on the allotment waiting list put together by the Finance & Amenities Officer. It was noted that there were currently four vacancies with four people on the waiting list. The Allotment Warden was currently in the process of showing people around the vacant plots. As of 1st January 2023 two tenancy agreements were terminated due to unpaid rent. The Allotment Warden was keeping an eye on a few plots, but would undertake a quarterly plot inspection shortly, so any tenants with overgrown plots would be written to then.

The Clerk wished to highlight to members that she had recently seen on her Clerk's Facebook forum that some councils were taking deposits from tenants to hold in case councils have to clear tenants' plots once they have relinquished them. She explained that there were some discussions with other Clerks that a

small deposit would not cover the cost of the council having to clear out a shed full of asbestos for example. Equally would it be fair to charge tenants hundreds of pounds for a bigger deposit when the rent for the plot was at a low value. The Clerk reported that the Allotment Warden recently had to clear rubbish from a plot as the previous tenant had left it behind.

Councillor Pafford felt that with regards to charging tenants some kind of deposit for their plots this could cause issues with tenants thinking that they do not have to clear their plot, therefore the council should keep a watch on this for now.

Councillor Hoyle queried whether there was any clause in the tenancy agreement around clearing up the plot once the tenancy had ceased. Officers did not believe that there was one, so would have a look into. It was felt that there needed to be something in the agreement around this issue, so that it clearly explained the council's expectations around this.

Recommendation: Officers to investigate whether there was a clause in the tenancy agreement around clearing the plot once they have been relinquished. If there isn't one, a suitable clause should be put in to make clear the council's expectations around this.

b) To note delegated decisions made by Clerk relating to letting of plots and permissions given for greenhouses/sheds

The Clerk has approved one shed request on plot 7 on Brainsfield under her delegated powers since the last meeting.

c) To consider allotment rent charges for 2023/24:

The Clerk reported that the allotment rent was currently £30 for a 5 perches plot, which was half a full plot for residents of the parish. Non-residents of the parish are charged double the residential rent. It was noted that most plots on the allotments were 5 perches with an exception on a few that were 2.5 perches and 10 perches (Full Plot).

It was difficult to estimate how much the council would receive for the allotments because it depended on a few factors, such as whether anyone would give up their plot during the year and if so, the plot would be relet which would be more income than expected. Additionally, it was difficult to determine how many non-residents there would be as a resident could give up their plot and it could be taken on by a non-resident and they would be required to pay double the rent. It was also noted that the allotment year ran into two financial years as it ran from 1st October until 30th September each year.

At budget setting officers had estimated that the total income for the 2023/24 allotment year would be £2,512.50 and the expenditure would be £2,230.00. The expenditure included things such as water, grass cutting and the Allotment Wardens salary. The Clerk explained that officers had no idea whether anything

unforeseen would happen during the year, therefore could not budget for this. The Clerk explained that the allotment rent was reviewed each year and hasn't been increased for a few years. She drew members attention to the fact that whilst the council was allowed to use allotment income to reinvest in the allotments, they are unable to make a profit.

Members acknowledge that there was an item later on in the agenda with a quotation to cut back the shrubbery on the left-hand side of Briansfield allotments. It was queried whether this had been budgeted for, as it would have an impact on the allotment account. The Clerk confirmed that it hadn't been as at the time of budgeting the council did not know how much this would cost.

Members felt that the allotment rent should be increased in the next financial year bearing in mind the quotation that was due to be discussed later on in the agenda. It was felt that from the 1st October 2023 the rent rates should be as follows:

Plot sizes	New Rates Residents	New Rates Non-Residents
5 perches	£35.00	£ 70.00
2.5 perches	£18.00	£ 36.00
10 perches	£70.00	£140.00
3.75 perches	£27.00	£ 54.00

Recommendation: The Allotment rates should be increased to the rates detailed above as of 1st October 2023.

398/22 Trees and Grass cutting:

a) To approve quotation for regular tree inspection (undertaken every 27 months)

The Clerk explained that the council's regular tree inspection routine was to undertake it every 27th months, this was so that the trees were inspected effectively every three years, but in different seasons. The Parish Caretaker and Allotment Warden would routinely visually inspect the parish trees when he was out and about at the play areas and open spaces and would specifically inspect them following stormy weather. The last parish tree inspection was undertaken in September 2020; therefore, it was now due. A quotation from Woodland & Countryside Management had been received to undertake the inspection of all parish council trees at a cost of £985 + VAT. The Clerk explained that this inspection had not been budgeted for in the current financial year, however funds have been included in the budget for 2023/24 and asked members whether they would be happy to arrange for this to be done in April. She explained that it's not necessarily just the cost of the inspection, but also any

work that may come as a result and this had all been anticipated to be done in the next financial year. Members agreed that as April time would still be in the same season, this was a suitable way forward.

Recommendation: The council to approve the quotation of £985 + VAT from Woodland & Countryside Management to undertake the parish tree inspection.

b) To review grass cutting contract and consider adding the following:

Members noted that the council had already approved the 10% increase on the current grass cutting and bin emptying contract for the next financial year. This was due to the fact that the current grass cutting contract ends on 31st March 2023, however due to the increasing rates of inflation it was felt to be fair to both parties not to enter into a long-term contract at this time and re-look at the whole contract again next year.

The following items are not currently in the grass cutting and bin emptying contract, therefore officers have asked for a quotation to be provided in case members wished for them to be included.

• Maintenance to the hedge on side of Briansfield Allotments

It was noted that this was a new item that had come up, therefore had not been included in the budget. The council had previously got the brambles cut back on the left-hand side of Briansfield allotments following a complaint made by a neighbouring resident regarding vegetation overgrowing on to their land. As this may be an issue that comes up each year, officers have obtained a quote in case members felt that this should be included in the contract. The quotation received from JH Jones was £300 + VAT per annum. Members considered the cost of this quotation when looking at the allotment rent charges for the next allotment year under agenda item 7c. As the new rent increase took into consideration this quotation, members felt that this should be included in the new contract.

Recommendation 1: The council approve the quotation of £300 + VAT per annum to maintain the hedge on the left-hand side of Briansfield Allotments.

• Hedge to rear of Bowerhill Sports Field

The Clerk explained that cutting back the hedge at the Bowerhill Sports Field was something that the council were now doing on an annual basis.. For clarity, this was cutting back the hedges on the western and southern sides of the field. This was for two reasons, firstly to deter rabbits away from the field by giving them less places to hide and secondly to mitigate the issues of lost balls in the hedges, which was something the council was getting complaints about from the hirers. As this was something that the council was doing recently, this had already been included in the budget for the next financial year. The quote that had been received from JH Jones to add this into the contract was £565 + VAT

per annum, which was on par with what they had charged previously for this service.

Recommendation 2: The council approve the quotation from JH Jones of £565 + VAT to undertake the annual hedge cutting to at the Bowerhill Sports Field.

**• Shrub Maintenance and grass cutting in Whitworth Play Area
Serving rural communities around Melksham**

The Clerk explained that the council had made provisions in the budget for shrub maintenance and grass cutting at Whitworth Play Area. A quotation from JH Jones to undertake this was £1,476.00 + VAT per annum.

Recommendation 3: The council approve the quotation of £1,476.00 + VAT per annum from JH Jones to undertake the grass cutting and shrub maintenance at Whitworth Play Area.

• Bin emptying in Whitworth Play Area

The Clerk advised that the council had previously received a quotation from the contractors to undertake bin emptying in Whitworth Play Area following its adoption. As this was some time ago since the quote was received and to date the council haven't adopted the play area, officers asked for an updated one by the contractors, due to the current rate of inflation. The Clerk confirmed that there were funds already included in the budget for this bin emptying as the adoption of this play area was imminent. The Clerk reminded members that the current schedule was for the bins to be emptied once every fortnight and once a week during the school holidays. The cost to empty the bins on this basis was £841.80 + VAT per annum (£70.15 + VAT per month).

Recommendation 4: The council approve the quotation of £841.80 + VAT per annum to include bin emptying at Whitworth Play Area in the contract.

399/22

Shaw Village Hall and Playing Field: To note current situation with lease and consider any requests for the new leases

This item was deferred to a future agenda as this was due to be discussed at the end of the meeting in closed session, unfortunately the meeting had to be closed before this could be discussed as everyone had to be out of the building before 10:15pm.

a) To note the current status of draft lease and the date the new Trust are accepting bookings from

The item was deferred to the Full Council meeting due to the draft lease being sent by the solicitors earlier in the evening which didn't give member adequate time to review.

b) To note minutes of regular meetings currently being held and any matter arising

Provided in the agenda pack was the latest set of minutes from the Berryfield Village Hall Trust meetings. Councillor Holt who is the Chair of the Village Hall Trust gave an update to members on the progress of the hall. She explained that the new committee are meeting on a regular basis and were making good progress with things such as bookings and the website.

The Clerk advised that the committee was in the enviable position of having lots of groups enquiring to book the hall on a regular basis. The committee has done a very good job of fitting in most of the regular groups without refusing many.

21:10pm Councillor Baines left the meeting for a short time.

c) To review the results from the letter written to residents of Bowood View regarding a patio installation on the public open space adjacent to the hall.

The Clerk explained that that the council had to seek the views of the residents of Bowood View on a number of proposals following consultation with the Bowood View Management Company Ltd. One of the proposals that the council wish to get permission for was to obtain an extra piece of land adjacent to the new Berryfield Village Hall to provide a patio area for users of the hall. It was noted that the council had surplus patio slabs from the walkway around the hall building and have planning permission from Wiltshire Council. The letter to all residents of Bowood View was hand delivered on 10th January giving the residents until 22nd January to send their comments. For the patio; out of 150 residents who received the letter, 8 residents replied in support of the proposal and no one was against it.

21:14pm Councillor Baines returned to the meeting.

The Clerk explained that the council still needed permission formally from the Bowood View (Melksham) Management Company, but the council had done what they had asked them to do by consulting with residents first. Members agreed that officers should go ahead and obtain some quotations to lay the patio.

Recommendation: Officers to obtain a quotation to lay a patio on part of the piece of land adjacent to Berryfield Village Hall.

401/22 Defibrillators:

- a) **To consider costs associated with refurbishing the Telephone Kiosk at Berryfield Park and re-locating the defibrillator on the side of the New Inn pub to the kiosk.**

The Clerk explained that the council currently had two defibrillators located in Berryfield, one on the side of the New Inn pub and the other on the side of the new Berryfield Village Hall, which are quite close to each other. There has also been concerns with the location of the defibrillator at the New Inn pub due to access reasons. This was because it was behind a closed gate, and the pub had been closed for a while. The Clerk explained that the idea was to not purchase a third defibrillator, but to either relocate the existing one from the New Inn to the phone box on Berryfield Lane or when the defibrillators came to the end of its life a replacement one is installed in the phone box.

Councillor Chivers highlighted that the phone box on Berryfield Lane was not in a very good condition and queried whether there was a more suitable site that had an electricity source to relocate it, such as further into the estate of the older part of Berryfield. He went on to explain that it would be a much shorter distance for those residents to access it, if it was closer to them as the phone box was further distance away. The Clerk explained that there were thermal bags that could now be purchased for locations without a power source. This was something that the council were looking at for the potential defibrillator at Pathfinder Place. She advised that the electricity source was to ensure that the gel inside of the pads did not freeze in cold conditions. Members wished to express caution to the fact that as much as people would like defibrillators to be only a very short distance away from them, they could not be located on every street corner.

The Clerk advised that if the council did wish to relocate the defibrillator, the phone box would need to be refurbished, which has been a request by residents of the area. Councillors queried how much it would cost to refurbish the phone box. The Clerk advised that officers had done some initial investigations with regards to this, by contacting Community Heartbeat Trust who supply the defibrillators. She explained that they drew officers' attention to the fact that they have had sight of a proposal from BT to no longer provide an electricity source upon adoption of the phone box. This means that if this proposal went ahead and the phone box hasn't been adopted by this time, it would be the council's responsibility to arrange for, and fund the cost of, the electricity coming into the phone kiosk. This could come at a considerable cost to the council. It is understood that this was however only a proposal at this stage and has not been put into action yet by BT. The current agreement in place with BT following an adoption of a phone box is that they will provide

the 8 Watts of electricity required for the light. If organisations wish for more electricity, they would need to obtain written permission from BT, however if organisations worked jointly with Community Heartbeat Trust, permission was granted via the charity.

Councillor Pafford expressed concerns that the council could end up in the position that they have committed to adopting the phone kiosk and during the process the proposal could come into effect, meaning that the council would have to take on these additional costs. He felt that the council needed to be very careful with this. Councillor Hoyle wished to state that from a heritage point of view the phone box was worth keeping as long as it was cost effective, if it was not the council should not proceed with any adoption.

Councillor Pafford queried whether there was any compelling reason for the council to relocate it from the New Inn to the phone box. The Clerk explained that when the council were looking at locations for the defibrillators there was always reservations about its current location, but at the time did not feel that it was appropriate to install it on the old Berryfield Village Hall, as it was known that it would be demolished in the future. She also highlighted that there was a time that the New Inn had closed down and there were concerns regarding whether the electricity for the pads was kept on. It was highlighted that the pub had now reopened and it was a place where people gathered.

Members felt that the full costs would need to be established, so that the council could make an informed decision on this. Councillor Holt suggested that the parish council work with BASRAG (Berryfield and Semington Road Action Group) to help restore the phone box.

Recommendation: Officers to obtain the costs associated with refurbishing the phone box on Berryfield Lane to relocate the defibrillator from the New Inn pub and bring back to a future meeting.

21:20 Councillor Pafford left the meeting for a short time.

b) To consider request from community group to install a defibrillator in Whitley

Members considered correspondence received from a member of the Shaw & Whitley Garden Club, requesting for a defibrillator to be installed on Top Lane in Whitley. In the correspondence, they explained that although there was a defibrillator located at Whitley Reading Rooms and Shaw Village Hall, with the number of activities taking place in Top Lane, they were not close enough.

21:23pm Councillor Pafford returned to the meeting.

Councillor Hoyle queried whether there was any legislation or guidance with regards to how far apart defibrillators should be from each other. The Clerk advised that there wasn't any and it was the ambulance service's judgement as to whether they directed someone to go and collect one. The Clerk

reported to members that the current parish defibrillators do go out on what seems to be on a regular basis and officers normally find out this information from the ambulance service. Councillor Baines reiterated that there was no legislation that defibrillators have to be installed anywhere, but it was the decision of the parish council to install them at the most suitable locations around the parish.

Councillor Chivers advised that the only suitable place for a defibrillator was at the Methodist Church, however this was only around three minutes away from the one already installed at Whitley Reading Rooms. Members acknowledged that defibrillators were good pieces of equipment to be available and accessible to the community, however they could not be installed everywhere. As there was already a defibrillator located in the village of Whitley at the Reading Rooms, the council should not take any further action on this request.

Recommendation: The council do not take any further action on the request to install a defibrillator in Top Lane, Whitley.

c) To approve location of Pathfinder defibrillator

The Clerk explained that some time ago the parish council had received a kind offer of donation from a resident of Bowerhill to purchase a defibrillator for Bowerhill. It was felt that the most suitable location was on Pathfinder Way, which was near to the new housing development at Pathfinder Place. The idea was to install the defibrillator on a column next to the bus shelter. It was noted that electricity had been installed for this and Wiltshire Council highways had approved the location.

Recommendation: The council approve the location of the new defibrillator at Pathfinder Way to be located on a column next to the bus shelter.

402/22 Bus shelters: To consider how to cover/remove graffiti from Shaw bus shelter:

The Clerk explained that the Caretaker had reported that there was some graffiti on the stone bus shelter at Shaw, this was the bus shelter on the left-hand side coming out of Melksham towards Bath. Whilst the Caretaker has tried to remove the most offensive parts of the graffiti with graffiti remover, unfortunately it still leaves the outlines. She advised that the Caretaker could continue using graffiti remover, but he would need to spend a lot of time removing it, as well as use a lot of graffiti remover. The Clerk queried with members whether they felt it was better to purchase some type of paint to paint the inside of the shelter. There was a similar issue at the bus shelter on Semington Road and the council decided to purchase paint to be used to paint over the graffiti. In addition, the Clerk had seen some type of graffiti resistant paint on Amazon, however did not know how effective it was.

Councillor Pafford felt that it would be a good idea to paint the inside of the bus shelter as even though it would give people a blank canvas to add more graffiti, it would be very easy to paint over it again if it reoccurred.

Unfortunately, the Caretaker has also reported that the children's drawing inside of the bus shelter on the other side of the road also had graffiti on. It was noted that that this graffiti wasn't as offensive as the other bus shelter, but had ruined the painting. Members felt that there wasn't much that could be done with this as the graffiti had already ruined the drawing.

Recommendation: Officers to purchase some suitable paint and paint over the graffiti in the bus shelter at Shaw.

403/22 Roundabouts: To approve quotations to reseed the ex-Carson Tyre Roundabout ready to hand back to Wiltshire Council.

There was an action from the Finance Committee meeting on 9th January for officers to obtain a quotation to reseed the ex-Carson Tyre roundabout to see whether it would be a more cost effective to do and hand back to Wiltshire Council. It was noted the cost for the council to maintain the roundabout each year was around £2,500. The quotation received from JH Jones to remove the shrub borders, level the ground and sow grass seed were £750 + VAT. Members considered this against the cost to continue to maintain the roundabout and felt that it was more cost effective to approve this quotation. This would then allow the council to be in a position to hand it back to Wiltshire Council.

Recommendation: The council approve the quotation of £750 + VAT to reseed the roundabout and hand it back to Wiltshire Council.

404/22 Bins: To note bins purchased to replace missing or damaged Wiltshire Council bins under the Clerk's delegated powers

The Clerk explained that this was a standing item on the Asset Management agenda, as she had delegated powers to replace missing or damaged bins. She reported that she had not replaced any bins since the last meeting.

Meeting closed at 22.15 pm

Chairman, 20th February 2023