

LANGLEY BURRELL WITHOUT PARISH COUNCIL

DRAFT MINUTES

Council Meeting

held at 7.30pm

Maud Heath Room, Langley Burrell Village Hall

15th October 2018

Present: Cllr R Whitrow (Chairman), Cllr R Colthorpe, Cllr Julie Hoskins (Vice Chairman), Cllr Katerina Johnstone and Cllr D Mannering

Also Present: Wiltshire Councillor H Greenman, 1 Member of the Public and Mr V A Vines MBE Clerk of the Council

NOTICE OF MEETING – Public Notice of the Meeting was given in accordance with Schedule 12, para 10 (2) of the Local Government Act 1972

PUBLIC QUESTION TIME

Mr Marcus Smith was invited to inform the Council on his proposals for the re-development of Thornhill Farm, Sutton Lane that he had recently purchased. The Council noted his proposals and thanked him for attending.

There were no further Questions raised.

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES

There were no Reports received.

52/18 APOLOGIES FOR ABSENCE

All Council Members were present.

53/18 DECLARATION(S) OF INTEREST AND DISPENSATIONS – IN ACCORDANCE WITH LANGLEY BURRELL WITHOUT PARISH COUNCIL'S CODE OF CONDUCT AND STANDING ORDERS

No Interests were declared. There were no Dispensations required under Section 33 of the Localism Act 2011.

54/18 MINUTES Members had been previously circulated with the Draft Minutes.

The Council received, approved and signed as a true record the Minutes of the Parish Council Meeting held 20th September 2018. **Cllr R Whitrow proposed, seconded Cllr R Colthorpe and RESOLVED UNANIMOUSLY**

55/18 PLANNING

Planning Applications:

Prior to the consideration of each Planning Application, the opportunity will be given for Applicants and their Representatives and any other interested parties to address the Council. (Limited to 3 minutes each person) There were no representations.

a) 18/08761/FUL

Wessex Water is proposing to install an orthophosphoric acid (Ortho-P) dosing plant at the existing Allington Services Reservoir. A planning application is required for the construction of the dosing kiosk. A delivery bund and safety shower, are to be constructed under permitted development rights. Temporary use of land adjoining the reservoir site as a construction compound will be constructed under permitted development rights

Allington Reservoir Distribution Site, Malmesbury Road, Kington Langley,
Chippenham, Wiltshire SN15 5QA

For Wessex Water

Following consideration of the application **the Council resolved to raise no objections** to the proposals.

Cllr R Whitrow proposed, seconded Cllr Julie Hoskins and RESOLVED UNANIMOUSLY

b) 18/08917/FUL

Re-Building and Extension of Kitchen and Lobby

Pinchloafe Cottage, 23 The Common, Langley Burrell SN15 4LQ

For Mr Winston Williams

Following consideration of the application **the Council resolved to raise no objections** to the proposals.

Cllr R Whitrow proposed, seconded Cllr Katerina Johnstone and RESOLVED UNANIMOUSLY

c) 18/09049/LBC

Re-Building and Extension of Kitchen and Lobby

Pinchloafe Cottage, 23 The Common, Langley Burrell SN15 4LQ

For Mr Winston Williams

Following consideration of the application **the Council resolved to raise no objections** to the proposals.

Cllr R Whitrow proposed, seconded Cllr Katerina Johnstone and RESOLVED UNANIMOUSLY

d) 18/08446/REM

Approval of all matters reserved by Condition 2 attached to 17/03417/OUT including appearance, landscaping, layout and scale for 'phases 1 & 2' and the 'strategic landscaping' element at the boundaries of the site

Land South-East of Junction 17 of M4 Motorway, Kington Langley,
Chippenham, Wiltshire

For St Modwen Developments

The application was not within Langley Burrell Without Parish and the Council considered that they did not wish to comment on the proposals.

There were no further Planning Applications considered.

Planning General and Decisions: The Council received notification and considered other Planning related matters, including updates on any Planning Applications that had not yet been determined.

- a) 18/07826/REM Land at North Chippenham, Parcels B3 & B5. Reserved Matters for Erection of 152 Dwellings, etc.

There was no decision to date. **(noted)**

- b) 18/08316/REM Land North Chippenham (Parcels P1C and P1D). Reserved Matters for Erection of 132 Dwellings, etc.

There was no decision to date. **(noted)**

- c) 18/02037/FUL Land at Rawlings Farm. Construction of Bridge, Temporary Haul Road etc.

There was no update required. **(noted)**

- d) 15/12352/OUT Land at Rawlings Farm. Outline permission for up to 650 dwellings etc

There was no decision to date. **(noted)**

- e) 18/01610/REM Land at North Chippenham. Erection of 51 Dwellings, infrastructure etc.

Land to the north of Chippenham. The Council had been concerned that areas of land outside of the approved application sites were being used as building compounds destroying mature landscaping without permission. The matter had been reported to Wiltshire Council who had asked the Parish Council to check any perceived contravention against permission 17/08471/REM and that if they still believed there was an issue the Enforcement team would be notified. Cllr D Mannering had investigated further and confirmed that there was a contravention and the Clerk had advised Wiltshire Council. **(noted)** Relevant also was the obstruction of Right of Way LBUR28. The Council had no knowledge of a stopping up order, temporary diversion or otherwise. In addition to the pending enforcement process through Planning Services, **the Clerk was asked to** inform Wiltshire Council Rights of Way of the Council's concerns on the un-authorised situation that required immediate remedial action

- f) 18/01102/REM Land North of Hill Corner Road. Phase 2 infrastructure etc., pursuant to N/12/00560/OUT

There was no decision to date. **(noted)**

- g) 18/02973/106 Modification of S106 Agreement attached to N/12/00560/OUT

There was no decision to date. **(noted)** The application decision had been outstanding for a considerable time and **the Clerk was asked to** seek an update from the Planning Case Officer on the likely timescale for a decision.

- h) 18/04224/REM Land North of Hill Corner Road. Erection of 212 Dwellings, etc

There was no decision to date. **(noted)**

- i) **Planning Case Officer Meeting.** A meeting had been requested with the Case Officer. At the present time the Officer had suggested that any meeting was premature as he was awaiting responses from the applicant and other Council colleagues. He had advised the Council that any Committee reporting was likely to take some time. **(noted)** The application decision had been outstanding for a considerable time and **the Clerk was asked to seek an update from the Planning Case Officer on the likely timescale for a decision and if a meeting date could now be agreed.**

56/18 FINANCE

The Council considered financial matters and received notification of receipts and invoices for payment.

a) Payments:

Langley Burrell Village Hall. Hire of Meeting Room Inv 1643 03.09.18 £ 70.00
Langley Burrell Village Hall. Hire of Meeting Room Inv 1656 02.10.18 £ 35.00

Cllr R Whitrow proposed, Cllr Julie Hoskins seconded and RESOLVED UNANIMOUSLY

b) Receipts: The Council noted receipt of:

Wiltshire Council Parish Precept 2018/19 (installment 2) 21.09.18 £ 6,150.00

c) Bank Account balances: The Council noted Lloyds Bank A/c No 00222628

29th September 2018 Sheet No 8 £ 15,155.84

57/18 HIGHWAY MATTERS

- a) **Parish Stewards Programme/Requirements:** general issues for the Local Highway & Streetscene Community Team. The Clerk reminded the Council that there was a need to report matters to Wiltshire Highways using the Wiltshire system/s otherwise the Parish Steward services might be lost. The Council had been notified of visits programmed for 4th October, 1st November and 29th December 2018. Highway gulley/road flooding was now being experienced in The Steamer bridge area and gulley cleaning would be requested. There had still been no response from Network Rail for their agreement to allow the Steward to enter land and carry out required drainage work in Thornhill Lane, which was necessary before any highway surface works could be contemplated. The Clerk would make further contact but reported that on a recent Area Board CATG Notetracker update he had noted that Thornhill Lane, Langley Burrell had been noted in the sites agreed for the category Major Maintenance as part of a 5-year programme. This would almost certainly lead to Wiltshire Council needing to approach Network Rail for any necessary approvals. CATG would meet again on the 15th January 2019 when a further update may be provided. **(noted)** The Council noted receipt of (Cllr Wayman's) Local Highways September 2018 Newsletter. **(noted)**

- b) **Rights of Way:** general issues in regards to Public Footpaths and Bridleways within the Parish.
 - i) Maud Heath's Causeway. There was no update. **(noted)**
 - ii) Langley Burrell Footpaths No 34, No 42 and No 51 and Chippenham No 27. The Council had been notified of the Temporary Closure in regards to the Footpaths to enable archaeological exploration and safe construction of a housing estate and link road, for the duration of six months, commencing 19th November 2018. **(noted)**
- c) **Highway Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish.

There were no issues raised that had not previously been discussed. **(noted)**

58/18 STANDING ITEMS

- a) **Parish/Community Website/Newsletters/Social Media:** The website designer had requested that other organisations within the Parish provide their details for inclusion. The Council would advise them accordingly but in the interim **the Council agreed that** the new website could go live containing Council information only.
- b) **Notice Board/s:** There were no issues raised. **(noted)**
- c) **Flooding & Drainage:** There were no issues raised. **(noted)**
- d) **Langley Burrell Village Hall:** The new Kitchen had been completed. **(noted)**
- e) **Wiltshire Council Chippenham Area Board and Chippenham Community Area Parish Forum:**

An Area Board Meeting had been held Monday 8th October 2018 in The Neeld Hall, Chippenham. The Meeting scheduled for 17th December 2018 had been cancelled and the next Meeting would now be on the 4th February 2018. The Parish Forum had met on Wednesday 15th August 2018 in St Mary Magdalene Church, Hullavington. The Guest Speaker was Chippenham Town Council. The Forum would meet again on Wednesday 24th October 2018 at 7.30pm in The Goss Croft Hall, Upper Seagry, the Guest Speaker would be Victoria Welsh, the Chippenham Community Area Engagement Manager. The Council was advised that Cllr D Mannering had requested that items relating to the Wiltshire Housing Site Allocations Plan and pavement parking in rural villages be included on the agenda. **(noted)**

- f) **Langley Burrell Neighbourhood Plan:** There was no update. **(noted)**
- g) **Langley Burrell Emergency Plan.** Pursuant to Minute 48/18 (g). The Clerk advised that an Emergency Plan was not a legal requirement but was still considered beneficial to assist the Wiltshire Council and other Emergency Bodies in their roles. The Council considered that existing arrangements were adequate for the Parish **and agreed that no further action** would be given to producing a Plan. **The Council agreed that this** Agenda item would be taken off the Standing Item agenda and would only be tabled when reports or matters

relating to Emergency Planning were received and at the Annual Council Meeting.

- h) **Council Insurance:** There was no update required. (noted)
- i) **Council Standing Orders & Code of Conduct:** Pursuant to Minute 48/18 (i). The Council had agreed at the last Council Meeting the updated Council Standing Orders, Financial Regulations and Code of Conduct Policy documents. The Clerk presented them for formal adoption at the Meeting. The Council agreed to adopt the Policies. **Cllr R Whitrow proposed, seconded Cllr Julie Hoskins and RESOLVED BY MAJORITY**
- j) **Asset Register:** The Clerk would report to a future Council Meeting. (noted)
- k) **Risk Assessment:** The Clerk would report to the next Council Meeting. (noted)
- l) **Health & Safety and Management Register:** The Clerk would report to a future Council Meeting. (noted)
- m) **Freedom of Information Act-Publication Scheme:** The Clerk would report to the next Council Meeting. (noted)
- n) **Council Award Scheme:** The Council agreed that this Agenda item would be taken off the Standing Item agenda and would only be tabled when reports or matters relating to the Council Award Scheme were received and at the Annual Council Meeting.
- o) **Parochial Church Council/s:** there was no update. (noted)
- p) **Neighbourhood Watch:** The Council agreed that this Agenda item would be taken off the Standing Item agenda and would only be tabled when reports or matters relating to Neighbourhood Watch were received and at the Annual Council Meeting.
- q) **Data Protection:** The Council agreed that this Agenda item would be taken off the Standing Item agenda and would only be tabled when reports or matters relating to Data Protection were received and at the Annual Council Meeting.

59/18 CLERKS REPORT

The following items were received for decision, information, and circulation and for future discussion and matters arising and updates from previous meeting/s.

- a) **Traffic Calming.** Pursuant to Minute 49/18 (a). The Council had considered the issue of traffic calming within the Parish, possibly with the introduction of permanent chicanes in suitable places or electronic speed registering signs. The issue of permanent measures was to be investigated through CATG but the cheaper option could be the purchase and installation of temporary electronic speed devices. The Clerk circulated details of the ElanCity Evolis Radar and Solagen SID Mobile devices and following consideration **the Council agreed that** the costs could not be accommodated in existing capital finances and that the issue should be considered following the receipt of CIL monies and agreement on a CIL Policy for the Parish.

- b) Wiltshire Council Operational Flood Working Group North. The Council noted that the next is scheduled for 14th November 2018 in St Margaret's Hall, Bradford on Avon. Further details were awaited **(noted)**
- c) WALC. The Council had been advised that the Association was consulting on a proposal to extend the Member Services to add employment services. Responses were required by 30th November 2018. The potential increase in subscription fees was 4% per year. **The Council agreed to support** the extended service and would inform WALC.
- d) Wiltshire Association Local Councils (WALC). The Council had been advised that the AGM would take place on Monday 22nd October 2018 at 6.30pm at Unit C2, Beacon Business Centre, Hopton Park, Devizes SN10 2EY. Following the AGM would be a discussion on "The Magic Money Tree" funding for local Councils. **(noted)**
- e) Wiltshire Council – Focusing on the Future. The Council had been invited to a public event to meet Wiltshire Council Cabinet Members, focusing on the future. The nearest session would take place on Thursday 22nd November 2018 in the Council Chamber, Monkton Park, Chippenham 5.30pm – 7.00pm. **(noted)** Cllr D Mannering indicated that he would like to attend the event and Wiltshire Council would be advised.
- f) Wiltshire Council - Briefing Note No 366. Pursuant to Minute 49/18 (l). The Council had previously received a Briefing Note in regards to the Electoral Review of Wiltshire Council. Later Agenda items also referred to the issue of various Reviews taking place that would also have implications and suggestions being proposed would need consideration. As a fundamental position **the Council agreed that** they wished to stay in the Kington Division rather than be incorporated into any other Division.
- g) Local Government Boundary Commission. Pursuant to Minute 49/18 (m). The Council had been previously notified that a Consultation on the Wiltshire Council Division Boundaries had begun, closing on the 5th November 2018. It had been understood that draft recommendations would be published in February 2019 for a further consultation with final recommendations expected in July 2019 coming into effect at the local elections in May 2021. The Council was mindful that this could have implications on future electoral arrangements and reiterated their position expressed in Minute 59/18 (f) above that as a fundamental position they had agreed that they wished to stay in the Kington Division rather than be incorporated into any other Division.
- h) Wiltshire Council. Changes to Electoral Divisions and Area Boards. Pursuant to Minute 49/18 (n). The Council had been previously reminded that the Review was taking place and could lead to the need for some Parishes to move from one Area Board to another as a result of forming the new Divisions. The Council considered that with the Parish situated in such close proximity to Chippenham and with the encroachment of development extending the urban area into the Parish it was highly unlikely that the Parish would be moved to another Community Area Board.

However, although not part of the Review the Council needed to be mindful of potential next stage Reviews involving the consideration of Parish and Town Boundaries. With this in mind the Council took the opportunity of discussing the future of the Parish and although there will be a need for significant evidence to be produced and argument made to substantiate the case at the appropriate time as a starting point a fundamental stance should be taken so that all those involved would be aware of the Council's position. **The Council agreed that** their first stance

should be that the existing Parish Boundaries should remain as existing with all existing development, including that west of the A350 and all northern Chippenham development situated within the Parish, to include any further housing site allocations should remain within the Langley Burrell Without Parish. This would ensure that the Council could continue to retain a rural perspective and interest in all decision-making and support the existing community who will be affected by the urban sprawl. In addition the whole Parish would benefit from the potential increase in financial income both in the short term through CIL Receipts and also in the continuing longer term through Council Precept.

The Council was well aware that previous Boundary changes within the Chippenham area had not reflected the Council's first stance with various areas of the Parish and adjacent Parishes being taken into the Chippenham Parish and now being within the Town boundaries. With this in mind **the Council agreed that** their second stance should be that a case and request be made, that would acknowledge previous changes, where urban expansion areas had led to Boundary changes that had resulted in the historic natural boundaries being replaced by hard infrastructure relating to new development, the A350 being an example.

Consequently, following this methodology **the Council agreed that** the A350 should become the western boundary of the Parish, resulting in the loss of the existing Parish areas to the west of the A350, and that the "ring road" from the A350 to the B4069 should become the southern boundary of the Parish. The same principle would be adopted for all development land associated with north Chippenham expansion areas to the east of the B4069 using the continuation of the "ring road" towards the east and onwards as the new southern Parish Boundary. The loss of these areas of land was not welcomed but the decision was based upon the knowledge of recent boundary changes and the wish to remain a sustainable rural community served by a locally elected, capable and fully functioning rural Parish Council retaining a continuing Local Government presence that reflected the wishes of the electorate.

- i) Trowbridge Town Council Consultation Response - Wiltshire Council. Changes to Electoral Divisions and Area Boards. The Council noted receipt of a consultation submission from Trowbridge Town Council and that this proposed that the Parish should move from the Kington Division to a North Chippenham Division based upon future electorate sizes. The Council did not welcome this and Minutes 59/18 (f) and (g) above reflect the Council's view that they wished to stay in the Kington Division rather than be incorporated into any other Division.
- j) Wiltshire Council - Briefing Note No 368. Pursuant to Minute 49/18 (y). The Council had received a Briefing Note in regards to the Wiltshire Local Plan Review Update. The Note had included an invitation to consultation events taking place during October 2018 and Cllr D Mannering and Cllr Julie Hoskins had agreed to represent the Council at two sessions. The Clerk advised that Cllr D Mannering had asked for a discussion at the Parish Forum. There would be a need for Council Members to be mindful of this process and timescales as this may have implications on future development in the Parish. **(noted)**
- k) Chippenham Neighbourhood Plan. Pursuant to Minute 49/18 (r). The Clerk reported that Mr Andrew Conroy, Chippenham Town Council Planning Officer, who was tasked with the preparation of the Neighbourhood Plan

had confirmed that he would attend the Council Meeting to be held on Monday 19th November 2018 to give a presentation, to hear views and answer questions. **(noted)**

- l) CIL Funding. Pursuant to Minute 49/18 (s). There was a need for the Council to consider and adopt a local CIL Funding Policy in accordance with CIL Guidelines. **The Council agreed that** it was appropriate to set a timescale for adoption **and the Council agreed** March 2019. A draft policy would be presented for consideration at a future Council Meeting.
- m) Langley Burrell Neighbourhood Plan. Minute 49/18 (v) referred. There was no update **(noted)**

60/18 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING

- a) Parish Wall Map. The Clerk reported that he had sourced a Map and the likely cost would be £109.00 and he would now order.
- b) Street Naming. Cllr D Mannering reminded the Council that they had considered street names for estate roads at their last Meeting and had agreed to consider and prepare a further list in readiness for further street naming consultations. This would allow issues such as naming streets after living persons to be addressed.
- c) Village Hall Improvements. The Clerk reported that the Council Members had been invited to the Official Opening of new Kitchen facilities, which would take place on Monday 19th November 2018, prior to the next Council Meeting. It was understood that Wiltshire Councillor Howard Greenman had been invited.
- d) Action List. Cllr D Mannering asked that the Council should re-introduce the Action List concept so that he and other Council Members could keep abreast of action's taken, outstanding actions and any updates on outstanding matters. Cllr Mannering would provide the Clerk with a previous version for consideration.
- e) Council Draft Minutes. Cllr D Mannering asked that he be provided with the Draft Minutes as a Word document. The Clerk could easily comply with this request although it would need to be treated as a read only document and should not be circulated further to allow alteration. This was the advantage of the official pdf.

61/18 DATE OF NEXT MEETING

The next Council Meeting will be held in the Maud Heath Room, Langley Burrell Village Hall on **Monday 19th November 2018 at 7.30pm.**

PART 2 AGENDA

As the following Item related to Confidential Matters, in regards to an Employees Contract, in accordance with Langley Burrell Without Parish Council Standing Orders (Admission of Public and Press to Meetings) it was considered that in view of the confidential nature of the business to be transacted, in accordance with the Public Bodies (Admission to Meetings) Act 1960 (as amended), the Public and Press should be excluded for the remainder of the Meeting and that they were instructed to withdraw.

The matter would be an Agenda item at the next Council Meeting.

Signed:

Date: **19th November 2018**