

LANGLEY BURRELL PARISH COUNCIL

Vivian A Vines MBE
Clerk of the Council

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3 Wardour Road
Chippenham
Wiltshire
SN14 0PA

11th April 2018

Dear Councillor,

You are summoned to a **Meeting of the Langley Burrell Parish Council**, to be held on **Monday 16th April 2018** commencing at **8.00pm** in **Maud Heath Room, Langley Burrell Village Hall**. (The Council Meeting will commence at the closure of the Annual Parish Meeting)

Yours faithfully,

Vivian Vines

Parish Clerk

FULL COUNCIL MEETING

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

PUBLIC QUESTION TIME: an opportunity for members of the public to address the Council on any Council matter before the formal meeting commences. (Limited to 10 minutes)

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES: an opportunity to put questions and receive information from the Wiltshire Councillor, if available, and Council delegated representatives for other organisations and functions. (Limited to 10 minutes)

AGENDA

1. **APOLOGIES FOR ABSENCE:** To note and agree Apologies received from Council Members.
2. **DECLARATIONS OF INTEREST:** To receive and agree Declarations of Interest in accordance with Langley Burrell Parish Council's Code of Conduct and Standing Orders, including Dispensations required under the Code of Conduct.
3. **MINUTES:** To receive and sign as a true record the Minutes of the meeting/s held

Parish Council Meeting held 19th February 2018. To consider and review, if necessary (**For Decision**)

Extraordinary Parish Council Meeting held 23rd March 2018. To consider and review, if necessary (**For Decision**)

Parish Council Meeting held 28th March 2018 (**see attached Draft Minutes**) (**For Decision**)
4. **PLANNING:**

Planning Applications: To make observations on Planning Applications received

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)

- a) 18/02259/FUL
Alterations to Existing Single Storey Rear Extension to form new Two Storey Extension.
Replacement of Existing Conservatory glass roof with new tiled roof. Associated Internal Alterations
Orchard House, The Common, Langley Burrell SN15 4LQ
For Captain Mike Davidson **(see online) (For Decision)**
- b)) 17/05423/FUL
Erection of a large shed in front garden, extend above the garage
Woodslea, The Common, Langley Burrell, Nr Chippenham, Wiltshire SN15 4LL
For Mr Glen Turner **(to note)**

The Council was re-consulted on an amended proposal on the 28 March 2018 with a timescale for response being the 11 April 2018. The Council agreed to consider the matter at their Meeting held on the 28 March 2018 as a late agenda item and concluded that although an attempt had been made by the applicant to reduce the impact of the proposals they still retained the view that the proposals were unacceptable, specifically in regard to the potential detrimental effect on the Conservation Area, the adverse effect on the appearance of Crossing Lane, the dominating effect on the surrounding area and the adverse impact on Langley Green House a listed building in close proximity.

- c) 18/02973/106
Modification of S106 Agreement attached to N/12/00560/OUT to increase number of dwellings, which can be occupied prior to various elements of highway works being carried out and to vary the details of the intermediate housing element to be either DMU or shared ownership
Land at Hill Corner Road, Chippenham, Wiltshire
For Mr James Pryor – Persimmon Homes Limited **(see online) (For Decision)**

No further Planning Applications have been received within the timescale for Agenda inclusion.

Planning Decisions: To receive notification of any Planning Decisions received and any amendments and updates to previously considered Planning Applications.

- a) 17/11361/LBC
Replace lean-to Study with Orangery
Pound Cottage, Chippenham Road, Langley Burrell SN15 4LF
For Mr Richard Colthorpe **Refused 13 March 2018**
- b) 17/11064/FUL
Replace lean-to Study with Orangery
Pound Cottage, Chippenham Road, Langley Burrell SN15 4LF
For Mr Richard Colthorpe **Refused 13 March 2018**
- c) 18/01543/TCA
30% Crown Reduction to Oak Tree
Treetops, The Common, Langley Burrell SN15 4LL
For Mrs Lorraine Hunter **No Objections 21 March 2018**
- d) 18/00243/FUL
Alterations to pedestrian footpath and landscaping, installation of zebra crossing and associated works
Chippenham Service Station, Malmesbury Road, Chippenham SN14 6UY
For BP Oil (UK) Ltd **Approved, subject to Conditions 27 March 2018**
- e) 17/03417/OUT
Outline Planning for the Erection of up to 1,000,000 sq ft of Class B8 (storage and distribution) Employment Space and Associated Infrastructure
Land South-East of Junction 17 of M4 Motorway, Kington Langley, Nr Chippenham, Wiltshire
For St Modwen Developments **Approved, subject to Conditions 28 February 2018**

No further information has been received regarding decisions within the timescale for Agenda inclusion.

Planning General: To receive notification and consider any other Planning related matters, including updates on any Planning Applications that have not yet been determined to date.

- a) 18/02037/FUL Land at Rawlings Farm. Construction of Bridge, Temporary Haul Road etc
- b) 15/12352/OUT Land at Rawlings Farm. Outline permission for up to 650 dwellings etc
- c) 18/01610/REM Land at North Chippenham. Erection of 51 Dwellings, infrastructure etc
- d) 18/01102/REM Land North of Hill Corner Road. Phase 2 infrastructure N/12/00560/OUT
- e) 17/07793/FUL Wavin Ltd Parsonage Way. Works to existing road to provide new link etc
- f) 17/05423/FUL Woodslea, The Common. Large Shed and Extend above garage etc

5. FINANCE: To consider financial matters and to receive notification of any receipts and invoices for payment

- a) To consider and approve any payments required **(For Decision)**

Langley Burrell Village Hall. Hire of Hall. Inv 1565	01.03.18	£	35.00
Clerks Net Salary Mr E M Helps	March 2018 Claim Form	£	179.38
Clerks Expenses. Mr E M Helps	March 2018 Claim Form	£	19.40
Clerks HMRC PAYE	Period 01.01.18 to 03.03.18 P10-P12	£	218.60

The above payments have been previously approved and payment cheques need to be signed by two Council Members.

WALC Annual Subscription 2018/2019. Inv SUB 18/19-138	01.04.18	£	168.25
Mr E M Helps. Curry's PC World. USB 2.0 32GB drive	07.04.18	£	9.99
Langley Burrell Village Hall. Hire of Hall. Inv 1571	01.04.18	£	70.00
Information Commissioner. Data Protection Renewal 18/19		£	35.00

Section 137 Local Government Act 1972. The Council has already and will receive more and more requests, for financial assistance as others, such as Wiltshire Council, withdraw financial support to the volunteer and charitable sectors. All Parish Councils have "free spending power" under the Act subject to limitations. Section 137 gives Council's the power to "incur expenditure for purposes not otherwise authorised". In theory it is "a power of last resort" and it must benefit some or all inhabitants, not an individual and it cannot be made retrospectively. The total spend each year is based on the number of electors in a Parish and the limit for 2017/2018 was set at £7.57 per elector. Notification has been received that for 2018/2019 this is increased to £7.86 per elector. **(to note)**

Langley Burrell Residents Association. The Council has previously agreed in principle to financially support the production of signs and the provision of posts and fixings for the benefit of the community in relation to development proposals within the Parish. As this can reasonably be seen as supporting the voluntary community sector through a volunteer organisation representing the whole Parish (Langley Burrell Residents Association) the Council may consider that a Section 137 Grant be offered to support them in their activities for the next 12 months. To consider and agree that a grant be made to the Langley Burrell Residents Association. **(For Decision)**

- b) To note any receipts received since the last Council Meeting

There have been no Receipts since the last Council Meeting **(to note)**

- c) Bank Account balance as at 30th January 2018. Sheet No 1 **(to note)**

Lloyds Bank Treasurers Account. A/c No 00222628	£	9,248.76
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*** For information**

A bank account statement is expected at 30th April 2018. A reconciliation to end of year can be expected to show the end of year 31st March 2018 balance as being:

Un-cleared cheques within the year are expected to amount to:	£ 7,052.36
The end of year carry forward balance can be expected as:	£ 452.38
	£ 6,599.98

d) Council Receipt & Payments Schedule to Year End 31st March 2018 and Accounts

To confirm that the Council will receive a detailed Receipt & Payments Schedule to Year End 31st March 2018 to allow the adoption of the Annual Accounts for submission to the Internal Auditor at the next Council Meeting. **(to note)**

e) Lloyds Bank Mandate and Administration Details

Following recent changes to the Council administration arrangements there is a need to alter the existing arrangements with the Lloyds Bank. There is a need to confirm that the Clerk holds the position of Proper Officer to act on behalf of the Council in banking matters. The requirement for two signatures for each cheque the Council issues at a Council Meeting under Council Standing Orders/Financial Regulations will remain un-altered. **(For Decision)**

f) Internal Auditor. To consider and agree the appointment of an Internal Auditor. The Parish Council's existing Internal Auditor is Mr Edward Ferguson. It is recommended that he be re-appointed by the Council. **(For Decision)**

6. HIGHWAY MATTERS:

- a) Parish Stewards Programme/ Requirements – Local Highway and Streetscene Community Team. To raise general issues and to receive any updates. To consider and update the top 5 priorities and inform Wiltshire Council Highways. The Council has been advised that a Parish Steward visit is scheduled for 12th April 2018. However, the Council has been notified that following the recent bad weather conditions a significant amount of extra work on the filling of highway potholes has been created. As the Wiltshire Council has the statutory duty to maintain the highway Parish Stewards have been directed to this work and visits have been suspended. **(For Decision)** To note receipt of (Cllr Wayman's) Local Highways March and April 2018 Newsletters and attachments. **(previously circulated) (to note)**
- b) Rights of Way – To raise general issues and to receive any updates. **(For Decision)**
 - i) Diversion of Footpaths Modification Order Langley Burrell Footpaths 28 and 36 (Order includes Chippenham Footpaths 28 and 29). Confirmed 22 March 2018 **(to note)**
 - ii) Langley Burrell Footpath 22. To raise general issues and to receive any updates.
 - ii) Maud Heath Causeway. To raise general issues and to receive any updates.
- c) Highway & Footpaths Conditions and Maintenance – To raise general issues in regards Highway Conditions and Maintenance within the Parish and to receive any updates. **(For Decision)**

7. STANDING ITEMS:

- a) Parish/Community Website/Newsletters/Social Media – To raise general issues and to receive any updates. **(to note) (For Decision)**
- b) Notice Board/s – To raise general issues and to receive any updates. To consider further provision, approved key-holders, cleaning and future maintenance. **(to note) (For Decision)**
- c) Flooding & Drainage – To raise general issues and to receive any updates **(to note) (For Decision)**
- d) Langley Burrell Village Hall – To raise general issues and to receive any updates **(to note)**
- e) Wiltshire Council Chippenham Area Board and Chippenham Community Area Parish Forum
 - i) To note that an Area Board Meeting was held on Monday 19th March 2018 in the Council Chamber, Monkton Park, Chippenham and to receive any updates. The next Area Board Meeting is scheduled for Monday 4th June 2018. **(to note)**
 - ii) To consider any new, and review any previous local issues within the Parish, which have been, or should be raised, with the Chippenham Area Board at their next Meeting **(For Decision)**

- iii) To note that a Meeting of the Chippenham Community Area Parish Forum was held on Wednesday 21st March 2018 in the North Wraxall Community Hall, The Shoe and to receive updates. The next Forum Meeting is to be held on Wednesday 20th June 2018 at 7.30pm in the Stanton St Quintin Parish Hall, Church Road, Stanton St Quintin SN14 6DE **(to note)**
- iv) To consider any new, and review any previous local issues within the Parish, which have been, or should be raised, with the Community Area Parish Forum at their next Meeting **(For Decision)**
- f) Langley Burrell Neighbourhood Plan – To raise issues and to receive any updates. **(to note) (For Decision)**
- g) Langley Burrell Emergency Plan. . To consider Emergency Planning matters and to receive and consider any updates. **(to note) (For Decision)**
- h) Council Insurance – To raise issues and receive updates as required. To consider and agree necessary amendments. **(to note) (For Decision)**
- i) Council Standing Orders & Code of Conduct: To consider and agree necessary amendments and updates of the Council Standing Orders & Code of Conduct. **(to note) (For Decision)**
- j) Asset Register: To consider and agree necessary amendments and updates of the Council Asset Register. **(to note) (For Decision)**
- k) Risk Assessment: To consider and agree necessary amendments and updates of the Risk Assessment Register. **(to note) (For Decision)**
- l) Health & Safety and Management Register: To consider and agree necessary amendments and updates of the Health & Safety and Management Register. **(to note) (For Decision)**
- m) Freedom of Information Act-Publication Scheme: To consider and agree necessary amendments and updates of Freedom of Information Register. **(to note) (For Decision)**
- n) Council Award Scheme – To raise general issues and to receive any updates. **(to note)**
- o) School Governor's Report/s: To receive and to note any Report/s received. **(to note)**
- p) Parochial Church Council – To raise general issues and to receive any updates. **(to note)**
- q) Neighbourhood Watch – To raise general issues and to receive any updates. **(to note)**
- r) Data Protection – To raise general issues and to receive any updates. **(to note)**

8. CLERKS REPORT: To note items received for decision, information, circulation and for future discussion and matters arising and updates from previous meeting/s

- a) Wiltshire Council Operational Flood Working Group North. To note that Meetings have been held on the 17th January 2018 in Malmesbury Town Hall and Wednesday 14th March 2018 in St Margaret's Hall, Bradford on Avon. **(to note)**
- b) Buckingham Palace Garden Party 5th June 2018. The Council submitted nominations to WALC to be entered into a random Wiltshire draw. Notification has been received from WALC that the successful nominations were from the Corsham Town Council, Mere Town Council and Trowbridge Town Council. **(to note)**
- c) CPRE Wiltshire Best Kept Village Competition 2018, sponsored by Hills Group. To note that the Council has received an invitation to enter this years Competition. Closing date will be 20th April 2018. **(For Decision)**
- d) Wiltshire Council Pre-Application Consultations. The Parish Council asked, as part of a constructive community/developer engagement, if they could be included in future pre-application consultations within the Parish, particularly in respect of the Wavin Plastics, Parsonage Way and connected issues. A response has been received from Mr Alistair Cunningham, Wiltshire Council Corporate Director advising that pre-application requests are confidential and that on most occasions they do not involve Parish Councils in pre-application requests. **(to note)**
- e) Data Protection Registration Ref: Z7854058. The Council has been advised by the Information Commissioner's Office that the Council's Data Protection Registration under the Data Protection Act 1998 expires on the 15 May 2018 and that it legally required to the renew the registration every year. As a Public Authority with less than 249 members of staff the cost is currently £35.00. There is a possibility that this will change with the introduction of GDPR but advice is that any new fee will be payable when a registration expires. **(For Decision)**
- f) GDPR Briefing. The Council will recall that WALC arranged a Briefing on the General Data Protection Regulations for Local Councils on Thursday 25th January 2018 at Warminster Civic Centre. The Clerk was able to attend. The Briefing was delivered by the Head of Legal Services at NALC, Meera Tharmarajah. The Regulations become effective from 25th May 2018. General Data Protection Regulations (GDPR) require the

Appointment of Data Protection Officer (DPO) for each Parish Council. At the present time there is conflicting advice between NALC and the Society of Local Council Clerks (SLCC) on whether the Clerk/RFO can act as the Appointed DPO. What is clear that a DPO has to be qualified and experienced in data protection. Similarly, Council Members cannot be appointed. In saying that, providing either has the required qualifications there is nothing to stop a Clerk/RFO or Councillor being appointed to the role for another Council. Matters at the present time remain unclear and further advice is being awaited from NALC and WALC. A Council Member asked that the Parish Forum discuss whether there was scope for a collective approach by Parishes. In other words a DPO being appointed to serve a number of Councils with the costs shared. In the meantime Council Clerks are being inundated with approaches from data control services offering their services and training sessions. It is recommended that the Council note the present position and consider the matters further at their next Meeting when further advice has been received. **(to note) (For Decision)**

- g) NALC GDPR Toolkit. On the 27 February 2018 WALC has circulated to Parish Councils in membership a copy of the NALC GDPR Toolkit for Local Councils (Feb 2018) on the New Data Protection Laws that take effect on the 25 May 2018. The Council needs to consider and to decide how they wish to proceed, possibly with a collective approach with other Parishes. However, it is recommended that the Council note the present position and consider the matters further at their next Meeting when further advice has been received. **(to note) (For Decision)**
- h) Wiltshire Council - Briefing Note No 341 – The Council has received a Briefing Note in regards to Public Space Protection Orders. **(to note)**
- i) Carer Support Wiltshire. The Council has received a request for a donation towards Wiltshire's Community Connection Appeal aiming to raise £25,000.00 to tackle loneliness amongst carers. **(For Decision)**
- j) Wiltshire Council - Briefing Note No 342 – The Council has received a Briefing Note in regards to Chargeable Waste Collection and Disposal Arrangements. **(to note)**
- k) Wiltshire Council - Briefing Note No 343 – The Council has received a Briefing Note in regards to Wiltshire Waste Services Update. **(to note)**
- l) Review of Local Government Ethical Standards Consultation. NALC has provided a Briefing Note (PC05-18) reminding Councils of the Consultation ending 17.00 Friday 27th April 2018. **(to note)**
- m) Wiltshire Council - Briefing Note No 344 – The Council has received a Briefing Note in regards to the Wiltshire Housing Land Statement 2017. **(to note)**
- n) National Planning Policy Framework Consultation. NALC has provided a Briefing Note (PC06-18) reminding Councils of the Consultation, containing 43 questions, ending 17.00 Friday 20th April 2018. **(to note) (For Decision)**
- o) SSER Resilient Communities Fund 2018. An announcement has been made on a new round of funding designed to assist communities in becoming more resilient in emergency weather events. The Fund is worth £220,000.00 with applications invited for projects between £1,000.00 and £20,000.00. Deadline for applications is 16th May 2018 with awards made in November 2018. Forms and guidance notes from www.ssen.co.uk/rcf/ **(to note) (For Decision)**
- p) Wiltshire Council - Briefing Note No 345 – The Council has received a Briefing Note in regards to the GDPR. **(to note)**
- q) Wilts Society of Local Clerks. The Council has received a copy of the Presentations by Microshade VSM – Data Security and Transparency and documents given to them at their last Meeting. **(to note)**
- r) GDPR Briefing. The Council has been notified that following on from the Briefing held in Warminster in January 2018 WALC has arranged a further General Data Protection Regulations for Local Councils Briefing to be held on Wednesday 18th April 2018 at the Central Community Centre, Emlyn Square, Swindon 11.00am to 2.30pm. The previous event became "sold out" in a very short time but the Clerk has been able to secure a booking and will represent the Council. **(to note)**
- s) Wiltshire Council - Briefing Note No 347 – The Council has received a Briefing Note in regards Ofsted Inspection of Wiltshire's joint working to support Children and Young People with SEND (Special Educational Needs and/or Disabilities). **(to note)**
- t) Wiltshire Council - Briefing Note No 346 – The Council has received a Briefing Note in regards to Outdoor Learning Centres in Wiltshire, specifically Braeside and Oxenwood that are to close at the end of August 2018. **(to note)**
- u) Annual Governance and Accountability Returns. The Council has been notified by PKF Littlejohn LLP that the (SAAA) Smaller Authorities' Audit Appointments Ltd, has

appointed them as the External Auditor for smaller authorities for 5 years from 2017/2018. (They replace Grant Thornton UK) Instructions, information and guidance has been provided and the Clerk will report to the Council at their next Meeting. **(to note)**

- v) GDPR Information Session. The Council has been notified that following on from Briefing Note 345 the Wiltshire Council will be hosting a free information and Q&A session in the Council Chamber, county Hall on Friday 20 April 2018 between 1pm and 4pm. There is/was a restriction of 2 places per Parish Council with a request for applications by Tuesday 17 April 2018. **(to note) (For Decision)**
- w) GDPR Update. The Council has been notified by WALC that the Data Protection Bill has now completed its Committee stage and that NALC continues to lobby MPs to mitigate the impact and cost on Councils including exemption for a limited period, providing funding support to meet the new cost burden and to work with NALC to develop a national cost effective DPO service. Discussions continue with the ICO Office and with 4 companies who might be interested in providing a national service. There is a recommendation that any Councils going ahead with the employment of DPO services might wish to consider short term contracts in case guidance changes or that more options become available. **(to note)**
- x) Localism Act 2011 – Standards. Wiltshire Council's Monitoring Officer has written to Town and Parish Councils seeking assistance with the standards framework for Members. This relates to Code of Conduct, Registration of Interests, Ethical Standards and Training. Suggestions on what the training should cover are requested by 11th May 2018. **(For Decision)**
- y) CIL Funds. Wiltshire Council has issued Guidance on the receiving and use of Community Infrastructure Levy Funds adopted by that Council on 12th May 2015. As the Parish Council has an Adopted Neighbourhood Plan their name does not appear in the Annex attached to the Guidance, as there is no limitation on the amount of Funds the Parish can receive in year ending 31st March 2019. **(to note)**

9. COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING:

An opportunity to raise items and issues, which the Clerk cannot deal with, and which do not require a policy decision other than referral to the next meeting.

- 10. DATE OF NEXT MEETING:** The date of the Statutory Annual Council Meeting is scheduled for **Monday 21st May 2018 at 7.30pm** following which will be a Full Council Meeting. Both Meetings will take place in the Maud Heath Room, Langley Burrell Village Hall.