

# **LANGLEY BURRELL WITHOUT PARISH COUNCIL**

## **DRAFT MINUTES**

### **Council Meeting**

**held at 8.00pm**

**Maud Heath Room, Langley Burrell Village Hall**

**25<sup>th</sup> April 2019**

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

Also Present: 2 members 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 & Mrs R Woodward raised the issue of parked caravans on the estate road at Oakhurst, particularly concerned with possible permanent occupancy. Council Members in response agreed to consider this further at their next Meeting when more facts may have been ascertained.

There were no further Questions raised.

#### **REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES**

There were no Reports received.

#### **102/18 APOLOGIES FOR ABSENCE**

All Council Members were present. Apologies were received from Wiltshire Councillor H Greenman.

#### **103/18 DECLARATION(S) OF INTEREST AND DISPENSATIONS – IN ACCORDANCE WITH LANGLEY BURRELL WITHOUT PARISH COUNCIL'S CODE OF CONDUCT AND STANDING ORDERS**

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

#### **104/18 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 28<sup>th</sup> March 2019. **Cllr Katerina Johnstone proposed, seconded Cllr D Mannering and RESOLVED UNANIMOUSLY**

#### **105/18 PLANNING**

##### **Planning Applications:**

- a) 19/03326/TCA  
Ash Tree – Overall Prune & Reduction of One-Third  
Treetops, The Common, Langley Burrell, Wiltshire SN15 4LL  
For Mrs Lorraine Hunter

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

**Cllr Katerina Johnstone proposed, seconded Cllr Julie Hoskins and RESOLVED UNANIMOUSLY**

- b) 19/03177/FUL  
Demolish Existing Building and Outhouses and Rebuild New Dwelling  
Thornhill Farm, Sutton Lane, Langley Burrell, Wiltshire SN15 4LW  
For Mr M Smith

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

**Cllr D Mannering proposed, seconded Cllr Julie Hoskins and RESOLVED UNANIMOUSLY**

- c) 17/07793/FUL  
Works to existing road to provide new road link connecting B4069 Langley Road and Parsonage Way, including provision of a footway/cycleway and new landscaping. Construction of new gyratory junction at Langley Road. Stopping up of existing section of Parsonage Way and change of use to provide storage area. Construction of link to existing storage area and provision of security fencing  
Wavin Ltd, Parson Way, Chippenham Wiltshire  
For Mr Roger Taylor – Wavin Ltd

The Council had previously commented on this planning application on the 17<sup>th</sup> April 2018 and had been re-consulted on amended proposals.

In considering the latest submissions the Council noted the documentation/report provided by the independent Safety Forum Stage 1 Road Safety Audit (April 2018) that indicated the flaws in the proposals, the Hydrock Design Team response to the Stage 1 Audit and the Moss Naylor Young Transport Statement. Clearly there would need to be some lengthy consideration required from Wiltshire Highways Officers before agreement that the gyratory junction was fit for purpose, as it would be the major junction entering the Town from the B4069 and elsewhere.

The Parish Council's previous comments highlighted non-compliance with Core Strategy (Local Development Plan) and CSAP Policy and the Council saw nothing in the latest submissions that altered those views and the Council reiterated its' previous concerns.

**Cllr D Mannering proposed, seconded Cllr R Whitrow and RESOLVED UNANIMOUSLY**

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

Amended plans had been received and the Council had been re-consulted and had responded on the 29<sup>th</sup> March 2019. Pursuant to Minute 95/18. The Council had agreed to seek a quotation from ADL Traffic Engineers to provide expert advice on the amended details received. Cllr D Mannering has obtained quotations and the Council's approval had been required to proceed. Following consideration **the Council agreed** to employ ADL Traffic Engineers to provide a letter of opinion (£500.00 + vat) and to attend a Planning Case Officer meeting £350.00 + vat). **Cllr Katerina Johnstone proposed, seconded Cllr Julie Hoskins and RESOLVED UNANIMOUSLY** In the interim the Clerk agreed to submit further representations to Wiltshire Council on the Council's behalf based upon discussions and the Technical Notes (April 2019) received from the consultants.

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

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

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

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

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

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

- g) 18/08917/FUL Re-Building & Extension Pinchloafe Cottage, 23 The Common.

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

- h) 18/09049/LBC Re-Building & Extension Pinchloafe Cottage, 23 The Common.

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

- i) 18/11188/FUL Coach House Conversion etc., Kilverts Parsonage SN15 4LE

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

- j) 18/11736/LBC Coach House Conversion etc., Kilverts Parsonage SN15 4LE

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

- k) 18/07826/REM Land North of Hill Corner Road, Land Parcel B3 & B5. 152

dwellings etc

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

- o) 19/00187/FUL Change of Use Two Dwellings 43, The Common SN15 4LQ

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

- p) 19/00752/TPO Fell 3 Ash Trees Wavin Plastics Limited, Parsonage Way

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

- p) 19/00877/FUL Agricultural Building, etc. Crossing Lane, Peckingell Farm,

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

- r) Planning Case Officer Meeting. **The Council agreed that** no action was required at the present time.

## 106/18 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 1754	£	35.00
BHIB Ltd. Insurance Renewal 19/20 Policy LCO00655 09.04.19	£	484.96
WALC. Subscription Renewal 19/20. Inv 19/20-138 01.04.19	£	169.81
Information Commissioner. Data Protection Fee renewal 19/20	£	40.00
WC CATG Contribution. The Common nameplates. Inv 9033929	£	103.23

**Cllr D Mannering proposed, Cllr R Colthorpe seconded and RESOLVED UNANIMOUSLY**

- b) **Receipts:** The Council noted the following receipt. **(noted)**

Wiltshire Council. CIL 17/07413/REM payment 01.04.19 £ 36,403.37

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

There was no update since the 30<sup>th</sup> January 2019 balance of: £ 14,980.84

## 107/18 HIGHWAY MATTERS

- a) **Parish Stewards Programme/Requirements:** general issues for the Local Highway & Streetscene Community Team. It was assumed that the Parish Steward had visited on the 4<sup>th</sup> April 2019. Council Members considered the top 5 priorities to be notified to Wiltshire Highways and the Clerk agreed to update the template to include the additional damaged/demolished sign at Sutton Lane road junction and forward to Wiltshire Council. At the present time there had been no notification of further Parish Steward visit dates. **(noted)** The Council noted receipt of (Cllr Wayman's) Local Highways March 2019 Newsletter. This advised that the nearest Annual Town & Parish Council Highways Meeting

would take place on 1<sup>st</sup> May 2019 (7.00pm to 9.00pm at Monkton Park, Chippenham. **(noted)**)

- b) **Rights of Way:** general issues in regards to Public Footpaths and Bridleways within the Parish.
  - i) Maud Heath's Causeway. Cllr Julie Hoskins advised that here had been no change in circumstances since the last Meeting. **(noted)**
  - ii) Kissing Gates. Pursuant to Minute 97/18 (b) (iii). The Council had agreed that relevant landowners would need to support the provision of kissing gates. Cllr D Mannering had provided a location plan indicating suggested positions. **The Council agreed to proceed** with the request to Area Board and ask Wiltshire Council to identify land ownership.
- c) **Highway & Footpaths Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish.

There were no matters raised that had not been identified previously. **(noted)**

#### 108/18 STANDING ITEMS

- a) **Parish/Community Website/Newsletters/Social Media:** There was no update. **(noted)**
- b) **Notice Board/s:** There was no update. **(noted)**
- c) **Flooding & Drainage:** There was no update. **(noted)**
- d) **Langley Burrell Village Hall:** There was no update. **(noted)**
- e) **Wiltshire Council Chippenham Area Board and Chippenham Community Area Parish Forum:**

A Chippenham Area Board Meeting had been held on Monday 25<sup>th</sup> March 2019 at Monkton Park, Chippenham. This had included a Cyber Crime Workshop. The next Meeting was scheduled for Monday 3<sup>rd</sup> June 2019 at 7.00pm in Café Spero, Wood Lane, Chippenham SN15 3EB. A Chippenham Community Area Parish Forum had been held Wednesday 17<sup>th</sup> April 2019 in Biddestone Village Hall. The Guest Speaker was from LYN (Local Youth Network). The next Forum meeting was scheduled for Wednesday 19<sup>th</sup> June 2019 at 7.30pm at a venue to be notified. **(noted)**
- f) **Langley Burrell Neighbourhood Plan:** There was no update. **(noted)**
- g) **Council Insurance:** There was no update required. **(noted)**
- h) **Council Standing Orders & Code of Conduct:** There was no update required. **(noted)**
- i) **Asset Register:** There was no update. **(noted)**
- j) **Risk Assessment:** The Clerk would update the existing document and report to a future Council Meeting. **(noted)**

- k) **Health & Safety and Management Register:** There was no update. **(noted)**
- l) **Freedom of Information Act-Publication Scheme:** There was no update. **(noted)**
- m) **Parochial Church Council/s:** There was no update. **(noted)**
- n) **Community Safety/Neighbourhood Watch Scheme:** There was no update. **(noted)**

## 109/18 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) Wiltshire Council Operational Flood Working Group North. The Council noted that the Working Group had met on the 13<sup>th</sup> March 2019 at Monkton Park Chippenham. The next Working Group Meeting was scheduled for 15<sup>th</sup> May 2019, 9.30am to 1.00pm at Malmesbury Town hall SN16 9BZ. **(noted)**
- b) Wiltshire Council - Briefing Note No 19-009. The Council noted receipt of a Briefing Note in regards to the Future of the Calne to Chippenham Cycle Path. **(noted)**
- c) Wiltshire Council - Briefing Note No 19-010. The Council noted receipt of a Briefing Note in regards to the Freight Strategy and Freight Management Update. **(noted)**
- d) Wiltshire Council - Briefing Note No 19-011. The Council noted receipt of a Briefing Note in regards to the Extended Consultation of Vision for Special Schools. **(noted)**
- e) Town and Parish Council Training and Networking Day. Wiltshire Council had invited each Council (max 2 representatives) to the event to be held on Thursday 9<sup>th</sup> May 2019 in the Guildhall, Salisbury – 9.30am to 3.45pm. No Council Member was available to attend. **(noted)**
- f) The Salvation Army Trading Company Ltd. The Council had been approached by the Salvation Army Company in regards to the possible siting of a clothing recycling bank within the Parish. Following consideration **the Council decided not to support the idea. Cllr R Whitrow proposed, seconded Cllr Katerina Johnstone and RESOLVED UNANIMOUSLY**
- g) Seagry Neighbourhood Plan Regulation 14 Consultation. The Neighbourhood Plan had reached the Consultation stage and the Draft Neighbourhood Plan had been published. The 6-week Consultation Period was 9<sup>th</sup> April to 24<sup>th</sup> May 2019. The Draft Plan and related documents could be viewed at [www.seagryparishcouncil.gov.uk](http://www.seagryparishcouncil.gov.uk) **The Council agreed that there was no action to take.**
- h) Working in Partnership. Wessex Water & SSEN had invited the Council to an event to promote a working partnership to support customers in vulnerable circumstances to be held on Thursday 9<sup>th</sup> May 2019 at Wessex Water Operation Centre, Bath 10.00am to 3.00pm. No Council Member was available to attend. **(noted)**
- i) Wiltshire Council – Annual Town and Parish Council Report 2018-19. The Council noted receipt of a Report from the Leader of the Council and Cabinet Members. **(noted)**

- j) Wiltshire Council – CIL Guidance. The Council noted receipt of a revised Guidance Note for Parish and Town Council on receiving and use of CIL Funds. **(noted)**
- k) CIL Funding – Local Policy. The Council had agreed that a Local CIL Funding Policy. A draft had been prepared and was to be updated. Although the timescale had slipped it was considered that any application that may be received for assistance could be determined at the present time using Wiltshire Council updated Guidelines. Cllr D Mannering would continue drafting a Policy for future consideration. **(noted)**
- l) CIL Funding. The Council had now received a first tranche of funds in regards to 17/07413/REM. Council Members continued to be concerned that Wiltshire Council may fail to pay them the correct amounts due to the Parish and at the correct time and suggested that it was imperative to have monitoring arrangements in place for the Council and to “help” Wiltshire Council meet its’ obligations to the Parish. With this in mind the Council considered the CIL Rules, which formed the legal basis for the receipt of the payments. The Council understood how complications could occur on the Northern Chippenham development areas where there appeared to be at least 5 phases and at least 15 plots. Also plots could be further subdivided between the developers as in the case of Plot 1A. Also some of the plots could straddle the Langley Burrell and Chippenham Parish Boundaries, which could further complicate the issues, such as Plots B1A and P1A. All of this tended to lead to the risk of Wiltshire Council paying Chippenham instead of Langley Burrell has had previously occurred. Some plots were clearer with PC1 looking as though it was solely in Chippenham whereas PID was solely within Langley Burrell. It appeared that the Wiltshire Council’s online spreadsheet details were updated monthly and from the information it should be possible to calculate what Langley Burrell should receive. Cllr D Mannering had constructed a spreadsheet, which indicated the amounts expected in October 2018 and April 2019. Looking at this the Council was unclear how the recently received figure of £36,403.37 was derived and furthermore a large amount appeared to be now significantly overdue. The Council felt that more detailed information should be provided on the exact arithmetic of the amounts payable and the timing for each tranche of each plot, starting with the total CIL payable to Wiltshire Council for that plot. This was especially important when a plot straddled two Parishes as in the case of B1A and P1A. As before, the Council Members were annoyed at the situation and discussion again centred on making an official complaint and a Freedom of Information request to gain the information, particularly as they believed that Wiltshire Council was markedly in arrears with CIL payments due to the Parish. In due course further phases of the North Chippenham development and of the Rawlings Green development would need to be addressed and included into a monitoring spreadsheet so there needed to be some form of agreement on an accurate picture and whether the Council was owed monies that should have been paid and how to proceed in the future. The Clerk was asked to inform Wiltshire Council of the concerns and request a response before the next Council Meeting so that further action, if necessary, could be considered.
- m) Langley Burrell Neighbourhood Plan. There was no update. **(noted)**
- n) Fly Tipping. The Chippenham Area Board had funded the provision of signs to deter Fly Tipping. There was a need to confirm “hot spot” sites with Wiltshire Councillor H Greenman as soon as possible. **(noted)**
- o) Emergency/Flood Plan. There was no update. **(noted)**

- p) Street Naming. Pursuant to Minute 99/18 (p) The Council had responded to the request from the developer for 10 names for potentially 8 new streets within the Parish. Both Wiltshire Council and Chippenham Town Council have indicated that they have no objections to the suggestions. **(noted)**
- q) Council Objectives 2019. Cllr D Mannering had requested that the Council consider and agree their objectives for the 2019 Calendar Year. The Council had received a draft paper and had agreed to defer the matter to a future Meeting. In addition the Clerk would consider further objectives and report to a future Meeting. **(noted)**
- r) WiltshireOnline – High Speed Broadband. The Gigaclear Community Engagement Manager had indicated that he would be willing to attend a future Council Meeting. **(noted)**
- s) The Common – Nameplates. The Council noted that Wiltshire Council had advised that the new street nameplates had been installed. An invoice for the CATG contribution had now been received. **(noted)**
- t) Street Naming. The Council had previously considered street names and agreed to prepare a list in readiness for further street naming consultations. The Wiltshire Council had recently written to the Council requesting suggestions to be submitted in regards to potentially 5 new streets, within Land Parcels P1C and P1D, West of B4069 and north of Hill Corner Road, Chippenham (Birds Marsh View). In reality Parcel P1C was within Chippenham Town whereas Parcel P1D was within Langley Burrell and so the Council needed to make only 3 suggestions. The Council had been recently informed by a local resident that one of the names previously submitted in an earlier consultation had been erroneous and that the name of Stoker should be omitted from those suggestions. Consequently, **the Council agreed to substitute the name Elms for Stoker. The Council further agreed that** the names of Neath, Chivers and Miflin should be submitted as the 3 further suggestions
- u) Street Naming – Kilverts Way. In acknowledging receipt of the street naming consultation, Agenda item 8 (t) referred, the Clerk made reference to the Council's views on Kilverts Way. A response had been received from Wiltshire Council raising the issue of Policy and potential confusion with Kilverts Close in Chippenham, particularly for emergency services. Whilst acknowledging the Policy issue the Council felt that the name of what will be the major northern link/by-pass road, with no residential postcode connection, was unlikely to cause confusion and would/should be well known to emergency and other agencies. Consequently, **the Council agreed to pursue** the matter for its' historic connections.

#### **110/18 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING**

- a) The Annual Parish Meeting had been held earlier in the evening and the Council would need to consider issues raised at a future Council Meeting.

There were no further issues raised.

#### **111/18 DATE OF NEXT MEETING**

The Annual Council Meeting and next Council Meeting will be held in the Maud Heath Room, Langley Burrell Village Hall on **Monday 20<sup>th</sup> May 2019 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: **20<sup>th</sup> May 2019**