

ST PAUL MALMESBURY WITHOUT PARISH COUNCIL

Minutes of the Council Meeting held on 12th December 2023 at 19:00 in Crudwell Village Hall

Present: Cllrs Budgen (Chair), Hatherell (Vice Chair), Briggs, Hopkins, Jones, Ingham, Merriman, Payne, Stephens and Smith (WC-Sherston Division)

Public: None present.

103 APOLOGIES FOR ABSENCE

Cllrs Clogg and Maslin

104 DECLARATIONS OF INTEREST IN ACCORDANCE WITH THE COUNCIL'S CODE OF CONDUCT

None

105 PUBLIC QUESTION TIME IN RESPECT OF ITEMS OF BUSINESS INCLUDED ON THE AGENDA

Cllr Briggs reported concerns from residents regarding infrequent Royal Mail deliveries. Cllr Smith reported that other councils had raised similar concerns and that the company had a universal service obligation. It was agreed Cllr Briggs would draft a letter to the Postmaster at Royal Wootton Bassett and copied to the local MP.

Action Cllr Briggs and Clerk

106 TO ADOPT THE MINUTES OF THE MEETING ON THE 22nd NOVEMBER 2023

The minutes of the meeting on the 22nd November were adopted as a true record and signed accordingly.

107 TO RECEIVE REPORT #12.1 ON PLANNING UPDATES AND REVIEW NEW APPLICATIONS

Cllr Budgen presented Report #12.1 and the council considered the following planning applications. Full comments submitted by the council can be viewed online at Wiltshire Council under the relevant application reference.

| Site | Reference | Comments |
|----------------------------------------|---------------|--------------|
| Cole Close, Cowbridge, SN16 9FU | PL/2023/10259 | No objection |
| Roman Cottage, Rodbourne, SN16 0EU | PL/2023/10360 | No objection |
| Godwins Farmhouse, Rodbourne, SN16 0EY | PL/2023/10340 | No objection |
| Hobbes House, Arches Lane, SN16 0EJ | PL/2023/10522 | No objection |

Cllr Budgen reported that Malmesbury Town Council will be discussing application PL/2023/08687 later in the month and will keep him advised. Two late applications were received after publication of the agenda. It was agreed to submit a no objection response to PL/2023/10379, Hangar 90, Hullavington Airfield. Application PL/2023/10426, Home Farm, Burton Hill, is a resubmission of application PL/2023/05640 and Cllr Smith was asked to call this application in again. Cllr Jones was asked to check if neighbours had been notified of the application. A draft submission will be circulated via email for approval.

A decision notice has been received for PL/2023/10804, Daniels Well Farm, Foxley to fell Dead and Dangerous (DD) Ash trees at the roadside. The trees can be removed under the Town and Country Planning (Tree Preservation) (England) Regulations 2012. This allows the removal of any protected tree, which is dead or imminently dangerous, without the need to make a formal Tree Work Application to the Council.

Action: Cllrs Jones, Smith & Clerk

108 FINANCIAL REPORTS

The RFO presented the accounts for the year to date; receipts and payments are within budget. The bank statement dated 30th November 2023 was noted and showed balances of £11,569.17 and £94,010.95 and matched the reconciliation statement. Cllr Hatherell signed the original bank statements as correct and evidence of verification.

The RFO presented the payments schedule, 2 payments were approved and Cllr Budgen signed the list of payments for authorisation as per supporting evidence; Cllr Jones first authoriser, Cllr Stephens second authoriser. The waste collection invoice for December has not yet been received nor amended invoices for the November waste collections and 2023 grass cutting.

| Payments Schedule | | | |
|--------------------------|----------------------|--------------------------------------|-------------------|
| Payment No. | Payee Details | Reason | Amount (£) |
| 1 | R J & S H Mellowes | Home working allowance Qtr 3 2023-24 | £78.00 |
| 2 | Elan City Ltd | 2 batteries & charger for SIDs | £336.58 |
| | | TOTAL | £414.58 |

Action: Cllrs Jones & Stephens

109 TO CONSIDER UNFORESEEN ADDITIONAL COSTS FOR THE 41M PATH AT COWBRIDGE

Cllr Budgen acknowledged that ever since the Cowbridge estate was given planning consent, including the establishment of a safe pedestrian route into Malmesbury, the task to provide the safe year-round pedestrian route has proved challenging. He reported that since the council awarded the contract in November, the landowner has constructed a fence along the edge of the 41m footpath to keep his livestock off the path. This has altered the type of plant and the methodology for the job in such a way as to add about £700 to the price. The footpath will also have to be closed during the work. Cllr Budgen proposed the council agree to this unforeseen additional cost. This was agreed. The clerk to inform the contractor.

Action: Clerk

110 TO CONSIDER A SPECIFICATION FOR A TENDER FOR PLAY EQUIPMENT AT RODBOURNE ROAD PLAYING FIELD

Cllr Ingham presented the draft tender document and several additions were agreed:

- there should be a formal inspection of the site between buyer and seller
- that sellers' terms and conditions must be received
- to separate what is required at the issue of tender and what is required once the contract has been awarded
- to check the warranties being offered

Cllr Hatherell has spoken to the farmer regarding anticipated timescales for levelling & reseeded and the installation of the play equipment. The importance of adhering to section 18 d) ii (iv) of the council's Standing Orders was made clear: the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process.

Cllr Budgen proposed that, subject to the agreed additional wording in the tender document, the council should agree to make the decision to go out to tender. This resolution was resolved by 8 votes to one, with only Cllr Hopkins voting against the proposal.

111 TO CONSIDER THE PRINCIPLE OF CREATING ALLOTMENTS ON LAND BEHIND 22 RODBOURNE ROAD

Cllr Budgen reported that following a request to the clerk from a resident earlier this year, the council had contacted Wiltshire Council to enquire whether there would be an opportunity to acquire the land for allotments. A positive response was received suggesting a 7-year lease was the most convenient instrument in the first instance. The Projects Working Party had carried out a straw poll of residents to the east of the A429 to gauge interest and 8 responses from electors had been received therefore, in accordance with Section 23 of the Small Holdings and Allotments Act 1908, it places an obligation on parish councils to provide "a sufficient number of allotments" where demand exists. Cllr Briggs proposed the council agree to the principle of creating allotments and to carry out further research. This was agreed.

112 TO RECEIVE VERBAL REPORTS ON HIGHWAYS, FOOTPATHS, PATIENTS PARTICIPATION GROUP, PERSONNEL COMMITTEE, FINANCE COMMITTEE, PROJECTS WORKING PARTY & WEBSITE WORKING PARTY

Highways

The Parish Steward is not due to attend this month but has been filling potholes along Foxley Road and at the Corston end of Common Road. Water is collecting under Kingway Bridge and he has flagged this up to WC and has asked the gulley team to visit.

Playing Fields

The regular checks of the fields and play equipment have taken place and Cllr Hatherell is working on the recommendations following the RoSPA inspections. The grass cutting was not done in November but the new contractor may undertake a final cut if weather conditions permit; there are funds available for this in the existing budget. The waste bin has become detached from its post and Cllr Stephens will see if it can be repaired. **Action: Cllr Stephens**

Footpaths – no report

Patients Participation Group

Cllr Ingham reported that the Primary Care Centre is introducing a new programme in the New Year called 'PATCHS'. This will help those who do not require an emergency appointment to ask questions to a specified doctor. It will have a soft launch initially. For those who walk in there will be a desk top computer available for them to use, with assistance initially.

Personnel Committee – no report

Finance Committee - no report

Projects Working Party – no report

Website Working Party – no report

The meeting closed at 20:08

The next meeting will be held at 19:00 on Wednesday 24th January 2023 at Crudwell Village Hall.

..... Chair Dated