WEST LAVINGTON PARISH COUNCIL

**MEETING OF THE PARISH COUNCIL 7th MARCH 2018, 7PM**

**IN THE WEST LAVINGTON VILLAGE HALL**

**MINUTES**

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| **Present**: | Councillors: Mrs S Gamble (Chair), Mrs J Ford, Mr M Challinor; Mr P Blundell, Mr A Morton, Mr M May, Mrs H Freeman, Mr R Oglesby, Mrs B Herniman and Mr R Scott. |  |
| **Also present** | Mrs K Elston (Clerk), Mr Wiltshire Councillor R Gamble (until 2020), Mr S Herniman (until 1955), Mr T Jones (until 1955) and Mr J Wiltshire (until 2015) |  |
| **17/18/321** | **Apologies for absence**   * Mr T Morton. |  |
| **17/18/322** | **Declaration of interests**   * Mrs B Herniman, Mr R Scott and Mrs H Freeman declared an interest in planning application 18/00854/FUL at 94 High Street, Littleton Panell SN10 4EU. |  |
| **17/18/323** | **Minutes of the last meetings held 01/02/18 and Matters Arising**   * The minutes were agreed to be a true and accurate record.   ***Proposed: Mr M May***  ***Seconded: Mr R Oglesby***  ***All councillors present in agreement***   * Matters Arising:   Minute 17/18/298 Grass Cutting Contract – Clerk confirmed that the contract has been drafted and the preferred contractor is in agreement. Contract will now be signed and grass cutting will commence when contractor deems necessary.  Minute 17/18/298 Toposcope Project – Clerk advised that no further information has been received.  Minute 17/18/299 Millennium Cross green space damage – the damage to the grass has now been repaired by Dauntsey’s School. Councillors wanted to record their thanks to the School.  Minute 17/18/306 Bench in memory of George Light – the cheque has been received from the family. Photograph to be taken on 21st March 2018.  Minute 17/18/306 Basketball hoop – a quote has been received to remove the hoop and tarmac in a new location on the recreation ground in the sum of £4298. Councillors felt this was too expensive. |  |
| **17/18/324** | **Chairman’s announcements**   * Cleaner at West Lavington Village Hall – Mrs Gamble advised that the   current cleaner had handed in her notice and the vacant post has  been advertised, including the job of emptying the dog waste bins located in the recreation ground for which the council provides reimbursement. No one had come forward to date to fill this post.   * Village Hall Treasurer – Mrs Gamble advised that Richard Durrant will   be resigning and a replacement is being sought. If councillors are  aware of anyone who would be interested can they advise Mrs  Gamble.   * Emergency Plan – Paul Langham, who lives in the parish, * Owns a snow plough and a grit spreader which he has registered with Wiltshire Council for emergency use. He has now offered them to the Parish Council for use, in case of need, as part of the parish’s Emergency Plan. Councillors expressed their gratitude. * Corporate Plan – proposal to rebuild the council website. It was agreed that a small working party be formed to work through this project. |  |
| **17/18/325** | **Public Participation**   * Planning Application 18/00854/FUL at site adjoining 94 High Street, Littleton Panell SN10 4EU –two owners of neighbouring properties who wished to express their objections to the above planning application were present. Mr Herniman related that a request for sight of the pre-application advice given by Wiltshire Council had been refused on grounds of confidentiality but had eventually been obtained following a request by him under the Freedom of Information Act. * This revealed that the pre-application had not looked at the history since 1980 of previous planning application refusals (some also on appeal) in relation to properties in the immediate vicinity of the current application These had been refused on the basis of difficult access to and from the site onto the B3098 and housing development intensification in the Conservation Area. * Further issues raised by Mr Herniman and Mr Jones concerned: lack of consultation with neighbours about shared access to the plot; no permission sought regarding a shared footpath; inaccurate boundary lines in the application; lack of consideration of the nature of the proposed development which constituted infill in the Conservation Area; management of construction traffic given the limited access to the plot. * Finally, it was noted that the positioning of the proposed new building would massively overpower in height and scale the adjoining properties and the western street frontage. * Councillors discussed and were in agreement to object to the planning application. Clerk to inform Wiltshire Council. | **KE** |
| **17/18/326** | **Wiltshire Councillor’s Report**   * Planning application for carwash on the High Street – Mr Gamble advised that this application is still under review. The applicant has been asked to complete a Noise Survey. In terms of timing the application, if not progressed by the end of next week, will be refused. * Stagepost – houses currently under construction. A number of residents and councillors have noticed that Condition 4 of the planning permission does not appear to have been met. Wiltshire Council’s Conservation Officer has visited the site and confirmed that the bricks used are not in line with the permission granted. Therefore either the bricks will need to be removed or remedial treatment of them will need to occur. * B3098 road closure for British Telephone work – the newly scheduled date of 27/04/18 is now planned to go ahead. Mr Gamble asked for comments from councillors and it has been suggested that Thursday is not a good day to close this road. The least disruption would occur if the work could be carried out on a Sunday. Mr Gamble had already raised his concerns in relation to the date proposed. * Area Board is on 19/03/18 at Dauntsey’s School. |  |
| **17/18/327** | **Parking in Sandfield and Newby Close - information**   * Parking around the roads leading to DAPS has been an ongoing concern during school morning drop off and afternoon pick up times. It has been discussed on Parish Council agendas before and permission given to the school to extend the use of the village hall carpark to ease parking, particularly on Sandfield and Newby Close. * On 6th February a parent of a DAPS pupil reported an incident to the Parish Council. The parent alleged that a resident spoke to her in an aggressive manner when she parked on Sandfield (which has no parking restrictions) at one end of an extended space marked by cones placed in front of the resident’s house. The parent reported that these cones are permanently in place although they do not, for example, seek to prevent parking in front of a private driveway. Advice subsequently given to the parent by Wiltshire Police and Wiltshire Council concerning the use of cones on a public highway is that cones put out on the road to reserve private parking spaces is illegal. * The clerk has also received an email from the Home Services Manager for Southern Housing Group enquiring about the situation following a concern raised by a resident in Newby Close. * Mrs Gamble reminded councillors of a previous incident in 2013 when access to a resident’s home in relation to a child with special needs had been blocked at school pick up times by parked cars. It had been suggested that in cases of specific needs, such as this, ‘ad hoc’ deployment of cones might provide a solution. As a result, CATG was approached for some ‘No Waiting’ cones and funding was also sought, and received, by the council to provide ‘H’ bar parking lines around corners on Sandfield. * Following the incident in February, the council had sought the advice of Highways who have written as follows: “Parking on the highway is tolerated in locations where it does not cause an obstruction, however this doesn’t give any individual a right over any specific space and it is very much a first come, first served basis…[with regard to school parking] preventing parental parking can only be achieved through a combination of both legislative restrictions (such as Waiting restrictions), in combination with effective enforcement to ensure compliance. The knock on consequence of this is that it also directly affects those that live in the area”. Highways suggested that the school take a lead by, for example, devising a school travel plan and trying to educate parents of the need to park in a manner which minimises local incidence and danger to vulnerable users – something the council understands is already DAPS’ policy . * Mr James Wiltshire, Deputy -chair of DAPS’ Governors, was present at the meeting. He said that the school is very mindful of the challenges for residents in the community at the beginning and end of the school day. The school has sought to ease the situation by putting in place certain measures, for example, that parents can now drive up to the school to deliver their child directly from their car in an area that is manned by a member of staff. The school regularly writes to parents asking them to be respectful of residents. Mr Wiltshire said that he observes the parking on an almost daily basis, when taking his own child to school, and believes parents are parking sensibly. However, with regard to discussions with the Parish Council in relation to extending the village hall car park, the school is not currently in a position financially to undertake this. * Mr Wiltshire advised that he will write to parents and again remind them to be mindful of the local community. He agreed that the school will enter into a dialogue with individual residents and write informing residents what the school is doing to minimise any disruption. Mr Wiltshire agreed with Mrs Gamble that this is not a parish council issue and needs to be resolved between the residents and the school. * Mrs Gamble will write to the parent who has brought the complaint and to the resident involved. Clerk to respond to Home Services Manager for Southern Housing Group. | **DAPS**  **SG**  **KE** |
| **17/18/328** | **Stagepost – brick cladding and planning permission breach**   * See Minute 17/18/326 above. |  |
| **17/18/329** | **CCTV Camera**   * Signage – signs provided by SMART are in place to signally the presence of CCTV. However, signs are also needed indicating the Parish Council as owner and operator of the system. To be provided. * Snagging problems – Mr Scott and the Clerk will be meeting SMART on site to sort out the outstanding problems following installation. The camera is currently not switched on. * Data Protection – The Parish Council is data controller regarding CCTV images. SMART, in its maintenance role, is a data processor. | **KE**  **RS**  **KE** |
| **17/18/340** | **Report of the Footpaths Working Party**   * Report sent to councillors prior to the meeting. * Parish Steward – has been diverted to other duties recently by Wiltshire Council, for example repairing potholes following the recent bad weather. * Flooding issue at White Street – Mrs Ford has reported this again to Highways. |  |
| **17/18/341** | **Neighbourhood Plan**   * There are currently delays while Gaigers Brothers undertakes two additional reports that Wiltshire Council has requested. These are Landscaping and Heritage Assessments which should be completed by mid-March. Once these are available, Regulation 15 can progress. * CIL Money – should the Plan finally be “made”, following a referendum, considerable CIL monies will become available to the parish for infrastructure facilities. Wiltshire Council’s guidance is that it would be appropriate for any proposals for the use of CIL funding to be included in the Plan. Mrs Gamble would appreciate councillors’ proposals to be forwarded to her. | **All Councillors** |
| **17/18/342** | **Great British Spring Clean – rescheduled event**   * The event was postponed on a national level due to weather conditions and the proposed new dates are 23rd, 24th and 25th March. * West Lavington will hold its event on 24th March and the posters need to be reprinted and notices put on the website and throughout the villages to advise the community of the new date. * Volunteers for the litter pick will be asked to sign a Consent Form if they are willing to appear in publicity photographs. | **KE/BH/SC** |
| **17/18/343** | **Closed Burial Ground**   * Mr Oglesby had been advised by another parish that there is a potential for passing the maintenance of All Saints’ Closed Burial Ground to Wiltshire Council. * In order to do so, three steps need completing under section 215 of the Local Government Act 1972: first, the burial ground needs to have been closed by an Order in Council; secondly, responsibility for maintaining the burial ground needs to have been taken over by the Parish Council following a written request from the Parochial Church Council (PCC); and thirdly, the Parish Council needs within 3 months of that request to have requested Wiltshire Council itself to undertake the maintenance. * Evidence was provided by Mr Blundell from the Department of the Environment that the churchyard had been closed by Order in Council on January 1st, 1861. * However, although the Parish Council has de facto been maintaining the Closed Burial Ground for a number of years, it does not possess a record of the necessary written request from the PCC - required under section 215 - evidencing assumption by the Parish Council of maintenance of the burial ground.In addition, the Parish Council has never requested Wiltshire Council to take on those maintenance responsibilities. * The Clerk was requested to write to the PCC to enquire if any record exists on PPC’s files or in minutes of a request by the PCC to the Parish Council to maintain the churchyard. * If not, it seems that the Parish Council could now ask the PCC to make a request of the Parish Council under section 215 and for the Parish Council to make a similar request of Wiltshire Council to undertake the Closed Burial Ground’s maintenance. * Some councillors expressed concern that the current budget constraints on Wiltshire Council might result in a reduction in the upkeep of the Closed Burial Ground should Wiltshire Council take over maintenance. Should it be prepared to do so, it was considered prudent to enquire what responsibilitiesWilrshire Council would assume, eg. grass cutting, wall repairs, tree management? * With regard to concerns over the council’s insurance cover for the Parish Council’s own maintenance activities, the Clerk, on contacting the council’s insurers, was advised that, provided any claim was not as a result of a lack of maintenance, the council’s insurance would cover its Closed Burial Ground responsibilities. * The council will discuss the issue further at its next meeting once a reply from the PCC is received. | **KE**  **KE** |
| **17/18/344** | **Extension of pavement in the High Street**   * No update at the moment and the Clerk has chased CATG twice already. Clerk to chase again. | **KE** |
| **17/18/345** | **BMX Track Maintenance**   * Comparison quotes had been sent to councillors prior to the meeting. * Area Board grant for £5000 had been received by the Youth Club and passed to the Parish Council to enable refurbishment of the BMX Track to begin. * Of the quotes received, Outdoor Play South West’s, which Mr Blundell had secured in the sum of £14,636.60 gross, including a discount of £500, was consider the best value for money. A deposit in the sum of £7318.40 would be paid to allow the contractor to commence work in the new financial year.   ***Proposed: Mr R Oglesby***  ***Seconded: Mr M Challinor***  ***All councillors present in agreement***  Clerk to instruct Outdoor Play South West. | **KE** |
| **17/18/346** | **Robbers Stone**   * Mr Blundell advised that both the architects who had been contacted previously and expressed an interest in this project had been interviewed by Mr Scott, Mr Challinor and himself. The panel felt that both would be able to deliver the project. However, Howard Waters, one of the architects interviewed, was prepared to cap his fees at £2850 plus VAT. * The total cost of the full project is unknown at this stage but Mr Blundell considered that it is likely to be between £14 000 and £20 000. * Permission to relocate the Robbers Stone at Gore Cross on MOD property has not yet been obtained and therefore architects cannot be engaged at this stage, although Mr Waters has been given notice of intent should the project progress. Mr Blundell and Mr Challinor will continue to peruse this permission from the MOD. | **PB/MC** |
| **17/18/347** | **WW1 Commemorative Tree Planting and Grounds update**   * Permission to plant the trees at Gore Cross on MOD property has not yet been secured and therefore the ceremony to plant these trees on the anniversary of the end of the First World War cannot yet be advanced. Mr Blundell and Mr Challinor will continue to peruse this permission from the MOD. * Number of trees to be planted – the Parish Council would like to have 25 trees growing to commemorate the number of men from the parish who had fallen whilst serving in the First World War. Initially advice had been received to order 10% more than the required amount as not all of the trees will survive the initial stages. Another source has now indicated that the council should order four times the number required to ensure 25 grow to maturity. Clerk to ask advice from a local company that the council has engaged previously for tree maintenance work. | **PB/MC**  **KE** |
| **17/18/348** | **General Data Protection Regulation (GDPR) – update**   * Data Protection Officer (DPO) – appointment is a mandatory requirement of local authorities. The role requires no conflict with other council duties and a good data protection knowledge and working experience of data protection issues. It is anticipated that the cost of using the services of an external DPO will be approximately £650 per annum. Councillors in agreement that this option needs to be explored and that £650 in the 18/19 budget be allocated for this expense. * Privacy Notices – draft versions had been circulated to councillors prior to the meeting for comment. The GDPR working group will meet again prior to the next meeting to finalise the documents and present to the next council meeting for adoption. There are two separate Privacy Notices, one for the general public and one for employees and councillors. * Data Retention Records – a draft policy of the records that are held and a proposal for how long they are kept was sent to councillors for consideration prior to the meeting. The policy will be presented for adoption at the next meeting. * National Association of Local Councils (NALC) had recently produced a toolkit for GDPR preparation which will be circulated to all councillors to alert them to the extent of the requirements of the new legislation and advise them of issues that need their input and attention. Work is also still to be completed on many important policy-type documents including Data Processor Agreement, Subject Access Request Policy and Data Breaches Procedure. * CCTV PIA and CCTV Policy are on the website. * Internet provider for 1 and 1 – Clerk confirmed that the server for the provider is in Germany. This is beneficial as it means that it is covered by European law which the UK is also governed by. Consideration will need to be given to the location of the server if the website provider is changed. | **Working Group**  **KE** |
| **17/18/349** | **Annual Parish Meeting**   * The proposed date for this meeting was 24th May, but the Village Hall is not available on that date. It was agreed to hold the Annual Parish Meeting on Wednesday 30th May. * Topic – suggestion of a speaker from the Air Ambulance would be pursued by Mr Scott. | **RS** |
| **17/18/350** | **Corporate Planning Meeting**   * Councillors met on 21st February and made amendments to the plan where necessary. Final version to be sent to councillors. | **KE** |
| **17/18/351** | **Purchase of Clerk computer and memory sticks**   * Clerk advised that a computer will cost between £350 and £500 and memory sticks that can be encrypted are from £35 to £50. Councillors requested a proposal for authorisation at the next meeting when the new budget is in place. | **KE** |
| **17/18/352** | **Budget Monitoring**   * Budget monitoring sheet sent out to councillors prior to the meeting. * End of year financial report to be presented at the next meeting. There will be a surplus at the end of the year as some projects are still awaiting completion. | **KE** |
| **17/18/353** | **Planning**   * **18/00854/FULL Land adjoining, 94 High Street, Littleton Panell, Devizes SN10 4EU** – new detached dwelling and garage. See Minute 17/18/325 above. * **18/01840/TCA Springside Cottage, 4 Rickbarton, West Lavington, Devizes SN10 4LU** – G1 Cypress – fell approximately 13 trees, G2 Spruce – fell 7 trees and G3 Cypress – fell 2 trees. Objection. These trees are within the conservation area and make a positive visual contribution to the entrance to the village. Total removal, therefore, would be undesirable. As they are healthy mature trees the reason for the request to fell them is not understood. . * **18/01327/PNCOU The Mixing Shed, Old Estate Yard, West Lavington, Devizes SN10 4JB**- notification of prior approval under Class Q – conversion of Agricultural building to a dwelling house (C3) and associated operational development. No objections. * **18/02011/TCA 99 High Street, Littleton Panell, Devizes SN10 4EU** – Cypress tree – fell to the ground. No objections. * **White Street –** need to request more time to consider.   All the above decisions will be sent to Wiltshire Council by the Clerk.  **Decisions**   * **17/11477/FUL Home Farm Office, West Lavington, Devizes SN10 4JB** – proposed re-use of redundant farm building and yard as self-storage units. Approved with conditions which were noted in comments made by Parish Council. * **17/11525/FUL Pyt House, 9 Duck Street, West Lavington, Devizes SN10 4LG** – change of use and conversion to annexe. Approved with conditions. * **17/11525/LBC Pyt House, 9 Duck Street, West Lavington, Devizes SN10 4LG** – change of use and conversion to annexe. Approved with conditions | **KE** |
| **17/18/354** | **Disbursements**  **Cheque Number Payee £**  1546 Information Commissioner (reg) 35.00  1547 AON Insurance (CCTV) 9.65  1548 SMART Integrated Systems (CCTV) 3836.40  1549 Kaye Elston (clerk salary) 246.15  1550 Skinners Property Maintenance (CCTV) 44.00  1551 Outdoor Play South West (BMX) 7318.40  DD 1&1 Monthly website fee 8.39 |  |
| **17/18/355** | **Items for website and News and Views**   * Great British Spring Clean |  |
| **17/18/356** | **Correspondence and Circulars received, key messages and public contact**   * Wiltshire Council circular. |  |
| **17/18/357** | **Area Board March meeting**   * Meeting is on 19th March 2018. |  |
| **17/18/358** | **Date of next Council meeting**   * **Thursday 5th April** |  |
| **17/18/** | **Items of maintenance**   * New budget next meeting. |  |

*Meeting closed at 10.20pm*

Signed……………………………………………………………………………5th April 2018