

# Mere Parish Council

## Clerks Report – September 2010

### Agenda Items

**7a) Speed Limit Review** - Letter received from David Bullock, Traffic & Network Management, Wiltshire Council, dated 30<sup>th</sup> July 2010:

‘Thank you for your email of the 4<sup>th</sup> February 2010 in response to Wiltshire Council’s consultation on the Speed Limit Review.

**Cross County border speed limits** – Your Council’s concerns are noted. I would advise that we have discussed this issue with our neighbouring Authority’s and are aware that we need a consistent approach cross boundary. In the case of the B3092-04 we are waiting to hear from Dorset about their speed limit assessment before making a final decision as to whether to pursue a 50mph limit.

**B3092-04 and B3095-04** – Your Council’s objection to the proposal to introduce 50mph speed limits on the above roads has been considered but officers do not agree that a sufficiently strong case has been made at this time. This review was prompted by DfT Circular 01/06 ‘Setting Local Speed Limits’ which was adopted as the basis for the Council’s speed limit strategy. The purpose is to ensure a consistent approach to the setting of speed limits nationwide. The proposals have been extensively discussed with the Police prior to their dissemination to Parish & Town Councils.

It is considered that a 50mph limit is appropriate on the B3092-04 and B3095-04 due to their topography and the frequency of bends junctions and accesses.

Your Council’s wish to see a different outcome to the review from that proposed by the consultant is noted. However, you have not provided any details in support of the Parish Council’s view in relation to the criteria set out in DfT Circular 01/06. The Council’s Cabinet Member for Highways and Transport has indicated that your Council should be given a further opportunity to put forward its case, however, this must be done in relation to the criteria set out in the Circular. Consequently I should be grateful if you would put forward a case for your proposed change to the proposal relating to the B3092 and B3095 with particular reference to the criteria set out in the Circular, a full copy of which can be accessed via the following internet link:-

[www.dft.gov.uk/pgr/roadsafety/speedmanagement/dftcircular106/dftcircular106.pdf](http://www.dft.gov.uk/pgr/roadsafety/speedmanagement/dftcircular106/dftcircular106.pdf)

Should you wish to take this further opportunity to put forward your case for a different outcome to the review from that proposed by the consultant I would be grateful to receive your submission within 8 weeks of the date of this letter.

If I do not receive a further submission from you I will proceed on the basis of the consultant’s recommendation.

Should your further submission be different than the Consultants recommendation, the Council’s Cabinet Member for Highways and Transport has indicated that a report should be prepared setting out the details for his consideration.

Consequently, a report on the proposed speed limits on the B3092 and B3095 setting out the reasoning behind the consultant’s recommendation and your Council’s alternative views will be prepared. We will do this as soon as we can but with over a hundred recommended changes arising from the review to take forward, this may take a little time. The Council’s Cabinet Member for Highways and Transport will then make a final decision as to what level of speed limit is appropriate.

If it is subsequently agreed that a revised speed limit is appropriate, it will be necessary to introduce a New Traffic Regulation Order or the amendment of the existing Order. Within the associated process, there is a statutory period for comments following publication of the Order. This will provide the opportunity for members of the public and other affected stakeholders to express their views. If officers cannot resolve points of concern at that stage, a further report will be submitted to the Cabinet Member for Highways and Transport for a final decision.

In the meantime, please do not hesitate to contact me if you have any queries.’

**10c) Proposed Council Tax Increase Referendums** – This is a copy of an urgent newsletter received via the Society of Local Council Clerks and NALC:

Officers from the Society and the National Association of Local Councils have met with Government officials responsible for the consultation into the proposal that, from next financial year, any “excessive” council tax increase by precepting authorities (including local [parish and town] councils in England) must be supported by a majority positive vote in a referendum to be run by the principal authority.

If you haven't seen it yet, the full consultation document is available on line only at <http://www.communities.gov.uk/publications/localgovernment/vetocounciltaxincreasesconsult>. The closing date for comments is 10th September.

We made strong representations during the meeting that the consultation should period be extended. We argued that local councils have never been subject to any council tax capping regime and to bring them into any new scheme - which replaces capping - is in fact a major change of policy rather than a technical consultation (as the document suggests) which councils will need more than 6 weeks to consider. Most local councils are presently into their August recess with no meetings scheduled at which any response to the consultation can be formulated. The officials explained that no extension in time is possible as they are working to an incredibly tight legislative timetable to meet the Coalition Government's intent that the necessary primary and secondary legislation implementing these proposals is considered by Parliament starting in the autumn.

During our discussions we also raised several points which county associations, SLCC members and local councils may wish to consider when preparing their response to the consultation. It would be helpful if copies of any such responses could be forwarded (even in draft form) to Sam Shippen, SLCC External Affairs Officer at [slcceao@sky.com](mailto:slcceao@sky.com) so they can be taken into account in our own formal responses. (County Associations are asked to reply to Chris Borg, NALC Policy Development Manager at [chris.borg@nalc.gov.uk](mailto:chris.borg@nalc.gov.uk)) You are also encouraged to collaborate at local level in order to brief your Member of Parliament on any concerns you may have, particularly if he or she is member of the Coalition Government.

Points raised included:

1. We would support the general principle that large council tax increases should have demonstrable community support. Local councils are already in close contact and engagement with their communities such as through Community Led Plans and demonstrably so by Quality councils. However, referendums are not the most suitable form of confirming community support for the expenditure of local councils. They are expensive - costing typically in the region of £1 - £2 per elector - so therefore in many cases the referendum costs will be greater than the proposed council tax increase. If the scheme was to proceed, local councils would be likely to budget for additional balances to meet the cost of future possible referendums possibly leading to large pots of unused funds.
2. Local councils, as the democratic embodiment of local community activity and tier of government closest to people, are uniquely placed to play a key role in delivering the Coalition Government's Big Society agenda. If the referendum scheme was to be applied to local councils this would severely constrain their ability to support local community action and respond to community needs and, in extreme cases, could create inertia amongst some local councils who will become unwilling to engage in Big Society initiatives.
3. The consultation document does not paint a fair picture of current local council precepts. The average precept per Band D property is less than half the £100 quoted in the document. Local councils receive no share of the redistributed national non domestic rates (NNDR) nor any form of Government grant. If principal authority expenditure was quoted in gross terms, excluding NNDR and grants, they would be considerably more than even the largest precept. On this basis, for example, Breckland DC's actual gross expenditure as quoted in the document is not £64.05 (the consultation document states in error £68) but £224. The average parish precept for that authority is just £28.58 (or £34.17 when excluding the 18 parishes which raise no precept).
4. The current presentation of council tax bills give a distorted picture of the true cost of local councils. If these were used as the basis for Council Tax referendums they would be extremely misleading. It would be fairer, and far more accurate, if the level of each authorities' expenditure was shown gross and both NNDR and government grants were credited at the bottom of the bill against each household's tax requirement. This would also be more equitable as in many cases (and especially in those areas where local council precepts are higher) principal authorities retain all the Government's formula grants but do not provide the full range of services to which those grants relate. For example it is common for local councils to be the sole burial authority and provider of recreational open space in their locality and yet they receive no element of the rate support grant in recognition of that role. Representation on changes to the presentation of council tax bills have been made previously to Government. It may be recalled that this approach to bills was successfully adopted during the period of the Community Charge.
5. If present mechanisms for ensuring community support for new expenditure proposals are considered insufficient to mitigate against excessive council tax increases, a much simpler and cheaper alternative to referendums already exists. Uniquely in local government, local councils are obliged to hold an annual parish meeting of local electors between 1st march and 30th June each year and have power to call extra parish meetings when required. In Massachusetts and

certain other States of the United States an affirmative resolution at the annual town meeting of electors is required for proposed budget increases. The same system could apply in England where proposals for excessive council tax increases could be democratically debated in open public forum. This would place no additional financial burden upon the local council which already receives from the principal authority a copy of the full electors list for the parish, to ensure that only current electors take part in any votes at the parish meeting. Officers have offered to discuss the practicalities of this suggestion in greater depth with officials.

6. If local councils must demonstrate further community support for large council tax increases, we agree that there should be a mechanism for excluding the smallest councils and increases, which may appear large in percentage terms but which are small in cash terms. We support the concept of the “double lock” to deal with this issue but believe that the criteria should relate to the size of the council and the level of the increase. Such criteria could be based upon existing clearly defined statutory measures. For size of council, we suggest this is related to the bands of councils as defined in the Accounts and Audit Regulations, namely:

Band A – councils with income or expenditure up to £200,000 p.a. (approximately 7,000 parishes in England)

Band B - councils with income or expenditure up to £1,000,000 p.a.(approximately 700 parishes)

Band C – councils with income or expenditure over £1,000,000 p.a. (approximately 50 parishes)

With regard to the level of council tax increase under which securing formal community support is not necessary, this would be best aligned to the amount below which the Secretary of State is not prepared to consider applications for loan consent, namely the product of the amount calculated under S 137 of the Local Government Act 1972 (currently £6.15). It is deemed that such a smaller sum is sufficient for the local council to raise from its own resources without recourse to borrowing. It therefore appears logical that, particularly having regard to likely levels of activity under the Big Society initiative, this same figure should be used under the double lock calculation.

Officials are already supportive of the need to review the rules regarding parish polls, particularly in the context of any new referendum mechanisms to underpin a range of Government policy initiatives. A further meeting with officials is due to be held shortly on this specific issue.

We acknowledge that county associations, SLCC members and their local councils will wish to formulate their own views on the consultation and the above comments are intended as a guide to the sorts of issues you may wish to consider. We do believe, however, that this is one of the most significant issues to face local councils in recent years and that it is vital that as many responses are submitted to the consultation as possible. Thank you in advance for your contributions and assistance.

## **Information Items**

Planning Enforcement Enquiries:

**ADDRESS**

Ford Oak Farm, Mere

**ENQUIRY**

Unauthorised earth bunds

**RESULT**

Application submitted and approved under S/2010/0721

### **Planning decisions**

|                                 |  |
|---------------------------------|--|
| <b>Application Number:</b>      | <b>S / 2010 / 727</b>  |
| <b>Location:</b>                | WOLLEMI PETTRIDGE LANE, MERE, WARMINSTER.  |
| <b>Proposal:</b>                | DEMOLITION OF EXISTING CAR PORT AND STORAGE SHED AND ERECTION OF NEW ATTACHED GARAGE |
| <b>Agent:</b>                   | BRIMBLE LEA & PARTNERS WESSEX HOUSE HIGH STREET GILLINGHAM SP8 4AG.                  |
| <b>Case Officer:</b>            | Mr S Banks   |
| <b>Category Of Application:</b> | FULL PLANNING  |
| <b>Decision:</b>                | AHOU   |
|                                 | <b>Date of Decision:</b> 08/07/2010  |

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|----------------------------|---|
| <b>Application Number:</b> | <b>S / 2010 / 721</b>                       |
| <b>Location:</b>           | THE ACORNS BARROW STREET, MERE, WARMINSTER. |
| <b>Proposal:</b>           | PROPOSED POND AND TWO SOIL BANKS            |
| <b>Agent:</b>              |   |

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|---------------------------------|---------------------|-------------------------------------|
| <b>Case Officer:</b>            | Charlie Bruce-White |                                     |
| <b>Category Of Application:</b> | FULL PLANNING       |                                     |
| <b>Decision:</b>                | APFP                | <b>Date of Decision:</b> 09/07/2010 |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 759</b>                             |                                 |
| <b>Location:</b>                | PADDOCK HOUSE SHAFTESBURY ROAD, MERE, WARMINSTER. |                                 |
| <b>Proposal:</b>                | THE ERECTION OF A REAR CONSERVATORY               |                                 |
| <b>Agent:</b>                   |   |                                 |
| <b>Case Officer:</b>            | Mr S Banks  |                                 |
| <b>Category Of Application:</b> | FULL PLANNING                                     |                                 |
| <b>Decision:</b>                | AHOU  | <b>Date of Decision:</b> 08/07/ |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 815</b>   |                                     |
| <b>Location:</b>                | THE COTTAGE SALISBURY STREET, MERE, WARMINSTER.                           |                                     |
| <b>Proposal:</b>                | FELL 1 X CHRISTMAS TREE AND REDUCE BY UP TO 30% AND RESHAPE CROWN 1 X FIR |                                     |
| <b>Agent:</b>                   |   |                                     |
| <b>Case Officer:</b>            | Mr Shane Verrion  |                                     |
| <b>Category Of Application:</b> | TREES CONS AREA   |                                     |
| <b>Decision:</b>                | APPROVED  | <b>Date of Decision:</b> 16/07/2010 |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 136</b>                             |                                     |
| <b>Location:</b>                | BARNES AT BURTON GRANGE BURTON, MERE, WARMINSTER. |                                     |
| <b>Proposal:</b>                | CONVERSION OF BARNES TO A LIVE/ WORK UNIT         |                                     |
| <b>Agent:</b>                   |   |                                     |
| <b>Case Officer:</b>            | Mr O Marigold                                     |                                     |
| <b>Category Of Application:</b> | LISTED CONSENT                                    |                                     |
| <b>Decision:</b>                | APPROVE   | <b>Date of Decision:</b> 22/07/2010 |

  

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|---------------------------------|---|-------------------------------------|
| <b>Application Number:</b>      | <b>S / 2010 / 137</b>   |                                     |
| <b>Location:</b>                | BARNES AT BURTON GRANGE BURTON, MERE, WARMINSTER.   |                                     |
| <b>Proposal:</b>                | VARIATION OF CONDITION 1 OF PLANNING PERMISSION S/2006/1644, TO ALLOW AN INCREASE IN TIME FOR DEVELOPMENT TO COMMENCE |                                     |
| <b>Agent:</b>                   |   |                                     |
| <b>Case Officer:</b>            | Mr O Marigold   |                                     |
| <b>Category Of Application:</b> | VARIATION CONDITION   |                                     |
| <b>Decision:</b>                | APPROVE   | <b>Date of Decision:</b> 22/07/2010 |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 138</b>  |                                     |
| <b>Location:</b>                | BARNES AT BURTON GRANGE BURTON, MERE, WARMINSTER.  |                                     |
| <b>Proposal:</b>                | VARIATION OF CONDITION 1 OF LISTED BUILDING CONSENT S/2007/0714 (REBUILDING OF ROADSIDE WALL) TO ALLOW FOR TIME TO COMMENCE WORK |                                     |
| <b>Agent:</b>                   |  |                                     |
| <b>Case Officer:</b>            | Mr O Marigold  |                                     |
| <b>Category Of Application:</b> | VARIATION CONDITION  |                                     |
| <b>Decision:</b>                | APPROVE  | <b>Date of Decision:</b> 22/07/2010 |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 973</b>  |                                     |
| <b>Location:</b>                | LAND ADJ TOWNSEND NURSERY MERE, WARMINSTER.  |                                     |
| <b>Proposal:</b>                | CHANGE OF USE OF LAND FOR THE STATIONING OF SIX STATIC HOLIDAY CARAVANS USED FOR HOLIDAY LETTING |                                     |
| <b>Agent:</b>                   | MR D CARPENDALE - BRIMBLE LEA & PARTNERS WESSEX HOUSE HIGH STREET GILLINGHAM SP8 4AG.            |                                     |
| <b>Case Officer:</b>            | Mr O Marigold  |                                     |
| <b>Category Of Application:</b> | CHANGE OF USE  |                                     |
| <b>Decision:</b>                | APPROVED   | <b>Date of Decision:</b> 16/08/2010 |

  

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| <b>Application Number:</b>      | <b>S / 2010 / 1104</b>                              |                                     |
| <b>Location:</b>                | DOWN VIEW FARM LIMPERS HILL, MERE, WARMINSTER.      |                                     |
| <b>Proposal:</b>                | PROPOSED AGRICULTURAL BUILDING (BUILDING B ONLY)    |                                     |
| <b>Agent:</b>                   | DAMEN ASSOCIATES 101 WILTON ROAD SALISBURY SP2 7HU. |                                     |
| <b>Case Officer:</b>            | Lucy Flindell                                       |                                     |
| <b>Category Of Application:</b> | PRIOR NOTIFICATION                                  |                                     |
| <b>Decision:</b>                | NOT REQUIRED  | <b>Date of Decision:</b> 13/08/2010 |

## Newsletters, Magazines & Periodicals

Clerks & Councils Direct – September 2010 – Issue 71

**Wiltshire Council**  
Where everybody matters

20 August 2010

Department of Resources,  
Bythesea Road,  
Trowbridge,  
Wiltshire  
BA14 8JN

To all Towns and Parish Councils

Dear Clerk

You will remember that the Monitoring Officer and I wrote to you last summer introducing the new Wiltshire Council Standards Committee and gave you information relating to standards and how the Governance Team could provide you with help. We have followed this up with using the electronic parish Newsletter to keep you up-to-date with standards issues. Furthermore, we have developed training on the Code of Conduct and governance in conjunction with WALC. This was trialed in 3 parishes earlier this year and found to be very useful.

As you may be aware from the Queen's Speech in June, the Coalition Government intends to abolish the standards regime. This will require primary legislation and current indications are that the new legislation will not come into force until November next year. Until then the Code of Conduct remains in force and the Standards Committee will continue to carry out its statutory responsibilities of handling complaints regarding the Code and granting dispensations from requirements relating to interests.

The Standards Committee wants to ensure high standards of conduct and governance are maintained by Wiltshire Council and councillors at local level as this leads to effective and transparent decision making. One way of achieving this is by training. If you wish to take part in training on the Code and wider governance issues mentioned above please contact Anna Browne on 01225 718454 who will be only too pleased to help you.

Yours sincerely



Isabel McCord  
Chairman, Standards Committee



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