

Mere Town Council

TOWN CLERK - MRS. L. C. WOOD

Minutes of a meeting of the Town Council held on Monday, 7th December 2015 at 7.30 p.m. in The Andy Young Pavilion, Springfield Road, Mere.

Present: Cllrs Brett Norris (Chairman), John Jordan (Vice-Chairman), N. Beale, C. Hazzard, R. Hill, R. Hughes, Mrs. J. Hurd, G. Jeans (from 7.35 p.m.), R. Parsons, R. Sims, Mrs. K. Symonds, Mrs. L. Traves

Also: R. Flower, R. Morris, V. Phillips, D. Stone & R. Stone.

Meeting convened at 7.32 p.m. with Public Session

The Chairman will convene the Town Council meeting after the public session (please note that members of the public are no longer permitted to speak unless invited to do so by the Chairman).

Cdr. Vernon Philips from Pettridge Lane thanked the Town Council for taking the matter about the old Mere First School on the agenda. He explained that he was a new resident of Mere and now lived in Pettridge Lane in a property which shared a boundary with the Old Mere First School. Cdr. Philips said that the whole area of the old Mere First School site was returning to nature. There was advanced growth of ivy and elder and brambles invading neighbours gardens. There was a badger sett on the site and there were now two houses that had witnessed rats coming from the old Mere First School site. Cdr. Philips said that there was an old vehicle on the site and he thought that there must be some kind of dilapidation order that Wiltshire Council could impose on the owners to bring it into order or covenants issued when the building was sold to ensure that the site does not become a nuisance to neighbours etc.

Sally Brett from Lynch Close wondered if there was any possibility of having a bus shelter in The Square. She said that although bus users could wait under the awning of Waltons Newsagents, it was difficult to charge across the road when the bus arrives and on occasions the bus had driven off without those waiting. The Chairman agreed that this could be discussed at the next meeting.

Mr. Dick Morris said that he had heard that Remembrance Crosses had been pulled out around the war memorial and that lights in The Square had been damaged and he suggested that a CCTV camera might stop the problems.

Roy Sims said that the Xmas illuminations were brilliant and particularly good this year. He thanked the Town Council for supporting the Cancer Research Xmas Fair which raised £919.64. He also thanked Mr. Bob Parsons for everything he did to help on the night.

Clive Hazzard said that cars were parking between the Lecture Hall and the Salisbury Street Car Park again and causing a visibility problem. He asked if there was anything we could do to push forward the Traffic Management Scheme and whether or not it would be possible to put 'No Parking' cones out as a temporary solution.

Apologies for absence received from Councillors M. Cassidy, P. Coward, E. Mitchell

79. To receive declarations of interest from members and to consider requests for new DPI dispensations.

Members are invited to declare disclosable pecuniary interests and other interests in items on the agenda as required by the Mere Town Council Code of Conduct for Members and by the Localism Act 2011.

- G. Jeans declared a pecuniary interest in Minute No. 86a)

80. Minutes – RESOLVED that the Minutes of the meeting held on 2nd November 2015 be approved and adopted as a correct record of proceedings on proposal made by Cllr. Mrs. Traves, seconded by Cllr. Mrs. Hurd and carried with a unanimous vote of those present on 2.11.15

81. Matters Arising

***a) Submission from residents of Downside Close** – An A4 submission from the residents of Downside Close entitled 'What we need the Parish Council to support' was circulated to members prior to the meeting. The Chairman reported that Cllr. Jeans had recently been in contact with the Highways Control Manager dealing

with Downside Close urging for the work to start to bring the roads etc. up to standard. The Highways Control Manager has replied back stating that the matter is in the hands of the NHBC (Bond Holder). A further request for an update on progress was sent on 27.11.15. The Chairman has obtained additional information that Town Councillors may be unaware of concerning the Permacrib retaining wall. The Permacrib retaining wall system was designed and installed by PHI Group Ltd and has a sixty year guarantee. An email sent to a resident on 1st May 2014 from PHI Group states that the Permacrib wall at Downside Close was originally designed and installed in line with their clients (Oval Estates [Mere] Ltd) requirements and is certainly not retaining the upper highway (A303). To aid the residents of Downside Close to make informed decisions, the Chairman has written to PHI Group Ltd and asked them a number of questions concerning the permacrib wall.

- What ground surveys did PHI Group Ltd undertake to ensure the permacrib wall was suitable for this location?
- Was a tree survey on the existing trees proximity to the wall carried out?
- Was a geotechnical certificate obtained for the wall?
- Oval Estates (Mere) Ltd have gone into liquidation. Can the permacrib retaining wall system 60 year guarantee be transferred to another management company?
- The residents of Downside Close have no confidence in the present management company and are considering forming their own, if they wish to proceed with this could PHI group give guidance on how to maintain the wall?
- Would PHI Group Ltd be willing to enter into a maintenance agreement covering the wall with the residents management company?
- Would representatives of PHI Group Ltd be willing to give a presentation to the residents of Downside Close about the construction and integrity of the Permacrib wall system and answer any questions?

In response to the A4 submission from the residents of Downside Close entitled 'What we need the Parish Council to support' the Chairman stated:

Point 1 - The Wall – the wall was approved providing planning conditions 24/25 & 26 were met. We have a copy of an e-mail sent to the developer from the principle planning officer on 12th December 2007 formally discharging the conditions & conditions 24/25 & 26 were included on this list. This confirms that the wall has been approved. Condition 26 related to final construction and confirmed that the Highways Agency would not adopt the retaining wall and therefore ongoing liability rested with the developer. Adoption of the estate road by Wiltshire Council under the S28 agreement will be based on the approved plans attached to the S38 agreement which does not include the retaining wall. The status of the wall should not affect the adoption process of the road. This concludes that the highways authority will not adopt the wall. Sales and purchases of properties within the Downside Close development started in 2009. The transfer documents included an obligation to contribute to a management company for the upkeep of communal land (which included the retaining wall). The inclusion of the upkeep of the retaining wall was a term contained within the transfer documents between the developer and vendor, and the occupants as purchaser, and for the benefit of the developer and not due to any planning considerations. My conclusion as to who is liable for the retaining wall would be the current management company – Oval Investment Properties Ltd.

Point 2 - S106A Amendments and Modifications - Under Section 106A of the Planning Act 1990, a Section 106 agreement can be modified after a period of 5 years only by agreement with the appropriate authority and the person or persons against whom the obligation is enforceable. The Town & Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 set out the procedure for making an application to amend planning obligations, including standard forms. The principles for modifying an obligation are that it "no longer serves a useful purpose" or "continues to serve a useful purpose equally well". The Chairman said that, as a Town Councillor, it is not within his remit to respond to the statements made by the residents in their submission and he would suggest that they should seek professional advice on this matter.

Point 3 - Getting the S106 Title put in the residents' new management company's name - The Chairman said that this was a legal issue between the residents of Downside Close and the Management Company and is not something that the Town Council can advise on and would strongly urge the residents to seek legal advice on this matter.

Cllr. Mrs. Symonds congratulated the Chairman on carrying out this research and said that she was now able to understand some of the problems faced by the residents. The Town Council as a whole reiterated that the residents should seek legal advice on Points 2 and Points 3 of their submission but **RESOLVED** that the Town Council continue to lobby Wiltshire Council to get the roads, pavements and lighting to an adoptable standard (proposal made by Cllr. Jordan, seconded by Cllr. Beale and carried with a unanimous vote of approval).

b) Wiltshire Council's Grass Cutting Arrangements 2016 – are there any areas of Wiltshire land that we would be interested in transferring to our responsibility? (see Minute 77c) – The Clerk informed members that the grounds staff had assessed four areas that they felt they could incorporate into their grass cutting schedule without the need for overtime, extra staff or extra machinery – these being:

- Along footpath from Pettridge Lane to Cemetery (back of Barnes Place etc)
- Along footpath from Cemetery to Edgebridge, including first split but not including large grass area at bottom of Pettridge Lane by pumping station.
- Along Burton Path
- Small area of grass at junction of Springfield Road/Ivymead

The Clerk said that the last two areas were ones that she had historically received complaints about. She also stressed that she felt the Town Council should only take on responsibility for grass cutting and do not want to take on the responsibility for trees or hedge cutting (there is a large tree on the land along the footpath from Pettridge Lane to Cemetery). The Clerk also thought that it was worth pointing out to Wiltshire Council that the Town Council had taken on the grass cutting along Waterside from them many, many years ago (at the request or suggestion of David Button) but, as far as she was aware, there was no formal agreement in place for this and if some kind of formal agreement were to be drawn up with Wiltshire Council, then this area should probably be included. **RESOLVED** that the Town Council should inform Wiltshire Council that we would be happy to add these four areas to our grass cutting schedule and to ask Wiltshire Council for some kind of formal arrangement which would also include the land along Waterside. Proposal made by Cllr. Jeans, seconded by Cllr. Parsons and carried with a unanimous vote.

c) Report on Emergency Planning Workshop (see Minute 78a) –The Chairman confirmed that he had attended an Emergency Planning Workshop organised by Wiltshire Council and the aim was for parishes and towns to establish an emergency plan. The Chairman said that there was no emergency plan for Mere. It was pointed out that many years ago Mere did have an emergency plan and several attempts had been made to generate interest in resurrecting an emergency plan for Mere. However, these attempts had either received very little interest or had met with failure at early stages. Cllr. Sims felt that Mere ought to have some kind of emergency plan and it was agreed that a notice should be put in 'Mere Matters' to see if there is any interest and an emergency team could be assembled. Cllr. Jordan said that he would be happy to be Town Council representative.

82. Reports & Consultations

a) Neighbourhood Policing Report – PCSO Peter Tcherniawsky had prepared a report for the Council meeting which was handed around to members. Cllr. Sims added further information which was also available in Mere Neighbourhood Police Team December monthly newsletter.

b) Wiltshire Councillor's Report – Cllr. Jeans reported on the Temporary Closure along Shaftesbury Road.

83. Planning

a) Applications: (All applications can be viewed on Wiltshire Council's website

<http://planning.wiltshire.gov.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx> – and type in the relevant application number)

Application Ref: 15/10970/PNCOU Prior Notification under Class Q
Location: Buildings at Church Farm, Wet Lane, Mere. BA12 6BA
Proposal: Prior Notification under Class Q – Change of use of agricultural buildings and land within the curtilage to 3 new dwellings.

The Chairman informed members that this application had been withdrawn on 1st December 2015

Application Ref: 15/10924/OUT Outline Planning
Location: Land adjacent to 1 Old Hollow, Mere, Wiltshire. BA12 6EQ
Proposal: Outline application for one proposed dwelling with all matters reserved (resubmission of S/2012/0656)

The Clerk informed members that the Parish Council had objected to this application in May 2012 for the following reasons: 'Members were aware that this was an Outline Application but were unable to determine whether the proposed dwelling would be neighbourly as there is insufficient detail within the plans to assess whether or not a new dwelling could be inserted on the site successfully and without causing any overlooking issues etc. Members noted from the Planning, Design & Access Statement that the layout, scale, landscaping and appearance are all in outline only and subject to reserved matters and felt that they were given insufficient information on which to base an informed opinion.' Cllr. Mrs. Traves said that if we raised an objection before then we should do so again. However, Cllr. Jeans advised the Council that if it felt strongly that the application was inappropriate then its previous reasons for objection were unsuitable as the application was in outline and it is merely seeking approval of the principle of developing the site for one two-storey dwelling and associated vehicular and pedestrian access. All other relevant matters which in this case are: Design & External appearance, Layout, Scale and Landscaping, are reserved matters for detailed consideration at a later stage via a full reserved matters application. Cllr. Hill felt that the Town Council would have no grounds for objection to this outline application. Cllr. Hazzard proposed that, as the application is Outline only and the site is double that of the property next door, that the Town Council should recommend the application for approval. Proposal seconded by Cllr. Hill and carried with a majority vote of 6 for, 1 against & 4 abstentions.

Application Ref: 15/11023/LBC Listed Building Consent
Location: Longmead, Barrow Street, Mere. BA12 6AB
Proposal: Proposed works to loft including fitting insulation, placement of ceiling linings (including some new ceiling joists over the bedroom), removal of one roof light and the installation of three new roof lights, fitting of internal partitions incorporating new fire doors, and removal of two sections of lower purlin across the width of the two emergency escape roof lights (variation of listed building consent 14/08057/LBC)

RESOLVED to recommend approval of the above application on proposal made by Cllr. Parsons, seconded by Cllr. Mrs. Hurd and carried with a unanimous vote.

Application Ref: 15/11816/TCA Trees in Conservation Area
Location: 1 Spring Terrace, Waterside, Mere, BA12 6EF
Proposal: T1 – Horse Chestnut – Crown lift to afford 2.5-3m clearance from ground level and 2m clearance over shed roof.
T2 – Apple – Crown reduce by 20%

RESOLVED to recommend approval of the above application on proposal made by Cllr. Hill, seconded by Cllr.

Mrs. Traves and carried with a unanimous vote.

Application Ref: 15/11819/TCA Trees in Conservation Area
Location: Sandells, Water Street, Mere. BA12 6DY
Proposal: T1 – Ash Tree – Crown reduce by approx 30%, shorten epicormic stems by up to approx 3m and lateral growth by up to approx 2m & shorten lateral limb by up to approx 40% (if required)
T2 – Horse Chestnut tree – crown lift to afford clearance over building

Cllr. Jeans, having declared a personal interest in the above application, left the room during discussion and voting of this matter. RESOLVED to recommend approval of the above application on proposal made by Cllr. Mrs. Traves, seconded by Cllr. Hughes and carried with a majority vote in favour.

b) Pre-application advice – Change of use of land from agricultural to equine and erection of a field shelter. Field/land south of the Yard, Wet Lane, Mere.

The Clerk said that she had received an email from Mr. & Mrs. Billett who were currently in the process of purchasing 4 acres of land from Mr. Eric Mitchell just off Wet Lane. They wanted to outline their plans to the Town Council and had sought pre-planning advice from Wiltshire Council. The planning which they were considering was:

1. Change of use from Agricultural Land to Equine use.
2. Erection of a field stable (2 horses).
3. Putting down of a concrete base for the field stable and area in front which will be stock fenced, this is mainly for the winter months and inclement weather to protect the land.
4. Putting down of a gravel path/drive from main entrance to field stables and to have parking for a horse trailer and 2 cars, again to save damaging the land in the winter months and inclement weather.
5. Bringing in Electric and water services.

The above is for private use only and we do not intend to build a dwelling and it will not infringe on the re-routed Public Footpath.

Members had no particular issues that they wanted to mention and agreed that, in principle and without prejudice, they could see no reason why such a planning application would not receive a favourable response at this stage. Also to point out that it is difficult to give a definitive response until we receive the formal planning application as there may be details within the formal application that had not been fully considered or issues may be raised by neighbours or other consultees as part of the formal planning process.

84. Highways, Rivers, Footpaths, Traffic & Transport

a) Highway & footpath issues for Parish Steward & street lighting faults

- Drain outside The George is still blocked with grass – The Clerk said that she would ask the grounds staff to attend to this.
- Angel Lane – leaves & sludge on road, making it very slippery. No pavement. Report on MyWiltshire App

b) Handover of Wiltshire Council SID's – Wiltshire Council had 35 Speed Indicator Devices together with batteries and charging packs. These will be made available, free of charge, to Town & Parish Council's on a first come first serve basis. However, preference will be given in cases where groups of Parish & Town Councils are willing to collaborate in running a joint programme. Cllr. Jeans pointed out that these SID's are separate to the ones owned by the South West Wiltshire Area Board but suggested that Mere Town Council should bid for one of them as a back up because they do have a tendency to go wrong or stop working.

85. Buildings, Open Spaces, Play Areas, Sports Grounds, Allotments & Cemeteries

a) Problems with overgrown weeds and rat infestation at The Old Mere First School, Dark Lane – With reference to the issue raised by Cdr. Philips during the public session, Cllr. Jeans initially suggested that the Town Council should write to the land owner and Wiltshire Council's Environmental Health Department at the same time. However, Cllr. Hill suggested that the Council should write to the owner in the first instance, pointing out the problem of overgrown weeds, ivy, elder and brambles encroaching beyond the boundary and reports of sighting of rats going in and out of the site, asking the owner to reply in writing to the Town Council within 28 days explaining what action they propose to take to deal with both the overgrown weeds and the rats and also pointing out that we will contact the Environmental Health Department of Wiltshire Council if no action is taken to resolve these issues. Cllr. Jeans was happy to amend his proposal in this way which was seconded by Cllr. Hill and carried with a unanimous vote of approval.

b) Willow Tree & hedge removal at Duchy Manor – The Chairman explained that parents are now driving in front of the Town Council office and parking behind the changing rooms to collect their children. One of the problems with this is that as the vehicles travel past the Town Council offices the hedge on the corner is obscuring the corner and drivers cannot see pedestrians coming from the changing rooms direction. The Clerk had felt it would be a positive health & safety issue to remove the hedge. Also, there was a fairly large willow tree at the bottom of the Duchy Manor drive that was fairly close to a property in Springfield Road. Mrs. Jenkins, the property owner, had approached the Chairman regarding the fact that her boundary wall was tilting at an angle and the Chairman had felt it would be prudent to fell the tree and treat the stump. The Chairman therefore proposed that both the hedge and tree should be removed, tree stump removed and treated. Proposal seconded by Cllr. Mrs. Hurd and carried with a unanimous vote.

86. Finance, Policy & Resources

a) Payments – to approve payments set out in payment schedule attached

Cllr. Jeans, having declared a pecuniary interest, left the room whilst this matter was discussed & voted.

RESOLVED that payments in the payment schedule be approved on proposal made by Cllr. Hill, seconded by Cllr. Sims and carried with a unanimous vote of those present in the room.

b) New Audit Regime – The Clerk informed members that auditing procedures for smaller authorities continue as before, but the procurement process will change from 2017. From the start of the 2017/18 financial year, smaller authorities, including town and parish councils and internal drainage boards, can choose to have an auditor appointed to them by a new 'sector-led body' or they can decide to procure their own. SLCC/NALC/ADA had set up a company to procure audit services on our behalf and had sent a letter inviting us to become an opted in authority to this scheme. If we wanted to opt out then we would need to set up our own independent audit panel and procure relevant services. RESOLVED that the Town Council opt in the scheme procured by NALC/SLCC & ADA.

c) In view of changes to the Financial Services Compensation Scheme limit, Town Clerk would like authorisation to transfer £15,000 From Lloyds Deposit Account into existing Post Office Savings Account – The Chairman pointed out that with effect from 1.1.16, the level of protection under the FSCS was reducing from £85k to £75k. The Clerk had expressed concern that when the precept had just been received, there may be times when the Deposit account contained more than the FSCS limit and felt that a transfer to the Post office Savings Account would alleviate this concern for the short term. RESOLVED to authorise the transfer.

87. Forthcoming meetings/events

South West Wiltshire Area Board Meeting – 9th December 2015

Date of January meeting (11th January 2016) – Chairman reminded members that the next Town Council meeting will be on 11th January and we will be going through the finance as well.

The Queens 90th Birthday Beacons – 21st April 2016 + celebrations – The Clerk explained that she had been approached by the Pageantmaster regarding the official celebrations who had asked whether or not the Town Council would be lighting a beacon. Cllr. Hazzard said that the gas beacons were not practical as they needed

the heavy gas canisters for them to work properly and the gas canisters were too heavy to get to the top of the hill safely. He also said that if it was windy they were ineffective and the flame could not be seen. Members were all in agreement that a Brazier would be preferable, as lit for the Queens Diamond Jubilee. Cllr. Jeans said he would like to see some fireworks set off from the top of Castle Hill and he would see if he could get some funding towards this from the Area Board using the Councillors Initiative Fund.

Note: Members are reminded that the Town Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status and any disability), Crime and Disorder, Health and Safety and Human Rights.