

**MINUTES OF A MEETING OF HILPERTON PARISH COUNCIL
HELD AT THE VILLAGE HALL, WHADDON LANE, HILPERTON,
at 7.30 pm on Tuesday, 15th March, 2005**

There were twelve members of the public present.

PRESENT

- Mr. E. Clark (in the Chair)
- Mrs. S. Sawyer
- Mr. M. Duff
- Mr. R. House
- Mr. K. Jackson
- Mr. B. Cullern
- Mrs. C. Beckett
- Mrs. M. Keates
- Mrs. K. Hayes
- Mr. D. Tucker
- Mr. D. Drewett
- Mr. V. Bielecki

ALSO IN ATTENDANCE: Councillor T. Carbin

Seven members of the public took part in the open forum. Lyn Baron and Cecil Baron spoke against planning application 05/00320/FUL, Stephen Roberts read a letter on behalf of Mrs. Jean Duff concerning the Village Post Office, and Pam Turner, as a member of the Wiltshire Post Watch Panel, gave the background to the situation in which Mr. and Mrs. Duff found themselves. Chris Roberts then spoke on behalf of the Hilperton Relief Road Action Group in favour of planning application 05/00203/FULES, Rosemary Hawkes spoke on behalf of the Friends of the Hilperton Gap against planning application 05/00203/FULES, and Peter Hayes also spoke against this particular planning application. The meeting commenced at 7.54 p.m.

1. APOLOGIES FOR ABSENCE

Apologies were received from Mr. J. Willis.

2. DECLARATIONS OF PERSONAL/PREJUDICIAL INTEREST

Mr. E Clark:

Agenda Item 7 – Request for Section 137 Grant: Personal interest

Planning application: 05/00401/FUL: Personal interest

Planning application 05/00320/FUL: Personal interest

Planning application 05/00203/FULES: Prejudicial interest and no dispensation given

Agenda Item 11 – Chairman’s Allowance: Prejudicial interest

Mrs. M. Keates:

Planning application 05/00203/FULES: Prejudicial interest and no dispensation given

Mrs. S. Sawyer:

Agenda Item 7 – Request for Section 137 Grant: Personal interest

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Mr. M. Duff:

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Planning application 05/00320/FUL: Prejudicial interest

Mrs. K. Hayes:

Planning application 05/00203/FULES: Prejudicial interest and no dispensation given

Mr. B. Cullern:

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Mr. D. Tucker:

Planning application 05/00203/FULES: Personal interest and no dispensation required

Mr. D. Drewett:

Agenda Item 7 – Request for Section 137 Grant: Personal interest

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Mr. R. House:

Planning application 05/00203/FULES: Prejudicial interest and no dispensation given

Planning application 05/00401/FUL: Personal interest

Planning application 05/00320/FUL: Personal interest

Mr. V. Bielecki:

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Mr. K. Jackson:

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Mrs. C. Beckett:

Planning application 05/00203/FULES: Prejudicial interest but with a dispensation given

Planning application 05/00320/FUL: Personal interest

3. MINUTES

The Minutes of the Parish Council meeting held on the 15th February, 2005, and the Minutes of the Planning Committee held on the 8th March, 2005, were approved and signed.

4. MATTERS ARISING (from the Minutes of the PC meeting held on the 15th February)

Minute 5 – The Clerk had written to WWDC's Legal Services Manager, Simon Best, regarding the latest Hilperton Relief Road application by Persimmon Homes and the question of dispensations. He had informed her that the dispensations granted by the Standards Committee of West Wiltshire District Council on the 13th October, 2004, in order for the Parish Council to discuss application 04/01389/FUL would remain the same for application 05/00203/FULES

Minute 6 – Police Report: The Clerk had written to Inspector Hookings to ask for crime statistics relating to Hilperton.

Minute 7 - Hilperton Relief Road/WWDC's Standards Committee: The Clerk had sent a report to the Standards Board for England and was awaiting a reply.

Minute 7 – WWDC – Review of Constitution relating to planning applications: The Clerk had written to WWDC's Chief Executive on this subject and had received an acknowledgement both from him and from the Corporate Director, who had assured her that the views of the Parish Council would be taken into account in the course of the review.

Minute 7 – Parish Lengthsmen: The Clerk had written to Denise Bunce of the Wiltshire Highways Partnership, expressing the Parish Council's appreciation of the work the Lengthsmen did on their last visit. She had also received a letter outlining the Parish Lengthsmen programme for 2005/2006, and they would be in the village on the 25th and 26th July, 2005, the 12th and 13th December, 2005, and the 13th March, 2006.

Minute 12a – Litter Bins: The Clerk confirmed that the District Council emptied litter bins at least once a week. Mrs. Hayes had met Rob Powell from WWDC in order to take down the litter bin in Marsh Road by the new development but they were told by one of the builders that the post on which the litter bin was attached would actually be staying, so they had left it in place. Mr. Powell said he would ensure that the bins had labels attached so that people would know where to call to report them full.

Minute 12b – Grass in gutters: The Clerk had reported the problem around Birch Gardens to the Development Control department at WCC. The County Council had a list of remedial works to be undertaken before the road was adopted and they would add this to the list.

Minute 12c – The Clerk had reported the problem of deep potholes in Whaddon Lane to CLARENCE.
 Minute 12d – The Clerk had contacted WCC’s Rights of Way warden about the muddy footpath at St. Michael’s Church. Mr. Leonard had visited the site and could see the problem with the section around the cemetery. He intended to try a new method of surfacing using wood chips and felt this would be a good location to trial it. He hoped to complete this in the next few weeks. It was agreed that the Clerk should thank him and this would be discussed again at the April meeting.

5. ANNOUNCEMENTS FROM THE CHAIR

- a) The Chairman said he was unable to attend the recent Anti-Social Behaviour evening.
- b) Both the Chairman and the Clerk had tabled (slightly different) extracts from the Standards Board for England booklet giving advice on matters relating to declarations of personal and prejudicial interest.
- c) The Chairman had received a letter from Mrs. L. Drewett of the ‘Hilperton Relief Road Action Group’ informing the Parish Council that houses in the village which were displaying ‘Relief Road Now’ posters had had them stolen recently. It was agreed that, whatever peoples’ views on the matter of the relief road, this sort of action was disturbing, and the matter should be discussed further at the April PC meeting.

The following is reported under ‘Announcements from the Chair’ as the Chairman said it could not be added to the Agenda under ‘Correspondence’ after the agenda had been prepared.

- d) The Chairman had received an e-mail from Mr. D. Drewett clarifying his appearance in a photograph which had appeared recently in the Wiltshire Times on the subject of the Hilperton relief road. It was agreed that this e-mail should appear on the April agenda under ‘correspondence’.

6. COUNTY COUNCILLOR, DISTRICT COUNCILLORS AND POLICE

County Report

Councillor Carbin tabled his March, 2005, parish report and this is held on file. Items of interest to Hilperton include meetings of WCC’s regulatory committee concerning speed limits and traffic calming schemes, council tax, development at Staverton and deferment of the planned consultation on the possibility of relocating one of Trowbridge’s secondary schools to the Hilperton/West Ashton area.

District Report

The Chairman reported that the WWDC’s planning committee had met recently and two applications by Wolverhampton and Dudley Breweries to erect a public house etc. on Paxcroft Mead had been discussed. One application had now gone to appeal against the District Council’s failure to determine within the eight-week period, and the views of the planning committee were that, if they had been able to determine in time, they would have refused the application. The other application was a new, identical one, and the planning committee had given the same reasons for refusal.

Police Report

The Chairman reported that the police officer who had arrived at the beginning of the meeting, before the start of the open forum, had been called away on a search for a missing teenager. He had informed the Chairman, however, that there would shortly be a new community safety officer in the parish, who would commence training in April and be operational in June. When asked what was the role of community safety officers, the Chairman said that they were basically police officers but without the same powers, who patrolled areas acting as a deterrent to potential criminals. There were now three full-time officers responsible for Hilperton and, although the police officer had not brought with him crime statistics relating specifically to Hilperton, he had informed the Chairman that the parish was low on crime when compared with Trowbridge.

7. ITEMS FOR REPORT AND DISCUSSION

War Memorial

The Clerk had ascertained that the War Memorial was not listed and WWDC's conservation officer had a very small budget which had to be concentrated on buildings that were. The Clerk had therefore contacted the War Memorial Trust to see if any grants were available, but had not yet received a reply. It was agreed that this should be deferred until the April meeting and, in the meantime, the Clerk was asked to get another quotation for the works which needed to be done.

West Wilts. Central Area Parish Councils Liaison Group

One of the aims of the Parish Councils Liaison Group was to represent the councils in contact with other authorities. The Group had recently identified areas of common cause which they felt were of concern to the parish councils, namely:- 'rights of way', 'recycling' and 'footways'. The Group now wished each parish council to list these three topics in order of priority and return the results for discussion at the next group meeting on the 5th April. After a short discussion it was agreed that 'recycling' should take priority, followed by 'footpaths' and 'rights of way'. Mr. Jackson confirmed that he would be attending the 5th April meeting on behalf of Hilperton Parish Council.

Request for a Litter bin – Paxcroft Mead

A request had been made for a litter bin on the area running adjacent to Budgens and the Community Centre because the footpaths traversing the large grassed area were fouled with dog excrement. It was generally agreed that there were in fact enough bins in the area and it was the irresponsibility of some dog owners that was causing the problems. Mr. Bielecki volunteered to take a look around the area and it was agreed to defer this matter to the April PC meeting, when the subject of parish council dog wardens would also be discussed.

Wiltshire County Council – Notice of Temporary Closure of Footpath 43 Paxcroft Mead

A notice had been received that footpath 43 from its junction with footpath 122 (Trowbridge), located at the footbridge of Paxcroft Brook in a northeasterly direction for about 250 metres would be closed from 21st February, 2005, for up to six months, in order to enable the construction of a new housing development.

Paxcroft Mead Community Centre

The Chairman reminded members of the decision taken some time ago to allow him and any other parish councillor to sign the transfer deed. After the last PC meeting this had been done by both himself and Mr. House, and two copies of the deed returned to the solicitors acting for the Parish Council. Within the trust deed wording which would have imposed a liability on the Parish Council in respect of any damage to the building had been taken out by the Chairman on behalf of the Parish Council. The solicitors acting for Marshgate Investments appeared to be unaware of the role of a Parish Council acting as a Custodian Trustee, especially in matters concerning the building itself which would be the responsibility of the management committee, and they had sent their own trust deed a) improperly addressed to WWDC when it should have been sent to the Parish Council's solicitors and b) with the wording mentioned above still included. The Chairman said that he was coming to the conclusion that if matters carried on in this vein he would recommend that the District Council be asked to take on the Community Centre themselves and then make the transfer to the Parish Council as Custodian Trustees.

Portman Building Society – Withdrawal Forms

The Chairman informed members that most of the Parish Council's money was now deposited with the Portman Building Society rather than Lloyds Bank, so that interest could be earned. Recently, when some funds needed to be transferred from the building society to the bank, two out of the three

building society signatories had been on holiday and the Clerk had been unable to draw her salary. To ensure that this situation did not reoccur, both the Chairman and Mr. Drewett (two of the building society signatories) had signed an undated withdrawal form made payable to Hilperton Parish Council, in the amount of £5,000, for the Clerk to date and send off when necessary to transfer funds to the bank. The Chairman felt this action should formally have the approval of the Parish Council and this was given, with all members in favour.

Request for Section 137 Grant

A letter had been received from Pam Turner, the Director of 'Hilperton Presents' enclosing a bid for assistance in purchasing lighting and sound equipment which the committee believed would greatly enhance the facilities at the Village Hall. After some discussion Mr. Bielecki proposed that £1,000 should be donated and this was seconded by Mrs. Keates. A vote was taken, with nine in favour and three abstentions, including that of the Chairman. It was agreed that a condition should be imposed that all items purchased must become the property of the Village Hall Management Committee and no equipment should be fixed without their approval.

8. PLANNING MATTERS

Applications

05/00203/FULES: Persimmon Homes (Wessex) Limited – construction of a new road link and associated works between the A361/B3105 roundabout at Hilperton Road/Trowbridge Road, and a new roundabout junction at Wyke Road, Canal Road and Horse Road at Hilperton Marsh, known as the Hilperton relief Road.

The Chairman explained to members of the public present that the reason the Parish Council had not held another public exhibition concerning this (identical) application was that the District Council's planning department had not given the Parish Council an extension to the time scale for consideration of the application. Concern was expressed at the appearance of a parish councillor in a photograph which had appeared recently in a local paper alongside members of the Hilperton Relief Road Action Group but the Chairman reminded everyone that it was up to each individual parish councillor to make his/her own decision as to whether to declare a personal or prejudicial interest.

Mr. Clark, Mr. House, Mrs. Hayes and Mrs. Keates then left the room while this planning application was considered.

The Clerk asked the remaining members of the Parish Council to elect a chairman in the absence of Mr. Clark. Mr. Jackson proposed Mr. Drewett but he declined to take the chair. Mr. Bielecki then proposed Mr. Jackson, this was seconded by Mrs. Beckett, with all in favour, and Mr. Jackson took the chair. During the discussion that followed reference was made to one of the speakers at the open forum who had contacted the planning officer dealing with the Persimmon applications regarding the objections made by the Parish council at the special meeting held on the 21st October, 2004, to consider the previous application 04/01389/FUL. The planning officer had 'revisited' the Parish Council's grounds for objection and had e-mailed the speaker detailing these and the proposed mitigation.

Mrs. Beckett then proposed that an objection should be made to the planning application on the grounds that a decision on the previous application 04/01389/FUL had been deferred by WWDC whilst alternative routes for a relief road were investigated. The Chairman then asked if there were any amendments to Mrs. Beckett's proposal. Mr. Drewett proposed that an objection should be made to the application on the same grounds as those made concerning the previous application but that the Parish Council should seek clarification from WWDC on the points made at the special meeting in October, 2004, and ascertain how the reasons for those objections might be resolved and what conditions might be imposed.

The Chairman asked members to vote on Mrs. Beckett's proposal, which was seconded by Mr. Tucker. Two voted in favour with six against. This proposal therefore fell.

The Chairman then asked members to vote on Mr. Drewett's amended proposal, which was seconded by Mrs. Sawyer. Six voted in favour with two against. This proposal was therefore carried.

Mr. Clark, Mr. House, Mrs. Hayes and Mrs. Keates returned to the meeting and Mr. Clark took the chair.

05/00364/FUL: Mr. and Mrs. N. S. Rugg, 9 St. Mary's Close

Extension to dwelling

After a short discussion it was agreed that an objection should be made to this application on the following grounds:-

- a) the proposed extension would block out natural daylight to the neighbouring property
- b) it was proposed to build the extension right up to the boundary, thereby dominating nearby buildings
- c) the extension would be incompatible with the design of existing buildings, thereby losing the historic street scene.

05/00401/FUL: Action Information Management Limited, land adjacent 125a Ashton Road

Portable accommodation adjacent to existing building

After a short discussion it was agreed that an objection should be made to this application on the following grounds:-

- a) the proposed situation of the portable accommodation was outside village policy limits
- b) it would be visually damaging in the setting and would conflict with the character of the conservation area
- c) the proposed accommodation would be incompatible with the design of existing buildings
- d) there were other sites within the applicants' grounds which would be more suitable

It was further agreed that, should the planning committee of the District Council be minded to grant planning permission, the Parish Council should ask for the following condition to be applied:- that a turfed bund be constructed to obscure the portable accommodation from view from the Devizes Road.

Mr. Duff left the room while the following application was considered

05/00320/FUL: D. Lee, Hilperton Post Office, 222 Church Street

A3 food and drink to take away (*deferred from the Planning Committee meeting of the 8th March*)

The Chairman reminded members that any discussion must relate purely to the planning application for change of use and not to any matters referring to the post office. After a short discussion it was agreed that an objection should be made on the following grounds:-

- a) the proposal for a takeaway would be prejudicial to highway safety
- b) the takeaway would generate noise, disturbance, smells and pollution
- c) this would be inappropriate development within a residential area
- d) there may be problems caused by litter
- e) the takeaway may operate at unsociable hours
- f) there could be a potential fire risk, as it is understood that there is a flying freehold with the adjoining property

Mr. Duff returned to the meeting

05/00324/REM: Persimmon Homes (Wessex) Limited

Reserved matters application relating to outline approval for detail of link road (New Terrace link) – land between New Terrace and Warren Road, Staverton

The Chairman said that the District Council had invited comments from Hilperton Parish Council but, after a short discussion, it was agreed that, whilst WWDC should be thanked for sending the particulars of this application, as the proposed development was some distance from the Hilperton/Staverton boundary the Parish Council did not feel it was in a position to comment.

Decisions

There were none.

Notification of Planning Appeal

An appeal had been lodged by Wolverhampton and Dudley Breweries plc against WWDC's failure to determine planning application 04/02221/FUL (erection of public house with ancillary staff flats, car parking, landscaping and access arrangements on land adjacent Hackett Place) within the eight-week period (The Chairman had spoken about this appeal earlier in the meeting).

Appeal Decision

Planning application 04/00518/FUL: Marshgate Developments Limited – erection of three 74 sqm (800 sq. ft) retail units and an external storage area at Hackett Place. Appeal against WWDC because of the local authority's failure to give notice within the prescribed period of a decision on the application. Appeal allowed and planning permission granted subject to conditions.

9. CORRESPONDENCE

- a) e-mail from WWDC's Arts Development Officer re. Cloth Road Arts Week
- b) Letter from Age Concern, together with publicity material promoting informative events for local older people
- c) Letter from WCC, together with leaflets advertising an extra commercial bus service to The John of Gaunt School.

10. PUBLICATIONS

- a) The Clerk – February, 2005
- b) Publications from the Office of the Deputy Prime Minister: Citizen Engagement and Public Services – Why Neighbourhoods Matter; and Vibrant Local Leadership
- c) West Wiltshire Local Strategic Partnership – Community Strategy 2004-2014
- d) Local Council Review – March, 2005

11. ACCOUNTS

Payments authorised:-

Clerk's Salary for March	£394.26)	
Clerk's Expenses)	£76.42)	£470.68

The Chairman left the room while the following payment was authorised

Chairman's Allowance:		
Telephone and postage	£28.85)	
Mileage	£18.43)	
Miscellaneous	£58.25)	£105.53

The Chairman returned to the meeting

Hilperton Presents – Section 137 Grant (approved earlier in the meeting)		£1,000.00
Revision 4 Design, registration and hosting of website		£254.67

12. ANY OTHER BUSINESS AND VILLAGE MAINTENANCE

- a) Mrs. Sawyer reported that the white posts on the patch of grass by Dymott Square required attention – Clerk to report.

- b) Mrs. Hayes reported that information on the Village Hall link to the Parish Council website was out of date. The Chairman said he would bring this up at the next meeting of the Village Hall committee.
- c) Mrs. Hayes said that the information on the Marsh Stores notice board was out of date – the Clerk to liaise with her.
- d) Mrs. Hayes reported that she had cleared a load of litter recently from the Marshmead alleyway, for which she was thanked.
- e) Mr. Cullern reported that he had attended the recent meeting of the District Council’s planning committee and had spoken against the application by Wolverhampton and Dudley Breweries for the erection of a public house on Paxcroft Mead.
- f) Mr. Bielecki said he was concerned at the height of the hedge at Painters Mead (no. 26)/Faverolle Way. The fence was too high and obscured visibility, which could be a danger – The Clerk to report to the enforcement officer at WWDC.

13. ITEMS FOR PARISH NEWS/LOCAL PRESS

- a) Notification of planning appeal lodged by Wolverhampton and Dudley Breweries
- b) New community safety officer for Hilperton
- c) Grant given to Hilperton Presents
- d) Consideration of new Hilperton Relief Road application

14. DATE OF NEXT MEETING: Tuesday, 19th April, 2005

The meeting ended at 9.45 p.m.

Signed Date