

# Wootton Rivers Parish Council

## Minutes of the Parish Council Meeting held on 22nd July 2019

|                 |                  |                                  |
|-----------------|------------------|----------------------------------|
| <b>Present:</b> | Cindy Creasy     | Parish Council Chair             |
|                 | David Butler     | Parish Council Vice-Chair (part) |
|                 | Clare Bamforth   | Councillor                       |
|                 | Dean Cowley      | Councillor                       |
|                 | Nick Jones       | Councillor                       |
|                 | Neil Worthington | Clerk                            |

Apologies received from Steve Rawlings, Anne Swift, Jerry Kunkler.

### **1. Declarations of Interest and the granting of dispensations.**

Councillors were reminded of the Code for Conduct and the need to declare any interest relating to the items on the Agenda. Nick Jones declared that he had an interest in a neighbouring property to Orchard Cottage and would therefore not participate in the planning application (item 8.2 of the Agenda).

A request for a Dispensation had been received from Nick Jones to allow him to participate in the discussion regarding the Nomination of the Royal Oak as Asset of Community Value (item 12 of the Agenda). This request was discussed and as it was considered very important to have a full understanding of the landlord's views and position in order to aid decision making it was unanimously agreed by the Council that this dispensation should be granted.

No further interests were declared.

### **2. Minutes of Previous Meeting and Matters Arising.**

The Minutes of the Parish Council Meetings held on the 13th May and 3rd June 2019 were agreed as a true record and signed by the Chair. It was noted that the minutes of the May meeting were incorrectly dated 14<sup>th</sup> May and this would be corrected.

### **3. Matters arising from the Minutes**

Signboard/Waste bin relocation – it was agreed that as there was no suitable location for the waste bin near the bridleway past Upper Farm House it should remain at the bottom of South Bank where the signboard would also be positioned, there being no objection from the nearest resident.

Cutting back bridleway from Cuckoos Knob to Bruce Arms – David Butler reported that this had been carried out.

Review of the Risk Assessment – the current Risk Assessment had been updated by Neil Worthington and circulated to Councillors prior to the meeting. It was noted that there should be a PC representative on the Management Committee of the Village Hall but this had not been the case for a number of years and was not likely to change in the near future due to capacity. However, oversight could be achieved through inspection of the minutes of the VH meetings and review of the financial reports (which are subject to an internal review) and it was agreed that this review procedure should continue on a more formal basis. Cindy Creasy confirmed that she had attended some VH meetings and would continue to try to do so when possible. The revised Risk Assessment was agreed.

#### **4. Report from Wiltshire Councillor.**

Jerry Kunkler was unable to attend the meeting as he was on holiday. No issues had been reported from him.

#### **5. Report from Community Police Officer.**

In the Police absence Nick Mitchell-Briggs reported on the 2 recent burglaries which are a rare event in the village. Police and forensics had attended both properties, which had been unoccupied at the time, and suspected some local knowledge. David Butler advised that hare coursers were active in the area and people should keep a look out and report suspicious activity.

#### **6. Recreation Ground.**

There was a problem with sports equipment not being neatly returned to the shed after use.

A new advertising banner had been purchased to advertise the August Bank Holiday fun run.

Work needed to be carried out to some of the trees and quotes were being obtained.

#### **7. Planning**

**19/05605/TCA – Tree work at Vale Cottage.** This application had been delegated to the Clerk to decide, and after receiving comments from councillors, a No Objection comment had been made.

**19/05193/FUL – Orchard Cottage.** Nick Jones withdrew from the meeting while this item was discussed. It was noted that although the roof was thatched the property was built approximately 20 years ago. The combination of a house with a thatched roof having outbuildings being tiled was not unusual in the village and if this was being proposed now the PC would be unlikely to object. It was also noted that the house and garage were not visible from the surrounding dwellings and did not contribute to the street scene. The Conservation Officer may have a different view and the proposed change would probably not be supported for an older or listed property. It was confirmed that no new roof lights were shown on the drawing and it was confirmed that the applicant had no plans to do so. It was therefore proposed by Cindy Creasy to Support the application with the comment added that no rooflights should subsequently added without a further application. This was seconded by Clare Bamforth and carried unanimously.

**19/06305/FUL – Long House.** This application was identical to the previously granted planning permission which would expire soon. It was noted that since the previous permission had been granted the Neighbourhood Plan had come into force but as this dwelling was outside the village and built up area it would have had little effect as this was a replacement of an existing residential property and that, subsequent to the PC's support/comments on the original application, there had been no significant change of circumstances or concerns raised in relation to the existing consent. It was therefore proposed by Cindy Creasy to Support the application. The motion was seconded by Dean Cowley and carried unanimously.

**19/06627/FUL – Little House.** The recent application had been withdrawn and, we understand, discussions with the planners have taken place and the scheme has been revised and amended in line with their comments. The major changes are that

the extension now been reduced in height and the walling materials changed to painted brickwork to be similar to the existing house. The glazed link section has now been removed and the pitch of the garage roof increased. It was agreed that these changes benefited the scheme. It was therefore proposed by Cindy Creasy to Support the application subject to the colour of the external paintwork being white. The motion was seconded by Dean Cowley and carried unanimously.

**Church Farm planning applications** – Cindy Creasy reported on discussions she has had with Jerry Kunkler and the planning officer regarding the current position on the Church Farm planning applications for the revised scheme to Plots 1-6 in the farmyard and the revised design to the Plot 7 house.

Jerry Kunkler had been discussing the scheme with the planning officer and Conservation Officer who were advising the applicants that there were concerns about various aspects of the proposals. These include:-

- The number of rooflights to plots 3&4 should be reduced from 8 to 4no on the front elevation
- Omit all the rooflights to plots 1&2
- Change the two storey rear extension to plot 5 back to single storey
- Reduce/omit the rooflights to the rear of plot 5/6
- Clarification is needed about the retention of more of the existing external walls eg the number of large new openings to the rear of plot 1/2
- Replace the garden divider between plot 5/6 with a low wall or post and rail fence
- Highways matters need further detail to be properly assessed
- Plot 7 either needs to be the consented faux-barn design or, as an alternative, they need to explore the use of a contemporary design using traditional materials
- With regard to the number of properties the planners consider that Core policy 48 (conversion of existing properties) holds more sway than complying with the infill policy which would limit the number of houses to a 'few'.

The next step is for the applicants to come back to the planners with their responses to these concerns. If however, they don't want to make changes it is likely that the applications would be refused. Any new proposals would come back to the PC and residents, and there will be 14 days to respond.

It was agreed that there was little point in again offering to meet with the applicant as they had previously refused to enter into meaningful discussion.

**Tree Officer visit** – Dean Cowley and Cindy Creasy had met with David Wyatt, Wiltshire Council's Arboriculturalist after concern had been raised by a resident about a tree for which consent had been given for felling. He had looked at the trees in the village and commented as follows :

- We are fortunate in having a wide variety of tree species in the village and they are integral to the views from and into the village
- These are limited numbers of ash which is fortunate as it is likely that 95% will require felling. He pointed out particular concentrations of ash and the PC will inform the owners of his remarks
- A number of trees have dead and hanging branches – again the PC will notify owners
- Excessive ivy growth can kill trees and this needs to be addressed by cutting stems at 1m height

- The good news is that the red horse chestnut on the triangle is healthy although its water supply is limited by the road surfacing
- His key advice is to prune trees early to keep their shape and prevent straggly growth
- He would recommend that any trees felled need to be replaced by 2 -3 new trees to maintain the environmental benefits and landscape appearance.

It was agreed that an article giving his advice should be placed in Contact.

## 8. Finances

The following payments which had been made since the last meeting were authorised:

- St John's College – Recreation Ground Rent - £175.00
- Tony McGarry – Purchase of new banner for fun run - £70.80

The VAT refund for 2018/19 of £368.47 had been received.

### Financial Report

|                               |               |                 |
|-------------------------------|---------------|-----------------|
| Deposit Account               |               | 4570.16         |
| Current Account               | 4191.44       |                 |
| Less payments being processed | <u>245.80</u> | <u>3945.64</u>  |
| Total funds in bank           |               | <u>£8515.80</u> |

Neil Worthington reported that expenditure for 2019/20 so far was within budget.

Included in these figures are the following ringfenced amounts for the Recreation

|        |                       |                      |
|--------|-----------------------|----------------------|
| Ground | Brought forward       | 572.00               |
|        | New banner (excl VAT) | <u>59.00</u>         |
|        | <b>Available</b>      | <b><u>513.00</u></b> |

## 9. Rights of Way

Anne Swift was unable to attend so this item would be carried to the next meeting.

## 10. Roads and Highways

### Parish Steward

There should have been a follow up meeting in June to review the operation of the Parish Steward scheme but Atkins did not attend. It is not known if Jerry Kunkler is going to reorganise. We have had visits in June and July, communication with the Steward was good and most tasks planned had been completed. The next visit is due September 17<sup>th</sup> *Any tasks which need doing should be sent to the Clerk.*

### Maintenance

Neil Worthington advised that he continued to chase Wiltshire's Highways Engineer for the remaining promised works to be carried out. The current position was:

Drain & gully jetting – the Vactor machine paid its 2<sup>nd</sup> visit in May and we are waiting for the next, and probably final visit in this sequence including the CCTV survey to investigate the possible blocked drain.

Heavy duty road sweeping – still not been carried out.

Filling of potholes at sides of road – despite promises still not been done.

Tarmac surfacing to damaged area at the triangle – this has now been carried out and we are chasing to have the white lines replaced.

Although there are a number of works that remain to be carried out it was noted that the area outside the Church and at St Andrew's Close had not flooded recently so the drainage system appears to have improved since the jetting operation had started.

Neil Worthington reported that the Engineer seldom answers emails and Jerry Kunkler had also been chasing him for more action and communication. It was agreed to ask Jerry Kunkler to continue to chase. *Action: Clerk*

## **11. Royal Oak**

Cindy Creasy outlined for the meeting what a Community Right to Buy is and how it works and updated the meeting on the discussions which had taken place with John and Nick Jones following advice being given from Wiltshire Council.

The existing listing of the Royal Oak as an Asset of Community Value had expired and the issue preventing a new application from being completed was whether the separate house used as bed and breakfast accommodation should be included in the listing. The Parish Council had been advised that if the listing only covered the RO and it was ever offered for sale in one lot with the B&B then the moratorium would not be able to be triggered as part listed properties are exempt under Schedule 3 of the Localism Act. The owners confirmed that although they were happy for the pub to be listed as a community asset, they did not believe that the B&B met the definition/criteria as community asset (i.e. that it furthered the social well-being of the village), or that it was significantly linked to the pub as a business in that either can operate separately/independently and further, that Schedule 1 of the Localism Act excludes residential accommodation (such as hotels) from being listed as a Community Asset. They also provided evidence of other councils refusing listing of a B&B in similar circumstances.

John confirmed that he wanted only the RO to be listed so that they had the unrestricted freedom to move into or sell the B&B independently of the pub should they chose to do so.

The PC had asked Wiltshire Council's officer to provide further advice on these points but had received contradictory advice, for which WC apologised and referred the matter to their legal department. They finally responded by saying that if the PC wanted to nominate the pub and the B&B that evidence would need to be provided that "all the land/buildings nominated have furthered the social well-being of the local community currently or in the recent past and are likely to continue to do so for next 5 years. Also, whether and how the pub is functionally linked to the B&B and that they would then "consider your nomination". They confirmed that they could provide no further assistance apart from suggesting we should go to a solicitor ourselves.

The options are therefore 1) to nominate the pub and the B&B, but will need to provide evidence that all of the land/buildings have furthered the social wellbeing of the local community currently (or in the recent past) and are likely to continue to do so in the next five years. And also whether and how the B&B is functionally linked to the pub. They also want details of the Land Registry Title to show the ownership of the Pub and the B&B together with accompanying Land Registry plans (which are not available on the Land Registry website). Or 2) to nominate just the pub and the car park and produce a plan to show this extent. Wiltshire say that "this will come with the risk that part-listed exemption will apply".

These options were discussed and it was generally agreed that the parish and the owners interests are to maintain the RO as a viable business in the future and that if the RO was ever sold then part of the outside space outside the restaurant doors

(currently part of the B&B garden) would be required to be part of the pub. A motion was proposed by Cindy Creasy that on this basis, as in the current nomination, only the RO should be included in the nomination with the current plan amended to include the patio area. This was seconded by Clare Bamforth and unanimously approved. *Action: Chair/Clerk*

**12. Correspondence received.**

We have had notification that road salt will again be available before Winter which we can collect from Marlborough depot. However, one of the conditions of getting the salt is that we have to prepare a Snow Plan. Contact has been made with the team at Wiltshire Council for advice on how to prepare a plan.

**13. Matters raised by the Public.** None raised.

**14. Date of the next meeting – 2<sup>nd</sup> September 2019 at 7.30pm in the Village Hall.**