

BISHOPSTONE PARISH COUNCIL
PARISH COUNCIL MEETING
Held in Bishopstone Village Hall
Thursday 6th January 2011 at 7.30 pm.

MINUTES

1. **Present** : Parish Councillors : J H Thompson (JHT), Chairman
M R Ash (MRA)
N T Barter (NTB)
E R Draper (ERD)
D Jarvis (DJ)

Twenty one members of the public were present.

2. **Apologies for absence**: Apologies had been received from Councillor B Lampert (BL).
3. **Declaration of Interests**: There were no amendments or additions to those previously registered.
4. **Public Questions**: The Chairman proposed that any questions from members of the public with regard to the Parish Council's application for the area known locally as The Picnic Field to be registered as a Village Green should be held over until consideration of that agenda item later in the meeting. Other matters raised were:
- (i) the problem caused by cars being parked in the bus stop pull-in opposite Pitts Lane;
 - (ii) the need for a grit bin to be provided for Whitlock Rise, which was impassable in icy conditions;
 - (iii) the timing of hedge cutting by farmers in late Autumn and the need to minimise its affect on hedgerow wildlife.

The Chairman undertook to raise issues (i) and (ii) with the highway authority. The parish had been offered a 1 tonne salt/grit bag, subject to finding suitable indoor storage. However, no suitable facilities had been found. ERD said that hedge cutting was usually undertaken in early Spring, before nesting season, when impacts could be minimised.

5. **Minutes of the last meeting**: The minutes of the Parish Council meeting held on 4th November 2010 were agreed to be an accurate record - proposed by ERD, seconded by NTB. The minutes of the Extraordinary Parish Council Meeting held on 24th November 2010 were agreed to be an accurate record - proposed by DJ, seconded by MRA.
6. **Matters arising from the minutes**: There were no matters arising not included elsewhere on the agenda.

7. Chairman's announcements :

(i) Resignations from the Council

The Chairman said that it was with much regret that he had to confirm that Cllr Trevor Long has decided to resign from the Parish Council. He had resigned both as a Councillor and as Clerk. It would be necessary to advertise for both posts. Councillor Long had been a Councillor since 2006, and a clerk for slightly less time. He had done a splendid job with real enthusiasm and vigour, giving of his time willingly and freely. He began to put the resume of Parish Council meetings in STAB. He ensured that all notices were posted in good time. He was a vigorous participator in debates and a very good briefer on matters of public interest. He attended many subcommittees of Wiltshire Council, and undertook village litter collection, emergency planning and tree and footpath warden duties. He had taken an active part in the Parish Plan Committee, as well as the SWWAB and the Wilton Partnership. He has undertaken all these duties with utter honesty and integrity. It was therefore, all the more regrettable that he should feel unable to carry on because of unfounded criticism of his actions. His advice, wisdom and enthusiasm would be sorely missed. He had been a staunch member of the Parish Council and of great help to many people in the village. The Parish Council would need to decide in due course who else should take on the many duties previously undertaken by Councillor Long. In the meantime, Mr Long was continuing to act as Clerk for receiving e-mail and letters, and for matters to do with the accounts. The Chairman wished Mr Long well and proposed a formal vote of thanks for all that he had done. This was carried unanimously.

The Chairman said that he had also received a letter of resignation from Cllr Bridgette Lampert, who is moving away from the village, and cannot, therefore, fulfil the Councillor duties. Her common-sense and active support in the Parish Council would be missed, as would her able chairing of the Recreation Ground Sub-Committee. He wished her well in her new home. This meant that there were now two Councillor vacancies to fill.

Lt Col Abbott asked the Chairman why Councillor Long had resigned. The Chairman replied that it was because he felt his position had been undermined by the actions of a member of the Parish Council. Lt Col Abbott then asked who this was. The Chairman refused to name the individual. Finally, Lt Col Abbott asked whether that Councillor was present, and the Chairman confirmed he was.

DJ said that he was concerned that Councillor Long had felt he had been undermined by the actions of one of the Councillors. Transparency and collective responsibility were important cornerstones of the way the Council operated. He suggested that a private meeting of Councillors might be held to discuss that issue. NTB suggested that this might also cover the roles that Councillors might play in respect of the duties previously undertaken by Councillor Long.

ERD said that it was desirable, if possible, to avoid having a Councillor acting as Clerk. MRA agreed, pointing to the workload this imposed. Whilst it was agreed that this was desirable in principle, much would depend on the level of interest shown when the various positions were advertised.

(ii) Code of Conduct Complaints

The Chairman reported that he and Cllr Long had been the subject of individual Code of Conduct Complaints, from someone in the village alleging that they had 'attempted to conceal information from parishioners relating to the PC's application to register a parcel of land as a village green, and that in doing so he had not acted openly or in the best interests of the parishioners'. The complaints had been considered by the Assessment Sub-Committee of the Standards Committee of Wiltshire Council, who had decided to take no further action in respect of both complaints. The Chairman expressed his dismay that anyone should cast aspersions on his, or Councillor Long's, integrity and honesty and was pleased that the charges had been found without foundation.

- 8. Village Green Application** : The Chairman said that since the last meeting of the council on 24 November, a meeting had been held with Mr Stewart and Lt Col and Mrs Gibbon. JHT and MRA had represented the Parish Council. Mr Stewart confirmed that he was happy for villagers to continue to use the field as had been the case previously ie, with the permission of the owners and tenant farmers. Possible courses of action were discussed, including the Village Green application, self-dedication by the landowners, and an informal agreement between the village and the landowners. For various reasons the landowners were unwilling to go down the self-dedication route. That left the other 2 options. It was concluded that there were more points in common between supporters of the application and the opposition, than there were points of division. However, there were clear differences as regards the advantages and disadvantages of each option. A table of comparison has been circulated to Councillors and Mr Stewart summarising the main points raised in the meeting.

The Chairman said that in his view this comparison suggested that a compromise agreement is the better way forward. By this means access by villagers would be allowed to the field for recreation purposes, with a suitable blanket permission. For more formal purposes, such as large picnics or camping, specific permission would be sought from Mr Stewart. In response to concerns about access being allowed in perpetuity, Mr Stewart is prepared to undertake to give the Parish Council or another group of villagers a first option if, and when, he comes to sell the field. Access can be limited to residents, family and guests of Bishopstone village only. Use of the river for swimming or paddling remained a point of dispute between villagers and river bank land owners, which will need consideration at some length – but this issue will arise under the VG option as well. Fishing will remain the prerogative of the Club who already have the rights, and their members only.

The alternative was to continue with the Village Green application, but this had resulted in unfortunate personal divisions in some parts of the village. This would only get worse if everyone had to go through a public enquiry. The Chairman said he was extremely distressed that the issue had got so personal, and was anxious to close this chapter in village life on a higher note. The Application remains with Wiltshire Council at this moment, but in abeyance, and would remain thus until a suitable agreement was secured. If Councillors considered that there would be merit in seeking to resolve this matter through an agreement between the Parish Council and Mr Stewart, he put forward three proposals:

- (i) that the Parish Council meets to discuss an Agreement with Mr Stewart for village access to the field for recreation purposes;
- (ii) that the Application for a Village Green remains at Wiltshire Council in abeyance until an alternative voluntary agreement is secured;
- (iii) that an agreement is concluded by the next Parish Council meeting on Thursday 3 March 2011.

MRA said he thought there were risks of costs arising for the Parish Council if the Village Green application was successful as regards the management and maintenance of the field and, possibly insurance cover. Whilst these responsibilities might formally rest with the landowners they would have little incentive to take action and the Parish Council might have to play a role. On balance he considered that an access agreement with the landowner was the best way forward. This might need to be in writing and perhaps the Parish Council should consider taking legal advice on the form of that agreement. NTB and ERD said that they thought an agreement was the right way forward.

In the public discussion that followed, Mr Stewart said that he did not think that a formal written agreement was necessary. The terms of his offer were:

- (a) that he would retain full rights of ownership of the field, but would give blanket permission to people from the village of Bishopstone to use it for informal recreation;
- (b) that permission did not extend to organised events such as picnics or camping. His specific permission should be sought if anyone wished to undertake that type of activity. He was happy for another villager to act as his agent in granting permissions while he was away from the village (Mr A Thorne said he would be willing to do this);
- (c) because of the problem of liability in the event of an accident, the blanket permission did not extend to paddling or swimming in the river;
- (d) in the event that he ever came to sell the land, he would grant the Parish Council, or a group of villagers, first refusal to buy the land so that access was maintained in perpetuity. The price would be at whatever was reasonable market value at the time.

Mrs Gibbon suggested that the village should trust Mr Stewart and accept his offer.

Mr Walker said that it needed to be recognised that the application for Village Green status had been a reaction to changes being made to the status quo in terms of access to the field. That position was now changed because the landowner was prepared to revert to the previous arrangements. However, it might be advisable to safeguard the position by continuing to hold the application in abeyance. MRA explained that, under the terms of the legislation, that would not be possible. If the Parish Council decided to accept Mr Stewart's offer the Village Green application would be withdrawn. However, it would be up to Wiltshire Council to decide whether to nevertheless proceed with the proposal. It seemed to him unlikely that they would.

Lt Col Gibbon said that there was a need to resolve this matter as quickly as possible. As regards use of the river, we now have a litigation culture and costs could be very great if someone had an accident. If access to the river was invited he doubted whether

insurance cover could be obtained other than at disproportionate cost or without works to make the river "safe", with notices and safety equipment, like municipal pools. Neither he and his wife, nor Newcastle Estates, proposed to allow access to the parts of the river that they owned. Mr Stewart said that if someone used the river without his permission, that was their responsibility. He would no doubt have to place some appropriate notices on the site to that effect.

Mr Brutton said that if Councillors were to decide not to proceed with the Village Green application they should not take that decision lightly. The legislation existed to protect rights that had been recognised by Parliament and, whatever promises were made, the situation could change and there was a real danger that the villagers' right to use the land for informal recreation would be lost. The Chairman assured Mr Brutton that the decision would be taken very seriously indeed.

NTB proposed that a vote be taken to accept Mr Stewart's offer and to withdraw the Village Green application. It was not necessary to have a separate written agreement. The terms of the offer had been openly stated at the meeting and would be recorded in the minutes. This proposal was seconded by ERD. In a vote the proposal was unanimously approved.

9. **C12 road safety and speeding:** The Chairman reported that at the SWWAB Meeting on 8 December it was announced that Bishopstone had been awarded £10,000 from the grants scheme for a pedestrian crossing at the Butt Lane junction. Of the 6 projects in the SWW area, only 5 received awards out of the £17,000 available. The Local Roads manager had inspected the site and advised on the form of crossing. This will entail a different coloured tarmac covering on the road, blister slabs on the pavements at each side, with stout wooden bollards to mark the sides of the crossing. Once this work is completed the Parish Council would press for an extension of the speed limit to the west of the Flamstone Street junction.

Mrs Willis asked whether work to improve the Flamstone Street junction with the High Road could not be speeded up. The Chairman said that there was no more money available at the present time and Wiltshire Councillor Mrs Josie Green said that a review of C roads in the county would not be completed until later in the year, so funds were unlikely to be available before then.

On speeding, the Chairman said that there had been no interest in training in the use of Community Speed Watch reader guns, and no comment on the efficacy or otherwise of the scheme. If anyone could help, by being trained, please contact him. One villager expressed an interest. DJ made the point that the PC needed to decide whether to pursue the CSW project, or not. His suggestion that it be included as an agenda item at the next meeting was accepted by the Chair.

10. **2011 Budget and Parish Precept:** The Chairman said that papers had been circulated to Councillors setting out the likely budget outturn in the current year and proposals for the precept for 2011/12. In the light of underspends in the current year that would be carried over to 2011/12 and the possibility that a new Clerk might need to be paid, it was proposed to set a Parish Precept at £5000 for 2011/12, an increase of £1000 on

2010/11. MRA proposed that the budget for 2011/12 set out in the papers be accepted. DJ seconded this proposal, which was unanimously agreed.

11. Planning Matters: The Chairman reported that planning permissions had been granted by Wiltshire Council for:

- Little Bridge House, for use of garage accommodation as rented holiday accommodation;
- Throope Down Farm, double garage;
- Cheriton House, first floor extension over garage.

12. Questions or statements :

MRA said that he would produce a note, for discussion at the next meeting, on the possible implications of the Localism Bill that had now been introduced to Parliament.

PC Pete Jung said that 2010 had been a good year, with only low levels of reported crime in the Bishopstone area. He thanked all those on the e-mail system and encouraged everyone to keep their eyes open and to report anything suspicious.

Councillor Josie Green said that the next Area Board meeting would be on 9 February at Mere. She was pleased that funding had been secured for the road crossing at Butt Lane. This was in competition with 38 proposals in the county as a whole. She would take up the issue of a grit bin at Whitlock Rise.

There being no other business the meeting closed at 9.20 pm

DATE OF NEXT MEETING – The next meeting of the Parish Council will be on Thursday 3rd March 2011 at Bishopstone Village Hall at the following times:

7.30pm Annual Parish Meeting
8.30pm Parish Council Meeting

Signed as an accurate record :

.....
CHAIRMAN

.....
DATE

**BISHOPSTONE PARISH COUNCIL
EXTRAORDINARY PARISH COUNCIL MEETING
Thursday 6th January 2010 at 7.30 pm.**

ACTION PLAN

WHAT ACTION	BY WHOM	COMPLETED ✓
Write to Parochial Church Council to promise a £450.00 donation to STAB	JHT	
Identify volunteers to train for the Community Speed Watch	JHT	
Write to highway authority about parking in the bus stop pull-in at Pitts Lane and a grit bin for Whitlock Rise	JHT	
Contact WC regarding arrangements for recruitment of a new Clerk and insert advertisements in STAB (and, as necessary, elsewhere) for Clerk and 2 Councillors	JHT	
Inform WC that the Village Green application should continue to be held in abeyance pending possible withdrawal of the application if the minutes of meeting on 6 January are approved at the next meeting of the Parish Council on 3 March	JHT	