



Minutes

Meeting of Ogbourne St George Parish Council

Date: Thursday 14th March at 19:30pm

Present:

Keith MacDonald (KM Chair), Keith Wallace (KW),
Wendy Reardon-Smith (WRS), Richard Iliffe (RI),
Timothy George (TG), Kevin Howard (KH – acting Clerk),
Dick Millard (DM – Friends of the Railway Path)

Apologies:

PC David Tippetts, Cllr J Milton

13 members of the public were present. The Meeting opened 19:30

Item 9: Presentation from the Friends of the Railway Path (FRP) was moved to the head of the meeting by agreement of the Council to allow Dick Millard (DM) to attend another meeting this evening.

Mr Millard presented the status of the railway path and recent activities along the path. They have defined 16 projects for the path, and projects 8 to 10 are local to Ogbourne St George,

Project 8 is north of Ogbourne St George, near the chalk cutting. A view of the village from the northern boundary of the village showing field boundaries unchanged from those defined in the Enclosures Act c.1790.

Project 9 is at Ogbourne St George. They would like to undertake some work at the site of the old station, to put in a station sign, with an interpretation board, highlighting the steps that still exist.

Project 10 – Just south of Foxlinch. They suggest the picnic table should be replaced. Plus a play area, restored grassland, and an interpretation board about the Roman Road to Cunetio (Mildenhall)

Friends of the Railway Path have a web site where more detailed information will be available and opportunity to comment on their plans. See <http://www.friendsofthepath.org.uk/>

A number of questions were raised:

Who has authority for grant application and other fund raising to support this?

Sustrans is responsible to day-to-day maintenance, anyone can propose projects but any grant is subject to local controls and may be subject to planning consent.

Has a decision been made about the surface?

FRP understand that Sustrans find the current surface (railway ballast) expensive to maintain. They are developing a proposal to replace the surface with tarmac with a provision for horse riding (bridle path) along side. It would need planning permission and they don't have the money yet so this is a medium to long term proposal.

The Council has received a request that the section between Foxlinch and Southend get some more hardcore, the community would be willing to distribute it along the path. KM will follow up this proposal with DM.

KW noted that the former Council discussed this matter and agreed to support the provision of hardcore for the section between Ogbournes St George and St Andrew to be provided by Earthline. DM will follow this offer up with Earthline.

Work days will be organised on the local sections of the path past the village to actively improve the facilities. These will be promoted through The Dragon, with plenty of opportunities for parishioners to get involved.

1. Acceptance of minutes of previous meeting(s)

Minor amendments were accepted and the minutes signed by the chairman.

2. Declaration of interests

Richard Iliffe declared an interest in item 5.2.1 and any planning relating to Pooles developments.

3. Police Report

3.1. From Community PC

A domestic incident was reported in the parish but has been dealt with.

There have been reports of theft in Marlborough and Pewsey including taking of a car which was then used in further thefts in the area – mainly from out buildings so please ensure these are properly protected.

4. Matters arising

4.1. Council Status report

The Chairman read a brief statement:

“After the Clerk to the Council had been dismissed, he claimed compensation for a sum close to £11,800. With the support of ACAS, the Council and its insurers have agreed an out of court settlement of £800 from the Council plus £700 from the insurers, making a total of £1,500. This constitutes full and final settlement of the Clerk's claim without any admission of liability. Payment is dependent on the former Clerk signing the agreement and returning the Parish Council's property, documents and archives.”

The Council noted that the payment of £800 from the Council approximates to outstanding pay owed plus 3 months notice. This means that closing salary payments for the year to April 2013 are within £25 of the annual salary budget.

A parishioner asked: *Why was the Clerk been dismissed after 33+ years?*

The Council reported that he had refused to work his required hours since June last year making it difficult for the Council to fulfil its duties. He had taken action in the name of the Council without its authority; in particular he had threatened two parishioners with legal action signing as Clerk to the Council. The Council has tried to negotiate a new contract of employment with Mr Freeman guided by the National Association of Local Councils and has tried to reduce the Clerks workload by taking on areas of work itself, which it continues to do. He refused to discuss these matters at the time saying he was not available until Jan 2013.

The Council has taken independent advice from both legal and council experts throughout these unfortunate proceedings. The Council has offered on a number of occasions to discuss these matters with Mr Freeman; to discuss his contract terms and to allow him to put his side; he has declined all of these offers. The final of three

disciplinary meetings was led by the chairman of an adjacent Parish Council to ensure independence; he concluded that the actions of the Clerk constitute gross misconduct and recommended dismissal, which the Council accepted.

4.2. Amendment to Standing Orders – document with the agenda

Amendment to control decisions made between meetings and details regarding the posing of draft minutes. The amendment was proposed by TG, seconded by KW and unanimously approved.

4.3. Village Hall lease report

TG reported that Merrimans had just reported that the diocese was willing to redraft the leases (no new drafts available yet), but had not ruled out the transfer of the freehold to the village in return for a sharing of the net proceeds if the property were eventually sold. The PC had made advance payment for the Diocese's considerable legal costs for the leases and budgeted for their own legal costs. It was not yet clear how much additional costs the transfer of the freehold would involve, but further exploration of the situation was nil cost, and Merrimans were aware that the PC would expect to pay a nominal sum only for the freehold and had told the diocese as much. The PC could still conclude the leases if necessary.

The Diocese had asked for assurance that the PCC were content, and the view of the Charity Commission had to be ascertained. The lease holiday was acceptable to the diocese meanwhile - as shown by the demand for rent. TG sought authority to speak to the PCC and the Charity Commission. He thought that the leases might be concluded in the lifetime of the PC (and suggested that the PC might sign without further discussion). The freehold issue if pursued would probably take longer and would require discussion.

In answer to questions TG said that the additional legal costs of a freehold transfer were unknown but they and the conditions of sale would be part of any decision to go down that route.

It was agreed that TG should proceed with negotiations as proposed without commitment.

5. Planning

5.1. Items addressed ex committee

- E/2013/0017 Lower Herdswick Farm – removal of agricultural occupancy constraint
 - No Objection – approved by Wilts with conditions. The Council has subsequently raised concerns that the term ‘purchaser’ appears in the details when the application initially represented rental purposes only.
- E.2013/009 4 Leaze View – tree works
 - No Objection
- E/2013/0079 1 Westfield Farm – retrospective application for access
 - No Objection but registered concern about retrospective application
- E/2013/0157 The Elms – tree work
 - No Objection
- E/2013/0205 Applegarth – tree work
 - No Objection

5.2. Other planning issues

5.2.1. Pooles Developments update

The amended Pooles Yard Poole Field application has been withdrawn. Pooles yard development will progress under the application originally approved by Wiltshire Council.

6. Financial Items

6.1. Audit requirements

KH noted that we have a legal responsibility to maintain appropriate audit. Given that the last external audit raised concerns about our processes and was amended accordingly, it is recommended that we seek a new internal auditor. KH proposed to investigate local alternatives and to present options. He noted that timing would mean a decision made between meetings in order to address the audit commission needs. The proposal was unanimously agreed.

6.2. Financial report – details circulated to the Council with the agenda.

It was noted that the settlement with former Clerk was £200 less than budgeted and the refund from Wiltshire Council for double payment of lighting electricity means the Council is £498.00 better off than expected at this point in the year.

6.2.1. Refund of double payment of electricity (2012-13) £298.00

6.3. Specific expenditure items for consideration

6.3.1. Clerk Settlement £800.00 Approved

6.3.2. Bawdens maintenance contract £315.84 Approved

6.3.3. Southern Contracting £92.29 Approved

6.3.4. Southern Electricity £162.97 Approved

6.3.5. Village hall lease £52.00 Approved

6.3.6. Dragon (Andy Wall) £24.00 Approved

The Chairman noted that financial statements are available on the Village web site.

See <http://ogbournestgeorge.org.uk/local-government/parish-council/financial-statements/>

7. Working Groups and Committees

7.1. Staffing

7.1.1. Formation of Staffing Committee

It was proposal to reform the Staffing committee to address the recruitment of a new Clerk. KH, RI, WRS agreed to reform the staffing to committee and to raise appropriate Terms of Reference for consideration and approval by email.

7.1.2. Recruitment of Clerk – CV(s) received

The Council has received one CV for the post of Clerk. The Council asked the community if any others wished to be considered. It was noted that we had considered sharing a clerk with Ogbourne St Andrew. KH will investigate this option.

8. Report from highways

8.1. Traffic Action Group report

WRS reported that the Traffic Action Report is now lodged with the Highways Authority and is on the Village web site. Things are moving forward – community

speed watch moves slowly – the trainer left and the equipment is currently not available. However Wiltshire police are now excited about community support; an opportunity to save money, so we may see movement.

The residents of Chapel Close asked the PC to look into the possibility of a parking area in the front of the properties. The PC liaised with the housing officer who agreed and plans to add it to the list of works for aster communities.

8.2. Bottom Lane consultation

The PC has offered residents the opportunity of making the lane one way with the entrance from alongside the Parklands. This could be achieved if the residents agreed and following consultation with the village. However the response from Bottom lane residents was that they will only consider making it one way if speed humps are incorporated and the majority would prefer to have the lane closed at the Aldbourne end making it a cul de sac. Council has been advised by Highways that speed humps together with the necessary lighting was not a practical option and also that there would be problems in closing off the road; emergency access, bin collections etc. It was agreed that in the short term residents should be offered the option of one way - providing there is agreement from the village - or retain the status quo.

8.3. Pothole and works report

The Council has submitted a long list of issues to be addressed around the village; various potholes, Bytham Road, Church Lane etc. Highways Authority have considered the list and has requested an inspection meeting with the Council to review and prioritise our requirements.

8.4. Street lighting report

We have uncovered that since the formation of Wiltshire Unitary Authority we have been paying twice for lighting power. We have received a refund of £298 for 2012-13 and expect a further refund in April.

We now have a complete list those lights we own and a list of issues. RI has inspected the current status and reported that most seem to have all been fixed. The community is still keen that we maintain white lighting but technology has moved on since we adopted the lighting. Circumstances are somewhat confused but it is recommended that the new Council should reconsider applying for Wiltshire to adopt the lighting provision provided that white lighting can be maintained.

It was also noted that the lighting in the new development at Pooles Yard should be white and that this may be the opportunity to discuss the matter of transfer with Wiltshire.

An audit of lighting assets has been performed and consolidated to the asset register.

9. Footpaths

9.1. Report from Friends of the Railway Path

Item moved to the head of the meeting.

10. Looking after the village

10.1. Britain's best kept village – consideration of application

The Council consider that there is too much going on this year to consider the opportunity but this should not stop the Council supporting the community in making improvements to the parish.

10.2. Friends of Coronation Gardens

The Council has received an offer of planting in the coronation gardens.

The Council welcomes this sort of help in improving the gardens and asked whether the community could help in any other respect. The Council recognised the public liability it carries and must maintain oversight of planting in public areas. We welcome other offers from the community and would consider appropriate investment.

11. Notice of Election – May 2013

The notice of election will be placed on the notice board on the 15th March in accordance with legal requirement. Application forms are available from the Wiltshire web site or the village web site.

See <http://ogbournestgeorge.org.uk/2013/03/08/parish-council-elections-may-2013/>

Applicants will need electoral reference number of people in the village you can get this from the Acting Clerk. Tel: **841397** or Email: parishclerk@ogbournestgeorge.org.uk

12. Open Community Spot

The Council has received an update from Damien Convey about his plans for a local shop. He has been guided to place the shop at the bottom of Bytham Road rather than the old Marlborough Rd. This was specifically to address concerns about traffic and parking. It was noted that this may impact traffic load at the junction of the Aldbourne Rd, Bytham Rd and the slip road that may support the suggestion of a roundel at that junction to slow down traffic.

Members of the public wished the council to record that they thought this council much improved and 'cleaned up' over the last year. It has already done good things and they are optimistic that the council will continue to improve the community in the future. This was endorsed with applause from all the public in attendance.

The Council noted the high turnout of parishioners and thanked them for their support through some difficult times.

The meeting closed at 21:18