KINGTON ST MICHAEL PARISH COUNCIL

DRAFT MINUTES

Council Meeting held at 7.15pm Kington St Michael Village Hall, Kington St Michael SN14 6HX

23rd November 2023

Present: Cllr G Gamble (Chair), Cllr A Hall, Cllr V Ingham, Cllr P Macdonald, Cllr J Newton, Cllr W Roe and Cllr F Twisse (Vice Chair).

Also Present: 29 members of the public who signed the attendance register, 4 representatives of Eden RB Solar Ltd and Mr V Vines MBE Clerk of the Council.

NOTICE OF MEETING – Public Notice of the Meeting was given in accordance with Schedule 12, para 10 (2) of the Local Government Act 1972.

PUBLIC QUESTION TIME

- i) Margaret Pratley confirmed that action was being taken on the timber benches leading to Town Close that needed sanding and re-sealing. She had noted that the grass at the Village Green would be cut as part of the Council's grass cutting contract.
- ii) A Parishioner advised that he had noticed evidence of Box Moth damage locally and others should be made aware of this to try to stop the spread. He suggested that an article should appear in the Newsletter.
- iii) Mr Ian Pitman highlighted the need for roadside hedge cutting on properties opposite The Ham that obscured views of road signage creating highway dangers. He offered to cut the hedges but he was reminded that he needed to be mindful that they were privately owned and that Wiltshire Highways had the only authority to carry out works within the highway. The issue would be raised with the Parish Steward.
- iv) Mr Steve Woodward raised question/s in regard to local storm water flooding. The matters would be considered as later Agenda items.

There were no further Questions.

REPORTS FROM UNITARY COUNCILLOR, PARISH COUNCILLORS & COUNCIL REPRESENTATIVES

There were no Reports.

23/65 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllr E Allen.

23/66 Declaration(s) of Interest – In accordance with Kington St Michael Parish Council's Code of Conduct and Standing Orders

There were no Interests declared.

- 23/67 **MINUTES** Members had previously been circulated with the Minutes.
 - The Council received, approved and signed as a true record the Minutes of the Parish Council Meeting held 19th October 2023. Cllr P Macdonald proposed, Cllr J Newton seconded and RESOLVED UNANIMOUSLY

23/68 COUNCIL MEMBER VACANCY

A Council Vacancy existed. The Wiltshire Council had advertised the Vacancy on the 27th October 2023 and it had been necessary for 10 Electors to request an Election by the 16th November 2023. No such Election had been requested and Wiltshire Council had given authority for the Parish Council to fill the Vacancy by co-option. Following procedure, the Parish Council could now publish its own Notice to advertise the Vacancy to seek applicant/s to fill the position until the Full Council Elections scheduled for May 2025. The Council would next meet on the 18th January 2024 and could co-opt a suitable person at that Council Meeting. In the interim period the Council agreed that they could interview any applicants and recommend the person to the Council. Notices of the Vacancy would be published on Wednesday 29th November with a closing date given as 20th December 2023. (noted)

23/58 PLANNING

Planning Applications: Prior to the consideration of the Planning Applications received, the opportunity was given for Applicants and their Representatives and any other interested parties to address the Council. A number of representations were received from interested parties in regards to planning application PL/2023/08481, including questions raised with the applicants who were present and were allowed to respond. The Parish Council took into consideration the representations, including those received prior to the Council Meeting, before determining the application.

 a) PL/2023/08481 – Full Planning Permission Development of a Solar Farm of up to 40MW ac of generating capacity, comprising the Installation of Solar Photovoltaic Panels, Associated Infrastructure and Associated Works including Grid Connection Land at Red Barn, East of Kington St Michael, Chippenham, Wiltshire For Eden RB Solar Ltd

Following consideration of the application the Council resolved to raise strong objections to the proposal.

The Council agreed to advise Wiltshire Council that the Parish Council had strong objections to raise and recommended refusal of the application.

In reaching this conclusion the Council had been mindful of the support they had given to application PL/2021/06100, also within the Parish, but sadly on this occasion they were unable to offer similar support.

There had been a significant amount of information provided by the applicant, including pre-application local community consultations and the Council acknowledged that alternative energy sources needed to be found.

However, as the support given to application PL/2021/06100 had indicated, proposals in order to gain support needed to be situated in the right place.

In this case the development was of an enormous size and scale that if approved created a situation where the village was potentially surrounded by solar farms on all sides, removing the unique character of the village and rural surrounds.

Council Members noted that there was a considerable amount of technical information submitted with the application and that they did not have the expertise to comment and so relied on Wiltshire Council departments and external consultees/advisors to assess the merits or otherwise.

The Council accepted that it was often the case for solar farms to be sited on rural land leading to the loss of agricultural uses, albeit that some limited grazing was retained, but the increasing number of ad-hoc proposals destroying the open character was deplored.

It was also often the case that proposals contained suggestions that impact was minimised by landscaping proposals. The Council had serious doubts that to hide this development from the A350 and surrounding panoramic views for the next 40 years could and would be achieved. During discussions the issue of "glare" had been raised, particularly to users of the A350.

The Council was mindful of Wiltshire Local Plan policy that proposed that villages and Parishes should be maintained within their rural setting. This huge proposal was clearly contrary to these principles, severely impacting on the visual appearance of the rural landscape.

Moving on to the A350 and local lane highway implications. There were several issues. Firstly, the construction phase, secondly the maintenance phase and finally the decommissioning phase. A continuing phase would also be essential to cover emergency services.

It was the Council's belief that any increased traffic levels, particularly HGV traffic, exiting or entering the A350 at low braking and turning speeds would severely impact on highway safety as other users would be legitimately travelling within the 70mph speed limit, or possibly over. The claims made that the designs accorded with design manuals may well have been correct but this did not alter the fact that the free flow of the major trunk road would be compromised.

In addition, the use of adjacent rural country lanes for heavy-duty commercial purposes, albeit being used historically for agricultural traffic, was simply not acceptable. In fact this had been acknowledged by the applicant who proposed the need for personnel to guide and control traffic during the first phase.

The proposals had generated a lot of local comment and the Council was mindful that alongside the objections to the scheme there were supporters who quite rightly supported the creation of renewable energy sources and the Council supported this philosophy.

However, the Council needed to consider the overall impact of this proposal that would bring wholesale changes to the character of the landscape setting to the village and Parish and with this in mind must raise objections.

Cllr P Macdonald proposed, Cllr F Twisse seconded and RESOLVED UNANIMOUSLY

 b) PL/2023/09909 – Notification of Works to Trees in Conservation Area T1 Cherry Tree - Fell
93, Kington St Michael, Chippenham, Wiltshire SN14 6HX For Mrs Rebecca Bardwel

Following consideration of the application the Council resolved to raise no objections to the proposal.

Cllr P Macdonald proposed, Cllr J Newton seconded and RESOLVED UNANIMOUSLY

There were no further planning applications considered.

Planning General: Planning Decisions received and other Planning related Matters.

- c) PL/2023/07083 Advertisement Consent Replacement Building Facia Sign and Replacement Site Entrance Totem Sign Leigh Delamere Motorway Services Westbound, Leigh Delemare SN14 6LB For Moto Hospitality Ltd Approved with Conditions 26th October 2023
- d) PL/2023/08833 Permission in Principle Permission in Principle for Erection of 9 No Houses Land Off Stanton Lane, Kington St Michael, Chippenham, Wiltshire SN14 6JQ For Mrs Brenda Morelli Refused 13th November 2023

* The Council had initially been given an extended timescale to respond to this application to allow them to consider the application on the 23rd November 2023. To meet legal requirements Wiltshire Council had rescinded this and the Clerk under delegated powers had replied on behalf the Council on the 8th November 2023. (noted)

There were no further planning matters reported.

- 23/59 FINANCE The Council considered financial matters.
 - a) **Payments to make:** The Council considered and approved the following Payments:

Idverde Limited. grass cutting contract. Inv 1089502820.10.23£ 431.76*Crackerjack Fireworks. Bonfire Night fireworks. Inv 02304£ 1,343.62Playsafety RoSPA. Recreation Ground Inspection. Inv 75792£ 119.40Greenscape Services Ltd. Rec Ground grass cutting Inv. SI-16375£ 1,177.20St John Ambulance. Bonfire Night attendance. Inv SP23008754£ 126.72

* Invoice not to be paid as the contract was terminated.

Cllr J Newton proposed, Cllr G Gamble seconded and RESOLVED UNANIMOUSLY

b) **Payments made:** The Council **noted** that the following Payment had been made since the last Council Meeting.

Black Nova Designs. Website Hosting 23/24 Inv KSM 18223 10.10.23 £ 60.00

c) **Receipts:** The Council **noted** the following Receipt since the last Council Meeting.

Groundwork UK. Neighbourhood Plan Grant NPG-13617 08.11.23 £ 1,640.00

d) **Bank Accounts:** The Council **noted** that the Council's Bank Account balances at 5th November 2023 were:

HSBC Main Business A/c No 31545043	£ 95	5,185.32
HSBC Reserves A/c No 21545078	£46	5,404.67
HSBC Charities A/c No 71545051	£	775.75
HSBC Defibrillator A/c no 51563041	£	864.14

23/60 HIGHWAY MATTERS

- a) Parish Stewards Programme/Requirements: general issues for the Local Highway & Streetscene Community Team. Any works should be notified to Cllr P Macdonald the Council's Link Member. A Parish Steward visit was scheduled for 12th December 2023. Cllr Macdonald intended to meet the Parish Steward to highlight priorities. He understood that the brambles at The Ridings had now been cut. Milestone Infrastructure had advised the Council that the Parish Steward was now Lee Escott. (noted)
- b) Rights of Way: general issues in regards to Public Footpaths and Bridleways within the Parish.
 - i) The Ham Footpath and Right of Way. A Parishioner had raised the issue of a damaged stile and RofWay obstructions. It was suggested that the Parish Steward could be asked to repair the stile as it was likely to be the property of Wiltshire Highways. The obstruction of the RofWay would be reported to the Wiltshire RofWay Officer for action. (noted)

There were no further issues raised.

- c) **Highway & Footpaths Conditions and Maintenance:** general issues in regards to Highway Conditions and Maintenance within the Parish.
 - i) Winter Preparation 23/24. The Wiltshire weather team had invited the Council to report empty salt bins and to submit any PEAS application. Cllr P Macdonald confirmed that he had dealt with the matter. (noted)
 - ii) Parking at The Ham. A Parishioner had raised the issue of inconsiderate and potentially dangerous parking and whether there was a need for the Highway Authority to introduce double yellow lines as a solution. The Council had previously considered the issue and had tried to alleviate problems in a low profile manner. The matter was a police enforcement issue and the possibility existed to raise the matter with the local Police at a Rural Engagement event when the Neighbourhood Police Officers would visit the Village Shop Car Park on Wednesday 29th November 2023 between 1.30 and 2.30pm. The Council would need to consider the matter further if Police involvement was unsuccessful. (noted)

There were no further issues raised.

23/61 UPDATE ON STANDING ITEMS

- a) **Recreation Ground**
 - i) QE2 Recreation Field Group. Minutes (ii), (iii) and (iv) below refer.
 - QE2 Recreation Field Capital Works. Cllr G Gamble reported that quotations had been sought for play ground fencing and the Kick Wall upgrade (MUGA) and that Steelway Fensecure was the preferred contractor. The Council agreed the quotation of £11,050.00 inc vat for the 1 metre high playground fencing and £19,556.00 inc vat for the 3 metre high MUGA fencing. In both cases the Council's preferred colour option was a shade of green. Cllr P Macdonald proposed, Cllr V Ingham seconded and RESOLVED UNANIMOUSLY
 - iii) QE2 Recreation Field Maintenance. Following the decision to terminate the Idverde Limited contract, the Clerk had sourced a contractor, Greenscape Services, to cut the field and children's play area before the Bonfire Night event. This contractor was now pricing up the yearly contract. (noted)
 - iv) QE2 Recreation Field RoSPA Report 2023. Cllr G Gamble had attended the Inspector's site visit and the Report had now been received. This had identified maintenance work and prices were now being obtained and some interim work was already being carried out. All of the works had been previously identified by the QE2 Field Group and there had been no surprises. (noted)
 - v) Tree Planting. The Council had previously approved a request from the Family of the Late Robin Duckett to allow them to plant a tree with a commemorative plaque in his memory. The Family had now purchased a 3 metres high Rowan tree (height growth likely to be 10 to 15 metres) and the Council had been asked to approve a suitable site within the Recreation Ground. Cllr G Gamble agreed to meet with the Family and together with the QE2 Field Group would agree a suitable location. (noted)
- b) Notice Boards There were no issues raised. (noted)
- c) Flooding & Drainage There were no issues raised. (noted)
- d) Parish/Community Website/Social Media There were no issues raised. (noted)
- e) **Tor Hill Footpath Project** The Briefing Note on the Project had been published. The Parish Council had still to consider the Consultants updated scheme and agreed that they should do so at the 18th January 2024. Following Council agreement it was suggested that the Annual Parish Meeting scheduled for the 11th April 2024 would be a suitable date to hold a presentation and consultation on the project to gauge community views. (**noted**)

- f) Kington St Michael Village Hall There was no report on this occasion. (noted)
- g) Kington St Michael Neighbourhood Plan Cllr W Roe confirmed that the Groundwork Locality UK grant had now been received and that this would now allow Place Studio's input on the updating of the Plan to allow the Regulation 14 submission to take place. It was hoped that the Draft Plan could be submitted for Wiltshire Council consideration before Christmas. (noted)
- h) Kington St Michael Emergency Plan There was no change in circumstances since the last Council Meeting. (noted) It was reported that although the Plan was only in draft form the processes were followed on the 14th November 2023. A number of texts and emails had been received between 7.30am and 8.14am advising that a felled tree blocked the Tor Hill footpath. The Emergency Coordinator was aware that a volunteer owned a chainsaw and had the required qualifications and the Clerk was able to formally instruct him to clear the blockage, then becoming covered by the Council insurance. The task had been to clear the blockage to allow free passage for users. It was noted that often in emergency circumstances there was some collateral damage and in this instance there had been some damage to an adjoining field fence and some debris that required clearance. The Council had subsequently received thanks for their swift actions. (noted)
- i) Village Newsletter There was a need to ensure that articles previously agreed for inclusion were included. Council Members were reminded that the Newsletter Editor had given notice of her intention to step down from the role her last edition being the April/May 2024 issue. Council Members should help to secure a replacement. (noted)
- j) Asset Register There was no update required. (noted)
- k) Insurance Thee was no updated required. (noted)
- 1) **Registration of Land and Buildings/Village Hall etc.** There had been no change in circumstances since the last Council Meeting. (noted)
- m) **Community Safety/Neighbourhood Watch**: There had been no change in circumstances since the last Council Meeting. (noted)
- n) Data Protection. GDPR There was no update required. (noted)
- o) **Queen's Platinum Jubilee Celebration Bench.** There had been no change in circumstances since the last Council Meeting. (noted)

23/62 CLERKS REPORT

The following items were received for decision, information, and circulation and for future discussion and matters arising and updates from previous Meeting/s.

a) Chippenham Local Highway and Footpath Group (LHFIG). The LHFIG had met on the 3rd October 2023. The next Meeting was scheduled for 25th January 2024. The Council had deferred action on the 20mph speed assessment. Cllr F Twisse suggested that as the last traffic survey was flawed Wiltshire Highways may agree to another being carried out, potentially avoiding the speed assessment. (noted)

- b) Wiltshire Operational Flood Group North. A Flood Group Hybrid Meeting had been held on Thursday 28th September 2023. The latest Meeting had been scheduled for Thursday 23rd November 2023. No Council Member had been able to attend. Wiltshire Council and the Environment Agency had asked for flooding evidence resulting from recent storms Babet and Ciaran. Cllr A Hall had produced a reference map for Council consideration. It was agreed that this covered all of the known flooding spots, added to which should be areas along Fowlswick Lane. The map would be updated and submitted to the external bodies as evidence.
- c) **Community Speedwatch-Speed Indication Devices (SIDS)-Autospeedwatch Devices**. There had been no change in circumstances since the last Council Meeting. To overcome the issue of fixed posts it was suggested that posts could be installed in sockets that in theory would mean that they would be moveable. The Clerk would seek further clarification. (noted)
- d) **Community Speedwatch Team (CSW).** There had been no change in circumstances since the last Council Meeting. Should a new traffic survey indicate that a Team could be formed and trained there would be a need to seek volunteers again as a considerable time had passed since original interest was shown. (noted)
- e) **Pavement Parking-Provision of Bollards.** There was no change in circumstances since the last Council Meeting. (noted)
- f) Parish Council Database. There had been no change in circumstances since the last Council Meeting. Members were reminded again to invite those within their own "Address Book" to register. (noted)
- g) Wiltshire Council Chippenham and Villages Area Board and Chippenham Community Area Parish Forum. The Area Board had last met on the 25th September 2023 in the Wiltshire & Swindon History Centre, Cocklebury Road, Chippenham SN15 3QN. The next Meeting was scheduled for the 11th December 2023 at 7.00pm in the same venue and would include an "All things Roads" session when Highway Officers and the Highway Cabinet Member would attend. The Parish Forum had last met on Wednesday 18th October 2023 in the Kington St Michael Village Hall. The Council was reminded that the next Parish Forum Meeting date was scheduled for Wednesday 17th January 2024 at 7.00pm in the Kington St Michael Village Hall. (noted)
- h) School Travel Plan and Safe Place. There had been no change in circumstances since the last Council Meeting. (noted)
- i) **Highway Fingerpost Signs.** The purchase of the Tor Hill crossroads fingerpost sign had been agreed. Cllr P Macdonald suggested a suitable location and would provide the Clerk with details. (noted)
- j) Assets of Community Value. The Clerk confirmed that he had now submitted The Jolly Huntsman and Kington Club applications. (noted)
- k) Wiltshire Council Local Plan Update 2023 Consultation. The Council had received notification of this consultation, beginning on Wednesday 27th September 2023 and ending on the 22nd November 2023. The review of the Wiltshire Local Plan was particularly important as Kington St Michael was to be

retained in the sustainable Large Village category, being suitable for development. The Clerk confirmed that he had submitted the Council's views to Wiltshire Council within the timescale. (**noted**)

- 1) **Community Emergency Contacts.** Wiltshire & Swindon Prepared (LRF) had initiated a scheme called Community Emergency Contacts and invited the Council to participate and engage in this. Cllr F Twisse confirmed that she had responded to the invitation. (noted)
- m) Village Green Bench, Stubbs Lane. Cllr G Gamble confirmed that the dilapidated/broken bench and hard standing near the pond area had now been removed. (noted)
- n) Wiltshire Council Briefing Note 23-30. The Council noted receipt of a Briefing Note in regards to the Consultation of Potential Changes to the Wiltshire Council Tax Deduction Scheme for working age people. (noted)
- o) Wiltshire Council Street Tag. The Council had received information of a programme coming to Wiltshire called Street Tag. It was an interactive App to promote and enhance community-wide participation in physical activities. (noted)
- p) Wiltshire Council Briefing Note 23-32. The Council noted receipt of a Briefing Note in regards to the Response to recent Council Climate Action Scorecards. (noted)
- q) Wiltshire Council Briefing Note 23-34. The Council had received a Briefing Note in regards to the Substantive Highways Scheme Fund Bid Application Process 2024/25. Applications for competing bids needed to be submitted by Friday 15th December 2023. It is suggested that as this was a yearly invitation the Council use the next few months to consider proposals, such as the Tor Hill Footpath Project, in readiness to submit. (noted)
- r) **History of Kington St Michael.** The Council was sponsoring the production of the book. The Author had appealed for village/parish photographs/pictures. It was suggested that the book would require 100+ illustrations. Council Members were asked to respond. (noted)
- s) **Defibrillator at KSM Village School.** A Parishioner had raised the issue of potential difficulties to access the defibrillator. It was understood that the pedestrian gate had a sliding bolt but was never locked. The School needed to ensure security was adequate to keep pupils safe. The signage erected was to deter criminal activity, which could happen after School hours. The Parish Council understood that it was not responsible for the defibrillator nor its siting and only held funds as an accountable body on behalf of community volunteers who had fundraised, purchased and installed after seeking professional advice and meeting the requirements of power supply and regular inspections/reporting. The Council would write to the Parishioner accordingly. (noted)
- t) Wiltshire Council Briefing Note 23-35. The Council noted receipt of a Briefing Note in regards to the Christmas FUEL Programme update. (noted)
- u) Wiltshire Council Briefing Note 23-36. The Council noted receipt of a Briefing Note in regards to the Coronation Living Heritage Fund : Coronation

Orchards. It was suggested that this should be forwarded to the QE2 Field Group for their consideration. (**noted**)

23/63 COUNCILLORS REPORTS AND ITEMS FOR NEXT FULL COUNCIL MEETING

- i) The Clerk reminded Council Members that they would consider the Council Budget for year 2024-2025 and set the Council Precept Requirement to forward to Wiltshire Council at the 18th January 2024 Meeting. Members needed to advise the Clerk of any suggested budget inclusions and exclusions before the 18th December 2023 so that they could be accommodated in a budget template. Wiltshire Council had recently provided information on the potential Tax Base for 2024/2025 that had been circulated to Council Members. (noted)
- Cllr V Ingham reminded the Council that they had agreed to re-construct the damaged dwarf highway boundary wall at the turning to Stubbs Lane. Cllr G Gamble would check to see if instructions had been given to the contractor to remedy this. (noted)
- iii) Cllr Roger Sealy and the Late Cllr W (Bill) Isaac Plaques. During the Public Session Mrs M Pratley had raised the issue of memorial plaque/s to former Council Members. She had been aware that the Council had originally agreed to plant a specimen tree and erect a plaque for Cllr Sealy. He had agreed that trees in the Community Orchard could honour him. A plaque still needed to be installed. In regards to the Late Cllr Isaac, it was always understood that his Family would be installing a plaque adjacent to his planted tree. (noted)

There were no further matters raised.

23/64 DATE OF NEXT MEETING

The next Council Meeting will be held at 7.15pm, on Thursday 18th January 2024.

PART 2 AGENDA

As the following Item related to Confidential Matters, in accordance with Kington St Michael Parish Council Standing Orders (Admission of Public and Press to Meetings) it was considered that in view of the confidential nature of the business to be transacted, in accordance with the Public Bodies (Admission to Meetings) Act 1960 (as amended), the Public and Press should be excluded for the remainder of the Meeting and that they should be instructed to withdraw.

i) Discussion on local housing development & Local Plan matters

The Parish Council continued discussions on the outstanding Wiltshire Local Plan requirement of 34 dwellings for the period until 2038. It had previously been acknowledged that this figure could not be met within the existing framework boundary of the village and that there would be a need to expand the boundary to meet the requirement with the least impact on the village, providing affordable homes, highway improvements and improvements to community facilities. It was further suggested that proposals could also include a car parking area to alleviate street parking problems in the village. Council Members had also agreed that this could not be met if several ad-hoc schemes came forward and consequently only a plan-led solution would satisfy the requirements and the Council's priorities. As the ongoing Local Plan Consultation had pointed out there were a number of constraints, including the Conservation Area and traffic implications, but an edge of settlement development potentially existed that could proceed to more detailed assessment and the sequential and exception tests. The Council was mindful that there would need to be community support for a site allocation that could meet the Local Plan requirements and benefit the community and discussions would now take place with Wiltshire Council as to whether the further development of the Neighbourhood Plan should be the vehicle to take things further.

ii) Discussion on the future of Community Assets

The Parish Council opened discussions on the future of Community Assets in the Parish, being mindful of the fact that an Asset Listing was just that and simply gave the local community a 6-month window of opportunity to acquire any asset that might be lost. Further consideration would be given as to how funds could be raised to purchase an asset should circumstances occur that required intervention. Various options were available and these would be considered further.

iii) Discussion on Highway Boundaries and Hedges

The Parish Council had needed to intervene during a recent storm that felled a tree across the Tor Hill Footpath. On this occasion there had been a successful outcome with no injuries and little damage. The matter had raised the issue of ownership and legal responsibility. A situation occurred where the whole length of footpath had a differing maintenance regime. From the Tor Hill Crossroads towards the village at an approximate mid-way point the hedgerow, although high, was relatively well maintained. From the mid-way point to the Magpie Cottage entrance the hedgerow was overgrown with several high trees, some dead. Clearly this was a source of danger during storm weather and at other times. To rectify the situation significant work was required, including a potential road closure. The Council felt that the situation should not continue and further investigations were required to ascertain responsibility and potential costs.

Signed:

Chair, Kington St Michael Parish Council

Date: 18th January 2024