

WESTERLEIGH PARISH COUNCIL
MINUTES OF THE ANNUAL GENERAL MEETING
18TH MAY 2015
MANOR HALL

PRESENT

Councillors: J Butler, A Fay, D Boulton, B Taylor, M Crumpton, G Jancey, S Blackmore, C Nicholls
Officer: F Thornton

1786. Election of Chair

In the absence of the chair, Cllr J Butler as vice chair opened the meeting by congratulating and welcoming back returning Councillors as well as District Councillor C Young. She went on to welcome the newly elected Councillors and looked forward to the new council all for the benefit of the Parish.
Nominations were sought for chair

Decision: Cllr B Taylor was proposed by Cllr J Butler and seconded by Cllr D Boulton
Cllr M Crumpton was proposed by Cllr G Jancey and seconded by Cllr C Nicholls

Vote: Cllr B Taylor – 4 in favour, 4 against
Cllr M Crumpton –4 in favour, 4 against
Chair used casting vote in favour of Cllr B Taylor
Cllr B Taylor was duly elected chair

1787. Election of Vice Chair

Nominations were sought for vice chair

Decision: Cllr J Butler was proposed by Cllr A Fay and seconded by Cllr D Boulton
Cllr G Jancey was proposed by Cllr C Nicholls and seconded by Cllr M Crumpton

Vote: Cllr J Butler - 4 in favour, 4 against
Cllr G Jancey – 4 in favour, 4 against
Chair used casting vote in favour of Cllr J Butler
Cllr J Butler was duly elected vice chair

1788. Apologies for absence

Cllr A Gibbs

1789. Declarations of Interest under The Localism Act 2011

Cllr J Butler

I declare a personal interest in Item 16 on the Agenda.[Manor Hall]. However, this is clearly not a pecuniary interest, and certain questions have been raised in connection with this item that I am in the best position to answer. I therefore feel that in the interests of Council being given a fair and balanced view of the issues I should be allowed to remain and contribute to the discussion. I will of course refrain from voting, and request that Council grant me a dispensation, on that basis, in accordance with clause 37 (q) of Standing Orders.

Decision: Council dispensation was granted

Cllr Nicholls declared a personal interest in pre-school.

1790. Reports from South Gloucestershire Councillors on matters relating to the Parish

District Councillor: C Young

I am pleased to be back and look forward to working with the new Parish Council. As I was asked not to table a report last month due to the election “purdah” period, this report covers the last two months and is therefore longer than usual.

Planning issues

Policies, Sites, and Places (PSP) plan

In March, South Gloucestershire Council approved the plan for submission to the Planning Inspector, although I and a number of other councillors voted against due to concerns about the Gypsy and Traveller proposals requiring land to be removed from the Green Belt. As well as speaking about those concerns, I also defended residents against negative comments made by a planning agent about their conduct at the February Parish Council meeting.

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It had already been agreed at the Policy and Resources meeting that more time was needed to consult people on the Local Green Spaces before the council can decide the final list of sites to be put forward. There will therefore now be two consultations:

- One on the plan, with responses being passed to the Inspector. This will be the last chance to make representations for anyone unhappy with what South Glos Council has submitted.
- Another on the Local Green Spaces, with responses going to the council, not the Inspector. The council will need more evidence of the special importance of land to the local community before it can be designated.

The two consultations will be run in parallel starting shortly – more information at www.southglos.gov.uk/policiebsitesandplaces

Solar scheme next to Badminton Road council offices

This was approved.

Messenger site

As requested, I queried what a Certificate of Lawfulness would allow and got the following response:

The law requires that, if granting a certificate for a use that falls within a use class, we have to specify the use class on the certificate, because it would be lawful to then use the land for any other use falling within that same use class. This is something that in my experience we do not always do. In this particular case, because the storage of lorries would fall into the B8 (storage/distribution) use class, if a certificate were granted then the land could quite lawfully be used for any B8 use. So in theory it could then be used for more than just the storage of the lorries (i.e. it could indeed be used for distribution), however only within the constraints of the site as it currently is – any physical development (i.e. buildings, a new access etc) would then require a planning application. As it stands, I think there would be little scope for the use of the land for anything much without further operational development, so we would still effectively have a fair degree of control.

However, I should point out that although numbers are usually specified on certificates (to give a benchmark level), as per the caravans at Henfield that we looked at not so long ago, the number is not a limitation – the certificate is granted for the specified use of the land, and greater numbers could only amount to 'development' and a breach of planning control if it intensified to such a degree that it amounted to a materially different use. This is pretty rare, and unlikely in view of the constrained size of the site.

The Certificate of Lawfulness application PK15/0783/CLE is still pending consideration.

Beech Hill

The planning officer has continued to monitor the site and met the owner again in early March. The officer is satisfied that the car repair business is not operating from the premises, in compliance with the Enforcement Notice dated 18th July 2014.

The owner submitted a retrospective planning application (PK15/1339/F) for the storage of the caravans and the council decided it would determine it, rather than using its powers to refuse to do so as had previously been suggested. While this planning application is live, there will be no further enforcement action taken regarding the caravans.

Top Yard

In April the DC (East) planning committee refused the application for a travelling showmen site at Top Yard in Westerleigh.

In February the Committee had narrowly voted to approve it but it was referred up to full council for a decision. Officers then reviewed the application and recent case law and advised referring it back to DC (East) with a revised report. I proposed this at the full council meeting and when it came back to the committee the recommendation had been changed to refusal. After some debate, the majority of members agreed, voting 9 votes to 1 with 1 abstention to refuse it. As this was a retrospective application and the caravans are already there it has been referred to the planning enforcement team for action.

69a Park Lane

The application to turn part of the home into a hair salon and create additional living accommodation in a second storey was approved unanimously.

Coalville Road garage redevelopment

I am informed by Merlin that the application was to be submitted on Friday 8th May but validation of applications can take time and at the time of writing it is not yet on the system.

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Additional mobile homes at Greenacres

The case officer has confirmed that having reviewed the old plans from the archive, if the bungalow site is used as an extension of the existing mobile home park then from the information he had at the time of writing he would commence enforcement action.

Coalpit Heath Post Office

Last week Post Office Limited officially announced that the Post Office would be moving to the Nisa store, sending letters and emails out to people who had responded to the consultation. The letter explains how they've responded to the feedback and says that posters will be displayed at the store to let customers know when the move will take place. I assume the Parish Council will have received a copy of this letter, if not I can send the Clerk a link to it.

Quiet Lanes Scheme – Henfield Road traffic calming

At the March Frome Vale Area Forum, we agreed funding for the second phase of the traffic calming proposals for the rural part of Henfield Road, focussed around the sharp bend at the junction with the bottom of Ram Hill. Those who were on the Parish Council previously will recall that this involved installing a hybrid "gateway"/30mph repeater sign, a buff coloured high friction surface at the junction and a cycle lane on one side of the road for those travelling uphill between Kendleshire Golf Club and Serridge Lane junction. These were agreed with the Parish Council last year.

However, last week safety officers scrutinised the plans and raised some concerns:

There is a road safety risk for motorbikes and scooters with loose aggregate resulting from the cold applied high friction surfacing on bends and junctions. This is expensive material that has an ongoing maintenance liability which many authorities are now withdrawing from using except for safety critical areas such as crossing approaches with large heavy commercial vehicle flows.

The uphill cycle lane used to visually narrow the carriageway is likely to be to the disadvantage of people cycling in the opposite direction as cars will tend towards one side.

They were happy with the gateway/repeater sign proposal.

The officers proposed as an alternative putting advisory cycle lanes on both sides, which would narrow the road significantly. The road is relatively narrow to start with to consider putting in two 1.5m cycle lanes and based on comments on the previous proposals I think this is likely to raise concern among local residents.

Officers want to consult on the proposals at the Joint Cycle Forum meeting on Thursday, because if they don't do it then the next meeting isn't until September. I have said that they can do so, but must make it very clear that local people and the Parish Council haven't yet been consulted on the new proposals and they may not be acceptable to them.

Westerleigh traffic calming

At the Frome Vale Area Forum we agreed that further traffic calming measures should be investigated in Westerleigh village in response to the concerns about the previous measures. In April a car took out one of the bollards, which I raised with senior officers. Any significant measures that come out of the investigation will have to be considered for funding in 2016/17. However as part of the study the engineer responsible will look at whether there are any things like signing and lining measures around the narrowings that could help and might be possible within this year's budget.

Manor Hall and Coalpit Heath Pre-School

Wendy Silcock, a parent of a child at Coalpit Heath Pre-School, has made a proposal which is currently being considered by the trustees and the owner of the Pre-School. She has made the following statement which we agreed I would include in this report:

"To Parents of Pre-school children and fellow Parishioners

I don't have to remind you that a lot has happened over the last few months which has led to a break down in the working relationship between the Coalpit Heath Pre-school and the Management of Manor Hall. At the heart of this maelstrom stand a group of children who just need relaxed, happy Pre-school provision. I am looking for your support in my endeavours to frame a more acceptable situation to be in place for them in September.

As a priority I wish to support the smooth transition between Pre-school and 'big school' for this year's leavers. It is the least the children deserve and our responsibility as adults is to ensure this. Secondary to this I am seeking to facilitate a less stressful environment for the remaining children at the Pre-school.

I am releasing this statement with the full consent of both Pre-school and Trustees with whom negotiations are in progress. These negotiations are private, not secret and joint statements will be released at the appropriate times.

With your forbearance I hope you will allow me to pursue this objective unfettered by negative emotions and comment. In return I promise to be transparent regarding the results of any progress made. I realise this is

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asking for a lot of trust from all concerned but can assure you that my motivation is to act on behalf of the children of our community.

I respectfully request that if you wish to make comment about this that you do so directly to me via Manor Hall or Pre-school as I will not be responding to any fb posts at this time.

Wendy Silcock

On behalf of Coalpit Heath Pre-school and Trustees of Manor Hall

Station Road resurfacing

A number of residents contacted me about the work done on Station Road. Having discussed it with officers, I can confirm that this was just the preliminary patching. That has to be left for a month or two for the tarmac to oxidise before they can do the microasphalt treatment later in the summer. This is proper resurfacing, rather than just surface dressing, and uses a smaller aggregate for a quieter running surface.

Youth Provision

Frampton Cotterell Parish Council had to hand back over £3000 of the money they were awarded for 2014/15 to run the Bickeridge Youth Club as they hadn't provided the service for much of the year. At the Frome Vale Area Forum we agreed to earmark that money, along with the money already allocated for 2015/16, to youth provision in the Frampton Cotterell, Coalpit Heath and Westerleigh area, subject to a suitable application being submitted.

Fly tipping prosecution

A landscape gardener from Bristol was fined £220 and ordered to pay £500 in costs after being found guilty of duty of care offences that led to waste being fly tipped at Nibley Lane, Westerleigh.

Problems related to the new 4G phone mast on Badminton Road

Some residents living near the 4G phone mast that's been installed on Badminton Road have suffered TV reception problems. There is an organisation set up to deal with such issues, at800, who can send you free filters if you only have Freeview in your house. However that doesn't help people who have Sky or cable for one of their TVs or who are having problems with Sky reception. In some cases the free filters weren't enough and multiple visits from an engineer were required.

Nibley electricity substation

The work relating to the new electricity substation at Nibley slipped from October. The shutdown is now expected to happen on 21st May, with work prior to that which will involve digging up the road.

Westerleigh smell

I have reported two odour incidents to the Environment Agency. The official working on the case says that he thinks he has identified an activity at the abattoir that may be causing the odour and will be meeting staff on site in May to look at what measures can be put in place. If you think an odour is coming from the abattoir ring Dominic Sugrue of Tulip on 0117 957 6056 and if the odour persists without a satisfactory response, call the Environment Agency hotline on 0800 80 70 60.

Upcoming temporary road closures

The council will be closing Badminton Road, Yate overnight (8pm-6am) starting on 19th May to enable roadworks to be carried out. The notice allows the closures to happen for up to 21 nights, but they are only expecting the work to take 2 nights (19th and 20th).

Down Road is expected to close at Damson Bridge for approximately four hours on 24th May 2015 so that damaged valve covers can be replaced.

Kendleshire road signs

A resident of Park Lane, Kendleshire requested that "Kendleshire" road signs should be installed as you leave Frampton Cotterell along the road, similar to the Frampton Cotterell ones that you see if you're travelling in the other direction. They wanted to promote the identity of Kendleshire, having previously fought to get the Post Office to recognize it in their addresses.

I raised this with officers, who supplied some plans. However, they have now written back saying:

"It is the practice for boundary/parish signs to be funded by Parish Councils and I have obtained a quotation for this work which would cost approximately £2223 (this includes the supply and erection of 6 x boundary signs, 12 new posts, completion of detailed design, NRSWA Act search regarding buried services and implementation costs.)"

Please put this on the agenda for a future meeting and let me know your response.

Email

At some point in the coming weeks the councillors' email will be upgraded, which will involve an outage.

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1791. Reports from Representatives of Other Bodies on matters relating to the Parish

Cllr J Butler presented the Council with one peppercorn as rent to the Manor Hall, even though it was not demanded.

1792. Confirm Minutes of Council meeting held on 13th April 2015

Decision: proposed by Cllr J Butler and seconded by Cllr A Fay agreed by all, the minutes were approved and signed.

1793. Matters arising

None

1794. Finance – approve payment of accounts.

Decision: Proposed by Cllr D Boulton and seconded by Cllr C Nicholls and agreed by all, the attached payments were approved.

1795. Correspondence/Communication with Council

REQUIRING RESPONSES/COMMENTS/ACTIONS/INFORMATION

1. Letter to all councillors from Chairman of NALC (*)
2. Nominations for the Town & Parish Council Representative on the Avon Pension Fund Committee (*)
3. Bus shelters –all shelters within SGC (regardless of ownership) will receive a unique identification number
4. Request for Kendleshire Boundary signs – **AGENDA JUNE MEETING**

FROM SOUTH GLOUCESTERSHIRE COUNCIL

Consultations:

1. **Advance Warning of Formal Public Consultation on the Proposed Submission version of the Policies, Sites and Places Plan (PSP Plan)**[Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012].
2. **2. Advance Warning of a Consultation on the nominated Local Green Spaces (LGS) in your area for inclusion in the PSPPlan** [Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012]. – **AGENDA ITEM JUNE MEETING**

Other:-

1. South Gloucestershire Council will be introducing the Community Infrastructure Levy on chargeable development from 1st August 2015. It is a charge on new development based upon the size of development and the development type.
A percentage of the amount collected by SGC will be distributed to the Town & Parish Councils where the development has taken place.
2. Temporary closure of Badminton Road Yate – night time closure carriage way works (*)

(*) indicates emailed to all Council members

1796. Planning Matters

PLANNING APPLICATIONS FOR CONSIDERATION:

Bitterwell Lake Ram Hill Coalpit Heath Bristol
Erection of cafe. (Approval of reserved matters to be read in conjunction with Outline planning permission PK14/4581/O).
PK15/1670/RM Decision: No objection

6 Old Mill Close Westerleigh Bristol South Gloucestershire
Erection of two storey rear extension and raising of roof to facilitate loft conversion
PK15/1546/F Decision: No objection with the proviso that the roof height is not increased past the maximum height of the original.

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Rogers Farm 250 Henfield Road Coalpit Heath Bristol
Prior notification of a change of use from Agricultural Building to single residential dwelling (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
PT15/1829/PNGR Decision: council noted

1 Woodside Road Coalpit Heath Bristol South Gloucestershire BS36 2QP
Erection of single storey rear extension which would extend beyond the rear wall of the original house by 3.6 metres, for which the maximum height would be 3.8 metres and the height of the eaves would be 2.5 metres
PK15/2039/PNH Decision: No objection

Beech Hill Farm Westerleigh Road Westerleigh Bristol South Gloucestershire BS37 8QF
Change of Use of land from agricultural land to caravan storage (Sui Generis) as defined (as defined in the Town & Country Planning (Use Classes) Order 2005).
PK15/1339/F Decision: OBJECTION due to access and highways matters. The site is located on a narrow road, in close proximity to a dangerous bend. The location is not suitable for the resultant increase in traffic movements of this application.

PLANNING DECISIONS

Woodlands Ram Hill Coalpit Heath
Demolition of existing house and outbuildings and erection of 1no replacement dwelling with associated access drive and landscaping.
(resubmission of PT14/1904/F) PT14/3442/F Approve with conditions

Land Between Broad Lane And Nibley Lane Westerleigh Bristol
Change of use from railway verge to shared use path as extension to national cycle network.
PK14/4846/R3F Consent

Top Yard Westerleigh Road Westerleigh Bristol
Change of use of land for the siting of 5 no. showman plots, 4 no. storage containers and associated works (retrospective). PK13/4232/F Refusal

195A Badminton Road Coalpit Heath Bristol South Gloucestershire
Erection of single and two storey front extension to form additional living accommodation PT15/1356/F Approve with conditions

47 South View Crescent Coalpit Heath Bristol South Gloucestershire
Part demolition of side extension and installation of dormer windows to facilitate conversion to 1no. detached dwelling with associated works.
PK15/1354/F Approve with conditions

278 Badminton Road Coalpit Heath Bristol South Gloucestershire
Works to 1no. Oak tree to crown lift to 7m covered by Tree Preservation Order SGTPO 03/97 dated 21 October 1997.
PT14/2362/TRE Approve with conditions

127 Badminton Road Coalpit Heath Bristol
Certificate of lawfulness for the proposed installation of rear dormer window
PT15/1281/CLP Approve

Land Adj. To 3 Horseshoe Court The Causeway Coalpit Heath Bristol
Erection of 1no. detached dwelling with access and associated works.
(Resubmission of PT14/2043/F). PT15/1520/F Refusal

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PLANNING APPLICATIONS WITHDRAWN

Tulip Ltd Oakley Green Westerleigh South Gloucestershire BS37 8QZ

Erection of single storey side extension to form battery charging area and front extension to form washed tray area. PK15/0872/F

Sunnymead Equestrian Centre Shorthill Road

Change of use of 4no. equestrian buildings to B1/B8 use as defined in the Town and country (Use Classes) Order 1985 (as amended) PK14/4988/F

1797. Appointments to be filled at AGM

Decision: The appointments were filled as per attached list.

1798. Accounts for the year ending 31st March 2015

a) Council to approve year end accounts 31.03.2015

Decision: Proposed by Cllr G Jancey and seconded by Cllr J Butler agreed by all, the accounts were approved

b) Council to approve sections 1 and 2 of the annual return

Decision: Proposed by Cllr J Butler and seconded by Cllr S Blackmore agreed by all, the annual return was approved

c) Council to note internal audit report year ending 31st March 2015

Council noted.

1799. Council to review bank mandate in light of new term of office for elected members

Decision: E Carey and D Lee be removed as they are no longer members of Council.

Cllrs J Butler and A Gibbs to remain

Cllrs A Fay and D Boulton to be added to the mandate

Proposed by Cllr B Taylor and seconded by Cllr S Blackmore agreed by all.

1800. Council to consider grant applications from

a) Westerleigh Village Hall

Decision: £1500 proposed by Cllr G Jancey seconded by Cllr M Crumpton

Amendment £750 proposed by Cllr D Boulton and seconded by Cllr C Nichols

Vote: 5 in favour of amendment, 3 abstentions Motion passed.

Cllr B Taylor advised he would not vote on this item as his wife is the Treasurer

b) Coalpit Heath Village Hall (The Miners)

Decision: £300 proposed by Cllr J Butler with no seconder

Amendment £500 proposed by Cllr G Jancey and seconded by Cllr M Crumpton 4 in favour, 4 against motion failed.

Further amendments

£nil proposed by Cllr B Taylor and seconded D Boulton 3 in favour motion failed.

£250 proposed by Cllr J Butler seconded Cllr C Nicholls in 3 in favour motion failed.

£100 proposed by Cllr B Taylor seconded Cllr J Butler 4 in favour 3 against motion carried

1801. Manor Hall

a) Cllr M Crumpton, Cllr G Jancey – The parish to uphold the resolution from the parishioners annual meeting including to now demise the lease held on the Manor Hall due to the resolution not being met by the trustees

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The Chair outlined the points raised (in order) by Cllrs M Crumpton and Cllr G Jancey and allowed discussion on each point. Cllr J Butler responded on each item on behalf of the Manor Hall Trustees.

Each item raised was discussed and was subject to review as to whether any breach of the lease had occurred. In each case no breach was demonstrated.

If the lease was demised then there would be no legal framework for the Hall to operate and remain open. Cllr M Crumpton advised these items discussed needed to be discussed at council level. She suggested Council should be looking to rewrite the lease; what levels of governance the parish council should have in place and that as a community we could work together to ensure procedures are in place which would work in a better manner for the future.

Decision: Motion was withdrawn as the discussions have demonstrated there is no evidence of a breach of lease.

Council to consider change of trust to CIO - next agenda

Next agenda – appointment of surveyor to inspect works carried out at Manor Hall.

b) item a) to be read in conjunction with Deed of Trust, Lease, Legal Briefing, Alleged breaches of lease as detailed by Cllrs M Crumpton, G Jancey

c) Council to consider whether to carry out an insurance valuation of the whole of the site as part of ongoing governance and risk assessment duties of the council.

Decision: Agreed.

1802. Items of Report

(Items can be discussed but members can make no decisions – a council cannot lawfully decide any matter which is not specified in the summons.)

1. Parishioner has asked if the vegetation around the stone bus shelter in Westerleigh Village can be cleared. – Clerk to arrange
2. C Young referred to a statement included within her report regarding a pre-school which Cllr M Crumpton read to the room.
3. Cllr J Butler – excess signage at end of Oakley Farm
4. Cllr A Fay – noise from fishing at night at Bitterwell Lake.
5. Cllr M Crumpton asked for a review of public participation at meetings – next agenda

1803. Date of Next Meeting

Full Council 1st June 2015 Westerleigh Village Hall.

The Clerk requested this meeting be held on 15th June 2015 as she was unable to attend.

Decision: agreed

Signed

Date: 15th June 2015