

**Minutes of the Shurnhold Fields (former George Ward Playing Field)
Recreation Development working party held on
Tuesday, 24 July 2018 at St Barnabas Church, Beanacre**

Present:

Cllr Richard Wood	Melksham Without Parish Council
Cllr John Glover	Melksham Without Parish Council
Cllr Paul Carter	Melksham Without Parish Council
Cllr Daniel Barber	Melksham Without Parish Council (No voting rights)
Cllr Richard Wiltshire	Melksham Town Council

Also Present: Mr Dobson, member of the public

Officers: Teresa Strange (Clerk) Melksham Without Parish Council
Lorraine McRandle (Committee Clerk) Melksham Town Council

24. To elect the Chair of the Working Party meeting (from Melksham Town Council):

As it has been agreed to rotate the Chair between both councils and Richard Wood had chaired the previous meeting, it was:

AGREED: Councillor Richard Wiltshire took the Chair.

25. To Note Apologies and any Substitutes:

Apologies had been received from Melksham Town Council Clare Harris, Deputy Town Clerk, Melksham Town Council who was on annual leave, with Lorraine McRandle substituting and Cllrs Adrienne Westbrook who was undertaking mayoral duties elsewhere, Hayley Spencer-Illman; Terri Welch who was recuperating and Pat Aves.

Cllr Daniel Barber who had just been co-opted to Melksham Without Parish Council attended the meeting, however, he had no voting rights.

26. To Approve as an Accurate Record the Minutes of the Last meeting held on Wednesday, 21 June 2018:

The minutes of 21 June 2018 were moved by Councillor Richard Wood and seconded by Councillor Paul Carter.

AGREED: To approve and Councillor Richard Wiltshire to sign the minutes of 21 June 2018.

27. To receive feedback from Actions undertaken since the last meeting and consider next steps

a) Update on Business Rates

Teresa explained she had had an informal chat with someone from Wiltshire Council who had stated they felt the area was not rateable, but could not guarantee. However, the decision would lay with the Valuation Office.

The meeting was reminded MWPC had stated they would only take this area on if no rates were attached. It was noted that if rates were applied, they could apply for rate relief, especially as other parks in the area were not rateable.

b) Update on Land Transfer from Persimmon to Melksham Without Parish Council

Teresa explained that Permission had already sent plans to MWPC's appointed solicitors regarding the land transfer and they had already written back to Persimmon confirming the land marked red on the plan was correct and everyone was talking about the same piece of land. Teresa explained the solicitor was happy to do all the legal costs and Land Registry work for £550.

Teresa explained after enquiring whether there were any Section 106 monies relating to this piece of land, she had received confirmation from Sarah Holloway, Wiltshire Council there was a commuted sum of £97,383.75 available, which would be transferred to the group, but this was allocated to maintenance costs and not capital costs.

The group welcomed this news and thanked Teresa for looking into this.

It was noted that conversations were needed on how this money would be managed.

It was asked Permission would be invited to the tree planting ceremony in November. It was suggested this would need to be discussed with the 'Friends of' Group.

c) Update on Site visit by Natural Flood Management Team

A site meeting had been arranged for 8 August. It was explained that whilst it had been difficult to get hold of the right people to discuss flooding issues, however, at a recent flood meeting at both Zoe Hancock, Wessex Water and Heather Barker, Environment Agency were in attendance, as was Cllr Alan Baines who explained the plans of the group and if they could attend the site visit on 8 August.

Therefore, those attending the site visit on 8 August were confirmed as:

The Environment Agency; representatives from Wiltshire Council Drainage Team and the Countryside Officer; Bristol Avon Rivers Trust; Forestry Commission; Wiltshire Wildlife and Wessex Water

It was asked if a written report would be available from this meeting. Teresa explained she was unsure how the meeting would be minuted.

She explained Mark Marlin from the Forestry Commission was unavailable, but was happy to look and advise on suitable trees for the area.

It was noted all those involved in the Flood Management Team were all looking at an attenuation pond on the site.

It was felt that as long as the appropriate trees had been planted in the most suitable locations on 10 November 2018 that was initially what everyone was trying to achieve, everything else could come later.

It was suggested it might be worth putting the path in first if an avenue of trees planting was proposed, so as to give appropriate space for roots to grow, without impacting on the path.

d) Update on Planning Application

Teresa explained she had received the following email from Neil Smith, Planning Liaison Officer following her Pre-Application enquiry:

The land is currently designated as playing fields and although an application to change the use of the land to public open space was approved under 15/11656/FUL, there is a restrictive condition which is required to be discharged in order to lawfully implement the permission.

Condition 2 of the permission states: "A Landscape and Ecology Management Plan (LEMP) shall be prepared and submitted to the local planning authority for approval in writing within 12 months of the date of consent. This shall include appropriate management to increase species-diversity and the eradication of Himalayan Balsam. The site shall be managed and maintained in perpetuity in accordance with the measures set out in the approved details."

He could see no evidence to suggest this condition had been discharged and went on to say planning permission would be required to create a car parking area, balancing pond and allotments. As no details have been provided regarding the WW1 tree memorial, however, if the proposal only involved the planting of trees, then planning permission would not be required. The planting of flowers, installation of benches, picnic tables, bins etc would also not require planning permission, once the land is in the Parish Council ownership.

The options available to the group would be to submit a new application for change of use to include the associated car parking area, balancing pond etc or submit an application to discharge the condition and then submit a new planning application for the car parking area, balancing pond etc, bearing in mind the current permission expires on

25 August 2019.

Teresa went on to explain she had subsequently spoken to Chris Minors, Persimmon Homes who stated the following:

"I've reviewed the consent and as this is a full planning application for change of use rather than a reserved matters approval it has a period of three years before expiring from the date of permission. The application was approved on the 25 August 2016. Therefore, the permission will expire on the 25 August 2019 if not begun. At the time the case officer explained that placing signage at the entrance to the POS detailing that the land is public open space and appropriate contact details would suffice to.

Condition 2 of the application requires an Ecology Management Plan. This was progressed but never submitted. This was largely owing to the fact that it was unclear at the time how the site would be managed i.e. mown open space, wildflower meadow or woodland planting etc. We are happy to submit an application to discharge this condition but it might be something that you wish to pick up when you have certainty over what plans you have for the open space."

Teresa asked how the group wished to proceed.

It was noted that the group would need to re-apply for planning permission for a car park, this could possibly be done under an outline application if necessary in the first instance to save on costs going for full planning permission if this was turned down.

A point was made that it appeared from the feelings of those attending the earlier 'Friends of' group that they would be happy for the project to go ahead even without a car park and maybe given that the it had already been stated that without a car park, this project might not go ahead, whether this decision needed to be revisited.

Having looked at the minutes of 4 June it was stated whilst it was not a resolution the group had stated *'they felt quite strongly that unless car parking provision was provided, there was little point in continuing with the scheme. The group did not want to see a scenario, whereby visitors parked in nearby streets.'*

Therefore, the group agreed that not having a car park would necessarily stop the project from going ahead.

AGREED: To arrange a meeting quickly after the 8 August site visit to decide a way forward.

e) Update on information received from Wiltshire Wildlife Trust

Unfortunately, a response had not been received from Wiltshire Wildlife Trust.

AGREED: Clare to chase the for a response to the group's queries from the previous meeting and to invite them to the site visit meeting on 8 August.

28. To consider any actions following the Friends of Shurnhold Meetings (Site meeting Thurs 28 June and meeting earlier this evening at 7.30pm)

Paul Carter raised a concern regarding a potential path and whether this would impact on tree planting.

It was noted that until the site meeting on 8 August, decisions on where trees and a potential path could go could not be decided until after this meeting.

It was noted that the trees, in any case would have to be ordered with the Woodland Trust by 15 August.

Mr Robson stated he was aware there was a gas pipe running across the north end of the field. Therefore, it was asked if British Gas/Transco should be made aware of the group's plans. It was noted that Wiltshire Council should have information regarding the location of any gas pipes.

With regards to the Ecology report submitted by Persimmon as part of their application for 'Open Space', Teresa asked if the group wished to obtain a copy for reference.

Following the site meetings on 28 June and the meeting earlier in the evening, it was agreed a meeting needed to take place quite soon after the site meeting on 8 August, in order to constitute a formal 'Friends of' Group.

It was suggested as August most people might be unavailable to hold a meeting in early September. Dan explained he was happy to facilitate any meeting.

It was suggested that several constitutions were available from local groups, which could be helpful when formalising this group.

Teresa explained that Melksham Oak, as part of their Duke of Edinburgh Award were looking for projects and asked the group if they were happy for them to be involved in this project.

AGREED:

- To delegate the ordering of trees and types to officers based on the recommendations received from Mark Marlin and to invite the 'Friends Group' to have an input on where they should be planted, given experts' advice.
- Mr Robson to show everyone where the gas pipe is located at the site visit on 8 August. Following this to make enquiries on possible restrictions with regard to gas pipes located on the site, if necessary.
- It was agreed to obtain a copy of the Ecology report submitted by Rasey as part of Persimmons application for change of use on this site to 'Public Open Space'.

- To invite Melksham Oak School to take part, as part of their Duke of Edinburgh Award.
- To obtain a tree planting plan.

29. To agree date and venue of next meeting

To invite those who had expressed an interest in being part of a 'Friends Group' to a meeting on 6 September at 7.00pm, at a location to be confirmed and to forward copies of other constitutions from other groups, to give them an idea of how the group could be set-up.

It was agreed to hold a committee meeting afterwards, if necessary.