

DOWNTON PARISH COUNCIL



Minutes of the Ordinary Meeting of the Parish Council held on Monday 13th December 2021 at 7.30 pm. The meeting was moved from the Bonvalot Room to the Main Hall of the Memorial Centre due to the recent COVID-19 guidance.

Present: Cllr Brentor (Chair) and Cllrs Cornell, Hall, Hudson-Baillie, Jalland, Jones, Mace, Randall, Roberts and Watts.

In attendance: Unitary Cllr Richard Clewer
Mrs Bev Cornish, Parish Clerk

Also present: Five members of the public.

Part 1

255.21 Public Question Time

A member of the Neighbourhood Plan Review Working Group asked if the traffic survey previously discussed could be considered as part of the grant application being considered by the Council at Minute 263.21.

A member of the public asked whether there was a date and time for the Public Space Protection Order to be put in place because enough promises had been made on this and residents' patience was running out.

256.21 Unitary Cllr Richard Clewer: Cllr Clewer gave a brief report as follows:

- The recent incidents involving the use of catapults had highlighted the need for a Public Space Protection Order for Downton and Redlynch and this was being worked on. In response to a query that there was a discrepancy that the police were waiting on Wiltshire Council and Wiltshire Council saying it was the other way round, Cllr Clewer said that he would investigate the current status of it. He also said that he wanted an action plan on how these incidents were going to be managed by the police.
- He agreed that the Parish Council could write to him formally to request that a PSPO be put in place.
- The arrival of Omicron had led to staff being moved to support the public health team again and this would continue for a number of weeks.
- The Council would find out shortly what money it would be receiving from central government and this would drive the Council's priorities for 2022/23.
- In response to a question from a councillor about the gritting of Moot Lane, he said he would investigate whether this was possible but Wiltshire Council only gritted the major roads on the highway network.

257.21 Apologies

No apologies were received.

258.21 Minutes

Downton Parish Council RESOLVED to approve the Minutes of the Ordinary Meeting held on Monday 8th November 2021 as a correct record and they were signed by the Chair.

259.21 Declarations of Interest and Dispensation Requests

- a. **To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers:**

Cllr Mace declared a personal and non-pecuniary interest in Minutes 270.21 and 271.21.

Cllr Brentor declared a personal and non-pecuniary interest in Minute 263.21.

- b. **To consider any Dispensation Requests received by the Parish Clerk and not previously considered:**

The Clerk confirmed that no dispensation requests had been received.

260.21 Business Raised During Public Question Time

Cllr Brentor proposed from the Chair and it was RESOLVED that the issue of the traffic survey be discussed under the grant application item and that she be tasked with writing to Cllr Clewer about putting the PSPO in place.

261.21 Planning and Tree Works Applications

PL/2021/08580 11 Greenacres, Downton - Conversion of garage to additional living space: Downton Parish Council RESOLVED to support this application on the grounds that it was compliant with Core Policy 57 of the Wiltshire Core Strategy.

PL/2021/11274 Downlands, Salisbury Road, Downton - Rear ground floor extension. Door and windows added to North façade: Downton Parish Council RESOLVED to strongly support this application on the grounds that it was compliant with Core Policy 57 of the Wiltshire Core Strategy.

PL/2021/11259 Unit 2 Batten Road, Downton - Variation of conditions 2, 4 and 5 of application PL/2021/08896 "Change of use of whole building to Use Classes B2 and B8 only (by removal of existing Use Class B1). Proposed alterations to front elevation & internally to form 2no. vehicle assembly bays: Downton Parish Council RESOLVED to support this application on the grounds that it was compliant with Core Policy 35 of the Wiltshire Core Strategy and Policy LE1 of the Downton Neighbourhood Plan but would accept the decision of the planning officer.

262.21 Planning Application Decisions

Downton Parish Council RESOLVED to note the decisions on the following recent applications:

PL/2021/06063 Fishermen's Car Park off Avondyke,
Downton - To erect a shipping style storage container
from flat pack in a corner of the grassed car park: Approve with conditions

PL/2021/08631 95 Moot Lane, Downton –
Dropped kerb with gravel driveway - Approve with conditions

PL/2021/09270 44 High Street, Downton - Yew tree –
Crown reduction of up to 2m to nearest growth
points & re-balance: No objection

PL/2021/09402 47 Catherine Crescent, Downton –
single storey rear extension: Approve with conditions

PL/2021/09526 20 Batchelor Way, Downton – Proposed
single storey rear extensions and alterations (amendment to
approved application 20/09173) Approve with conditions

263.21 Code of Conduct Complaint Decision

Downton Parish Council RESOLVED to note the decision and the basis for it. Cllr Brentor read out a statement which is attached to these minutes and left the room for the discussion. Cllr Mace took the chair for this item.

264.21 Pension Adjudication Costs

Downton parish Council RESOLVED to approve the payment of £9,979.20 to Wiltshire Council for independent adjudication in relation to the Wiltshire Pension Scheme Internal Dispute Resolution Procedure. The budget line virements were agreed to cover the shortfall above the £5,000 reserved for this purpose.

265.21 New Lease with Brian Whitehead Sports Centre Association

Following a discussion, Downton Parish Council RESOLVED that comments from councillors on the lease were to be submitted to the Clerk and then circulated to all councillors ahead of the next meeting at which the Council could consider whether alternative legal advice should be sought with a view to the drafting of a new lease in line with the one provided for the Memorial Centre.

266.21 Brian Whitehead Sports Centre Association

Downton Parish Council RESOLVED that a supporting case be written for continuing the annual revenue grant from Wiltshire Council to the Brian Whitehead Sport Centre Association. This was to be done through the setting up of a short-term Working Group comprising Cllrs Jones, Jalland, Hall and Brentor.

267.21 Climate Action Plan

Following a discussion, Downton Parish Council RESOLVED to create a Climate Action Plan for Downton parish and Cllr Hudson-Baillie agreed to bring a first draft of the plan to the January meeting of the Council and to circulate example plans from towns and parishes to councillors.

268.21 Neighbourhood Plan Grant from Locality

Downton Parish Council RESOLVED to:

- i. Submit an ‘expression of interest’ application for a grant towards the funding of the revision of the Downton Neighbourhood Plan; and
- ii. Subject to this being successful, to submit a full grant application.

It was unclear whether the traffic survey could be funded through the grant application and the Clerk advised that she would investigate whether it met the grant criteria.

269.21 Presentation from CloudyIT:

Following a discussion, Downton Parish Council RESOLVED not to proceed to deploy Microsoft 365 across the Council's IT systems as recommended by Cllr Mace. However, it was agreed that this matter be re-visited by the Council at next year's budget meeting.

270.21 Installation of Replacement Litter Bins & Reinstatement of Existing Bin

Downton Parish Council RESOLVED to approve the allocation of £250 for the installation of two replacement litter bins on Tannery Bridge and in Moot Lane adjacent to the new noticeboard and to re-install the existing litter bin in the Moot Lane Recreation Ground.

271.21 Replacement of Panels in Bus Shelter beside The Bull Hotel

Downton Parish Council RESOLVED to approve a quote of £967.16 from GW Shelters to replace the damaged panels in the bus shelter beside The Bull Hotel with clear anti-graffiti polycarbonate panels. It was also agreed that all the damaged panels in the other bus shelters be replaced subject to there being sufficient budget to do so.

272.21 Cleaning of Bus Shelter Rooves

Downton Parish Council RESOLVED to approve the sum of £135 as a one-off cost for the cleaning of all 9 bus shelter rooves by Salisbury Window Cleaning Services Ltd following concerns raised by residents.

273.21 Tannery Bridge Fencing

Downton Parish Council RESOLVED to approve a quote of £450 from Leigh Bush to replace the broken fence posts to the leaning fence on Tannery Bridge which, following some research, appears not to be the responsibility of either Wiltshire Council or the Environment Agency. It was agreed that this was a one-off repair as the Council did not own or have any responsibility for the fence.

274.21 Removal of Play Barrel in Charlton All Saints Recreation Ground

Downton Parish Council RESOLVED to ratify the emergency expenditure of £400 associated with the removal by Redlynch Leisure of the Play Barrel on grounds of health and safety from the Charlton All Saints Recreation Ground.

275.21 Committee & Working Group Reports

Amenities Committee: Cllr Jones gave a report on a recent meeting at which a number of items on the agenda for this meeting had already been considered by the Council. He said that discussions were held on the playground project and the work needed to the Memorial Centre following the surveyor's report.

Neighbourhood Plan Working Group: Cllr Brentor on gave a brief report on a recent meeting at which the traffic survey and the housing needs survey had been discussed.

Brian Whitehead Sports Centre Association AGM: Cllr Brentor gave a report on a recent meeting at which the chairman's report identified positive moves forward and thanked committee members, comments on progress of the Leisure Centre and Sports Club. It included concerns about the capital expenditure needed for overhauling the roof and windows to the room occupied by the Motor Club, resurfacing the car park, renewing the floor to the sports hall, repairing the glulam beams and a little further down the line renewing the roof to the Leisure Centre. This is in addition to all the ongoing maintenance issues for which the BWSCA has sufficient funds.

276.21 Committee Minutes

Downton Parish Council RESOLVED to receive and note the minutes of the meeting of the Amenities Committee held on Monday 23rd August 2021.

277.21 Representative Reports

Community Area Transport Group: Cllr Hall gave a brief report on a recent meeting at which the Council's request to install a speed indicator device ('SID') on a pole on the Maypole Green had been discussed. He said that consideration was being given to the moving of the bus stop pole further up the Green and installing a new longer pole on which the SID could be mounted.

Southern Wiltshire Area Board: Cllr Hall advised that he had been unable to attend the meeting.

IT Technical Support and Website Support Outsourcing: Cllr Mace gave a brief report on the progress of the outsourcing and advised that due to other commitments he had not been able to spend as much time on it as he had hoped.

278.21 Payments

Downton Parish Council RESOLVED to approve the payments for December:

£875.00 Maranji Commercial & Domestic Cleaning

£798.53 Bawden Managed Landscapes

£222.76 Idverde

£28.79 Ionos

£18.20 West Mercia Energy

£44.35 BT Group

£135.00 Salisbury Window Cleaning Services

£203.40 Water2Business

£141.11 Bournemouth Water Business

£600.00 Stephen J Linard Ltd

£520.00 Gartec Limited

£120.00 Downton Memorial Centre

£240.00 Wiltshire Association of Local Councils

£137.49 Viking

£144.00 Metro Rod

£24.99 Norton Anti-Virus

279.21 Accounts for Payment

Downton Parish Council RESOLVED to approve the sum of £7,161.32 as the Accounts for payment for December and to record the bank balances:

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Minutes approved as a true and accurate record, and signed as so by the Chairman presiding

.....Date.....5

Payee Detail and payment made by bank transfer	£
Maranji (Toilets November)	875.00
Bawden (Grasscutting)	798.23
Idverde (Bin emptying)	222.76
Ionos (website hosting)	28.79
West Mercia Energy(Toilets)	17.77
BT Group (mobile)	44.35
Salisbury Window Cleaning	135.00
Water2Business	203.40
Bournemouth Water Business	141.11
Stephen J Linard	600.00
Gartec Limited	520.00
Downton Memorial Centre	120.00
Wiltshire Association of Local Councils	240.00
Viking	137.49
Metro Rod	144.00
Norton Anti-Virus	24.99
Salaries and Pensions	2,908.43
Total	<u>7,161.32</u>

Balances Approved and Noted as at 13.12.2021

Current A/c: £10,105.39 A/c: £108,392.01

Memorial Hall Extension A/c: £180.39

280.21 Budget to Actual Report

Downton Parish Council RESOLVED to approve the Budget to Actual Report as at 31st October 2021. To resolve to approve the sum of Budget to Actual Report as at 30th November 2021.

281.21 Correspondence

Downton Parish Council RESOLVED to note the Correspondence received:

1. Wiltshire Council - Emails regarding:
 - A number of updates on Covid-19 and Wiltshire Council's work.
 - Briefing Note 21-26: Christmas waste collections and HRC opening times
2. Flood Wessex - Flood Warden Newsletter for November.
3. Wessex Community Action - November Newsletter.
4. CPRE - Email with a link to the recording of the recent Neighbourhood Plan Webinar, held on the 9th of November by CPRE Wiltshire and Wiltshire Community Land Trust.
5. Cranborne Chase - Newsletter and notification of forthcoming events.
6. BWSCA - Email from the Chairman advising of rainwater ingress into the leisure centre building.
7. Parishioners – Numerous emails regarding policing and damage to cars and bus shelters through catapults which include the Neighbourhood Watch Co-ordinator.
8. Parishioner - Email regarding a public space protection order.
9. Parishioner - Emails regarding offensive and racist comments on the road in Moot Gardens.
10. Parishioner - Email regarding littering in The Borough and on the A338.

11. Parishioner - Email regarding pedestrian safety on Lode Hill and whether the walkway could be widened or a double white line be added to keep traffic away from the walkway.
12. Parishioner - Email regarding littering in The Borough and on the A338.
13. Parishioners - Emails regarding a street light not working in Eastman Close and the need for a street sign for the Close.
14. Non-Parishioner – Email regarding broken panes the bus shelter on the north side of the roundabout.
15. Parishioner - Email regarding a closed footway in The Borough due to scaffolding.

282.21 Clerk’s Report

Downton Parish Council RESOLVED to note the Clerk’s report providing information on recent issues and work completed:

Cemetery

The statement from the Communications Working Group on the Council’s stance on the Cemetery is awaited. Once this is clear, a meeting was to be set up with one of the residents who had contacted the Clerk to discuss the Council’s plans and the reasons for them.

Footpaths

The stiles on Barford Down leading to Footpath 27, which hinder some residents from using that footpath, will be replaced with kissing gates in February 2022. The Rights of Way Officer has 2 free gates and these will be installed by volunteers with his assistance. Permission has been obtained from the landowner (Longford Estates).

Bus Shelters

There has been damage to three bus shelters from what appears to be catapults which will require 7 panels to be replaced. Crime reports have been submitted to Wiltshire Police.

Parish Steward

The Steward’s recent visit included filling potholes, removing leaves, hedge cutting, clearing glass from the bus shelters and calling on the road sweeper to visit the village to clear leaves and debris from the roads.

Other

Millennium Green Trust

The Chairman of the Trust has confirmed that the trustees would like to extend the current 25 year term which ends in December 2022 for a further 10 years.

283.21 Date of next meeting

Downton Parish Council RESOLVED to note the date of the next meeting as Monday 10th January 2022 at 7.30 pm to be held in the Bonvalot Room at the Downton Memorial Centre.

Part 2 – EXEMPT MATTERS – EMPLOYMENT & STAFFING

284.21 The Chair proposed the following resolution – Cllr Cornell seconded and it was RESOLVED ‘That under the Public Bodies (Admission to Meetings) Act 1960 it is advisable in the public interest that the press and public be temporarily excluded and they be instructed to withdraw in view of the confidential nature of the business on staffing about to be transacted’.

285.21 Minutes

Cllr Cornell explained to members that her use of the word ‘appeal’, when providing the outcome of the IDRPs report to members on the 8th November, was questioned by the Clerk. Cllr Cornell advised the meeting that this was an error as the report from the adjudicator used the word ‘complaint’. Stage 1 of the IDRPs is part of a process in which the findings of the adjudicator can be subject to appeal.

286.21 Council Reserves held for pension backdating

After lengthy discussion, during which councillors considered the risks for and against releasing the reserve held for this purpose, taking into account the Clerk’s report concerning making decisions while due process is being followed, considering the potential timescale involved if the employee chooses to pursue the process further and noting that the Council holds unallocated reserves of over £30,000 as a general contingency, the following was proposed by Cllr Brentor and seconded by Cllr Randall:

‘That entirely without prejudice or compromise to the employee’s right to progress her case by following due process, and subject to agreement by the Council’s internal auditor, the £25,000, held in reserve for pension backdating, would be deallocated.’

This proposal was RESOLVED with one abstention from Cllr Jones.

Part way through this discussion, Cllr Brentor confirmed that members present were content to continue the meeting beyond 10.00pm. Cllr Cornell had to leave the meeting before the resolution was passed due to personal circumstances.

There being no other business, the meeting ended at 10.35 pm.

Members of the Council considered the foregoing in the matters in consideration of their duties: Equal Opportunities, (race, gender, sexual orientation, marital status and any disability); Crime & Disorder, Health & Safety, and Human Rights.

Statement from Cllr Brentor

I will leave the room for this item but firstly I will make a statement which I want on public record in the minutes.

I have been spoken to by two members of the public who have assumed that this agenda item means that I have breached the Council’s Code of Conduct. In order that members of the public and councillors do not understand this agenda item to mean that WC has notified DPC that a councillor HAS breached the Code of Conduct and in order that the reputation of the Council and of me as Chair of the Council is not further damaged and public confidence can be maintained I wish to make the situation clear.

This item relates to a complaint that I breached the Council’s Code of Conduct. The outcome of the meeting of the Assessments Standards Sub-Committee of Wiltshire Council was that they did not consider it to be in the public interest to investigate this complaint and that no further action should be taken. This means that they did NOT consider that I breached the Code of Conduct.

I also have written confirmation from the office of the monitoring Officer that my public statement made in April and displayed on the Council’s website fulfils the requirements of the sub committee’s decision that I make clear that I misinterpreted the Clerk’s email.

I would also like to say that I am sorry that this process has caused distress to our Clerk due to a genuine misinterpretation on my part. I too have suffered considerable distress.

I will now propose that Cllr Mace takes over the Chair of the meeting for this item.