

MINUTES OF
THE ERLESTOKE PARISH COUNCIL MEETING
Held in the Parish Church Wednesday 10th April 2013 at 7.15pm

Present: Councillors, Mr S Jonik (Chairman), Mr D Moore (Vice-Chairman), Mr A Pinnington, Mr K Lewcock, Mrs D Oram, Mr J Durham and Mrs A Whittle (Clerk)

Open Forum: Mr George Phillips expressed his view that the minutes from the previous parish council meeting did not reflect his comments and asked that the minutes for the 18th of March be amended as follows:

Mr G Phillips reported his consultation with the Open Spaces Society's legal advisor concerning the legality of creating a car park on the Secret Garden under section 126(4A) of the Local Government Act 1972. His advice was as follows:-

1. That car parking there was illegal unless the Act was strictly adhered to,
2. That the item on the agenda of the 8th of August 2012 was illegal because of the failure to specify the matter,
3. That the Parish Council has failed to keep to the letter of the above law before installing the bollards.

Mr Phillips also queried the wisdom of threatening (in a letter) the M O D with a High Court injunction over the sale of the Garden Road to the cricket club. Re the minutes of the 6th of March 2013.

Police report: PC Lawson attended the meeting and reported as follows: The traffic management unit had been out to the village at 7.45am on a weekday morning to assess the level of traffic through the village. They noted no major issues other than where some children chose to cross behind parked vehicles and also the number of distractions such as mobile phones, iPods etc. They noted that there are no waiting restrictions. They also noted vehicles being parked on the highway instead of driveways. This can cause a problem but can help traffic calming. Parked vehicles in the vicinity of the Lower Road junction were a hazard but there is no offence for a vehicle to be parked 10metres from a junction in daylight hours only in the dark. If there was a formal crossing facility installed its best place would be just east of the corner of Lower Road and the pub. Yellow lines either side of the crossing and along Lower Road would help.

Cllr Lewcock said as this was fairly impractical for the village more signage is the way forward.

37/13 Apologies – No apologies were received.

38/13 Declaration of Interest – No declarations of interest where made.

39/13 Secret Garden – MOD re garden road issue and to re affirm the council's decision in August 2012 as follows:

Proposal for parking in the secret garden:

The secret garden will be divided to produce a clear picnic area and a general area for users who pursue recreational activity during the hours between dawn and dusk.

Proposal for installing a bench in the secret garden:

Use Dave Seabourne to build a bench and seating in the secret garden using the felled trees where possible.

Proposal for clearing the felled trees in the secret garden:

Use Dave Seabourne to log up the remainder or the trees place in suitable piles and auction the log piles at the earliest convenience. The money goes back to the council funds.

The quote received from Dave Seabourne is to clean up the trees, chop into chunks that can be sole - £150, to make a slab table and benches - £300, to make bollards from felled wood - £75, total £525.00.

Cllr Joniks proposal was accepted as presented

Proposed Cllr Pinnington **Seconded** Cllr Moore 5 in favour 1 against.

MOD Garden Road.

Mr Michael Russell from D I O who is acting on behalf of the Secretary of State for Defence attended the meeting along with the chairman of the Erlestoke and Coulston Cricket Club Mr Jasper Dorgan. Mr Russell explained that he had been tasked with reviewing the MODs assets which were non-operational and proposing which could be disposed of as surplus. Certain tenants had the right to buy as per council house tenants. The valuation office valued all the properties to be disposed of. Erlestoke and Coulston Cricket Club had the right to buy as they already leased the land under the Land Lord and Tenant Act. To add the road to the sale would allow the ECCC to install their own electricity supply. 2 letters had been received from the Parish Council which he had not replied to but was here to discuss the Parish Councils issues.

Cllr Jonik explained the Parish Councils position regarding previous problems with the ECCC and this was the councils reasoning behind questioning the sale of the garden road to them.

Mr Russell explained that a government asset allows the public to use its land when it's not used for training purposes. This will change when the road is sold to the new owner but all adjoining land owners which at present have the right of access over the land will still have that right.

At this point discussion took place regarding the 2nd paragraph of the letter the Parish Council sent to Mr Russell which reads as follows:

In order to provide assurance to the Parish Council that we have clear rights of access and in perpetuity, we would ask that a covenant be included in the transfer of ownership to Erlestoke and Coulston Cricket Club stating that the MOD agree to impose a restrictive covenant in the Transfer of the Cricket Club for the benefit of the Parish Council as owners of the Secret Garden (being the property comprised in the Conveyance dated 31 March 1982) that the Cricket Club will not park or permit any person to park upon the road leading to the Secret Garden (which will have to be clearly marked in the Transfer to the Cricket Club) nor otherwise obstruct the road.

Mr Dorgan on behalf of the ECCC agreed that the cricket club would accept the paragraph as a covenant. Mr Russell advised that the council need to formally withdraw the previous letters to him.

Cllr Jonik proposed that subject to the MOD and ECCC agreeing with the covenant, the council will withdraw all previous letters.

Proposed Cllr Jonik **Seconded** Cllr Moore All in favour

Cllr Jonik rounded up the discussion by thanking both Mr Russell and Mr Dorgan for taking the time to attend tonight's meeting and to all concerned for reaching a unanimous agreement over the matter.

40/13 To approve the minutes of the meetings held on the 6th and 18th of March 2013

Both sets of minutes were accepted as presented with the addition on the 18th of March's minutes of the wording outlined by Mr Phillips in the open forum.

Proposed Cllr Pinnington **Seconded** Cllr Oram All in Favour

41/13 County and Parish Council Election of Councillors – 2nd May 2013

The clerk explained that the election for Wiltshire Council will be taking place on the 2nd of May. Unfortunately due to there only being two people who have stood for election to the Parish Council, the council will not be quorate and will therefore require a second election towards the end of June. Once the elections of the 2nd of May are completed Wiltshire Council will send the clerk all the relevant paperwork for the second election. In the meantime as of midnight on the 7th of May the council will not be able to make any decisions or conduct any business. Therefore a meeting will be held on the 7th of May to finalise the audit papers and make any payments as required at that date. An agenda will be sent out shortly.

42/13 Making it safer for the school children to cross the B3098 in order to catch or alight from the school bus - follow on including installation of sign on boundary wall of The Lodge

This is on hold until after the elections.

43/13 Prison update – Cllr Pinnington reported that he had attended a meeting at the prison where it was stated that the dog patrols were working well. They are trying to acquire some vehicle identification units which are surplus following the Olympics. Signs are also being organised to put around the Park area to let people know what number to ring if they see anything out of order.

44/13 Highways issues including Parish Steward

Blocked drain outside Beech House

45/13 Annual Parish Meeting

The Annual Parish meeting will take place on the 17th of April from 7.30pm in the church. All the usual groups have been invited along to give a short report and the clerk will again provide cheese and wine/fruit juice. A flyer has been delivered to every household hoping for a good turnout. The council now has a chance to talk at the meeting about becoming a councillor hoping that the council may have some new councillors after the 2nd election.

46/13 Ongoing matters

Play Area Sign re-siting adjacent to The Park Road – should be moved soon

Moles in the Park Field – the mole man is continuing with the task of removing the moles

