

MARKET LAVINGTON PARISH COUNCIL

Clerk: Mrs Carol Hackett, 23 Orchard Close, West Ashton. Wiltshire. BA14 6AU.

Tel: 01225 760372 or Email: clerk@marketlavingtonparishcouncil.gov.uk

VAT Registration Number: 296 9715 35 / Website: www.marketlavingtonparishcouncil.gov.uk

Minutes of the **Meeting** of the Parish Council held on **Tuesday 18th February 2025** At **7.15pm in the Old School**

Councillors Present: Cllr Stevens (Chair), Cllr Taylor, Cllr Fraser, Cllr Poole, Cllr Turner-Scott, and Cllr Davis.

In attendance: Thirteen members of the public (one arrived at 8.01pm and one arrived at 8.35pm. One left briefly between 7.29pm and 7.30pm. One left at 7.44pm, and another at 8.25pm who then returned at 8.35pm), Wiltshire Cllr Muns (arrived at 7.17pm and left at 8.25pm) and Carol Hackett (Parish Clerk).

Welcome and introduction from Chair, detailing opportunities for public participation and reminding everyone present that the meeting will be run in line with the Nolan Principles, and as always was being recorded.

	AGENDA ITEM
24/25-221	Apologies for Absence Cllr Roberts had given apologies for personal reasons, which were accepted. Absent Cllr Sparkes, Cllr Morrison and Cllr Boaden.
24/25-222	Declarations of Interest and Dispensations to Participate Cllr Fraser declared a personal interest in agenda item 24/25-228b as one of the payments for approval was payable to her (she took no part in the voting of this item).
24/25-223	Adjournment for Public Participation The meeting was adjourned and resumed at 7.16pm. There was no public participation.
24/25-224	Minutes of Council meetings a) Meeting of the Parish Council held on the 21st January 2025. Concerns were raised by Cllr Fraser regarding the accuracy of the minutes with regards to the reporting of minute number 24/25-203, which was followed by a full discussion amongst Councillors. The minutes of the meeting, having been previously circulated to Councillors, were approved unamended, and signed as a correct record (proposed Cllr Turner-Scott, seconded Cllr Poole). Cllr Davis abstained from the vote having not been present at the last meeting, and Cllr Fraser abstained as a result of the concerns she had raised. b) Staffing Committee meeting held on the 28th January 2025. The draft minutes were noted, with no questions being asked. c) Extraordinary Meeting of the Parish Council held on the 4 th of February 2025. The minutes of the meeting, having been previously circulated to Councillors, were approved and signed as a correct record (proposed Cllr Davis, seconded Cllr Turner-Scott).
24/25-225	Wiltshire Councillor Report Cllr Muns reported that after all the recent talk about devolution and creation of the Wessex Mayoral Authority with other neighbouring Councils, it has been confirmed that Wiltshire Council are not in this first group, and it will therefore not be happening at the current time. A question was raised by a member of the public regarding progress with Blackdog crossroads – Cllr Muns noted that work to install the traffic lights was due to start in June, which would also include road surface treatment. It is hoped there could be further discussion regarding a lowering of the speed limit after the lights have been installed.
24/25-226	Market Lavington Neighbourhood Plan 2 Steering Group Meeting 4/2/25 – The draft minutes were noted, with no questions being asked. A Steering Group member provided an update about the upcoming initial Public Consultation drop-in event to be held on Saturday the 1 st of March in the Community Hall from 10am to 3pm.

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	<p>This event will also be used to publicise the community survey. There will be further drop-in sessions at the Old School and other venues during March. Copies of leaflets were made available.</p>
24/25-227	<p>Parish Council Management and Governance</p> <ul style="list-style-type: none">a) Appointment of new Parish Clerk – The Clerk confirmed that Tanya the new Clerk would be starting on the 3rd of March, and it was likely that she had a spare phone handset that could be used with the dedicated new SIM as the Parish Council contact number. Councillors agreed to a two-week cross over period when both Clerks would be working together.b) PATS tests for Old School and Elisha Field Pavilion – Cllr Davis noted that he had carried out the Pavilion PATS tests on the 14th February, and the Old School ones would be done this coming Friday.c) Parish Council Standing Orders (SO's) and Steering Group designation in their Terms of Reference (TofR) – The Clerk referred to the information received from a member of the public, originally presented to the Neighbourhood Planning Steering Group in December and then forwarded to the Parish Council, which questioned the legality of both documents, and the response received following advice sought from the Society of Local Council Clerks (SLCC). The Legal Consultant had confirmed that the Steering Groups TofR in their current format gave powers beyond those which could be exercised by a working Group. The options therefore were to either re-draft the document or change the group to a committee of the Parish Council. It was considered that the Parish Council were maintaining control of the finances relating to the preparation of the Neighbourhood Plan, with the Steering Group gathering information, and then presenting it to the Parish Council who have the decision making powers. Cllr Poole and the Clerk had therefore re-drafted the document, forwarding the revised document to the Legal Consultant for consideration, who had replied noting that the revisions clarified that the committee was Advisory. It was proposed by Cllr Turner-Scott, seconded by Cllr Poole and resolved to present the revised TofR to the next Steering Group meeting for their information, and then seek formal approval for them at the March Parish Council meeting. With regards to the Parish Council SO's and paras. 4b and 4c, the Legal Consultant had advised that the amendments that had been made by the Parish Council confuse the issues, and it would be better if the Council relied on the wording of the Standing Orders. It was proposed by Cllr Fraser, seconded by Cllr Turner-Scott and resolved to remove the additional wording from both paras 4b and 4c.d) Parish Council Community Engagement Newsletter – Suggested content for next edition – Information about becoming a Parish Councillor in preparation for May elections, Youth Council and Rights of Way (Cllr Taylor to liaise with editor), also about flooding and importance of a Flood Group.e) Rights of Way Working Group Terms of Reference – The Clerk referred to the revised document which had been circulated with the agenda papers, and provided details of two further proposed revisions following feedback already received. It was proposed by Cllr Poole, seconded by Cllr Davis and resolved to approve the revised document with inclusion of the additional two revisions.f) Lease for strip of land at Canada Woods – The Clerk referred to the 3-metre strip of land that the Parish Council have leased from T D Sharp and Sons since 2010 as part of the new footpath that was created at that time behind Francis Road up to Park Road in Canada Woods. It was noted that the memorandum extending the lease had now expired so further action needed to be taken. The Sharp family have given their approval for renewing the lease on the same terms as before, and guidance has been sought from the Parish Council's Solicitor, with them providing a template of the previous memorandum used to extend the lease for signature by both parties. It was proposed by Cllr Turner-Scott, seconded by Cllr Fraser and resolved to prepare the new memorandum in-house rather than appointing the Solicitor to do it on exactly the same terms as before – ACTIONS – Clerk to liaise with Cllr Poole to ensure documentation completed correctly before issuing to Sharp family.

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24/25-228	<p>Finance</p> <ul style="list-style-type: none">a) Councillors received and approved the financial reports - receipts and payments details for January 2025 (including card payments, direct debits, and payments made in-between meetings), bank reconciliation and budget position for the financial year-to-date.b) The Clerk provided details of one further payment for approval payable to Place Studio (Neighbourhood Plan Planning Consultants covering the work they had done to date for £2,308.20). It was resolved to approve the payment of 'card / on-line Payments' for February, as per the schedule provided (and additional payment as detailed above), which included copies of accompanying invoices and paperwork (including any payments made in-between meetings) - Proposed Cllr Poole, seconded Cllr Taylor (Cllr Fraser abstained from the vote).c) Requests received for Grant Funding in the 4th quarter of 2024/25 (as per Local Government Act 1972 Section 137 – a local authority may incur expenditure which in their opinion is in the interests of, and will bring direct benefit to, their area or any part of it or all or some of its inhabitants – benefit obtained must be commensurate with the expenditure incurred). The Clerk referred to the two applications received noting there was £68.50 left of the 24/25 budget. It was proposed by Cllr Poole, seconded by Cllr Davis and resolved to award a grant of £68.50 to St John's Ambulance, and to carry forward consideration of the grant application from St Barnabas School until the next financial year – ACTIONS – Clerk to advise applicants accordingly.d) Dog waste bin for Elisha Field – The Chair referred to the report circulated with the agenda papers which noted the existing litter bin at the entrance to the field. Following further discussion it was agreed not to purchase a dedicated dog waste bin, but rather use the stickers provided by Wiltshire Council as a reminder to dog owners.
24/25-229	<p>Highways and other maintenance issues</p> <ul style="list-style-type: none">a) Footpath Slippage MLAV2 Canada Woods – The Clerk referred to notification from Ecolibrium that the alternative MSE flex bags they hoped to be able to use were not permitted by the Environment Agency, so they would need to stick with the original two tiered coir net design. Wiltshire Council Rights of Way Officer had yet to confirm a date with their contractor would create the permissive path.b) Tree / hedge matters reported – Councillors reviewed the report provided with the agenda papers and the following further actions were agreed:<ul style="list-style-type: none">i. Footpath MLAV16 (Drove Lane to Oak Lane) – Concerns with restricted width of footpath – ACTIONS - Parish Steward to be asked to cut more of the hedge/brambles back. Clerk to liaise with landowner to determine responsibility for fence.ii. Part fallen tree and Willow tree bottom of Northbrook - Part fallen tree not posing any danger. Willow tree needs to be assessed further – ivy now cut back from base, when dies back check the 'fork' to determine if the bough needs to be removed/ reduced urgently, or if not, work on reducing the weight and size of some of the limbs over the next couple of years. Phone lines entangled in tree – ACTIONS – Clerk to contact BT, and diarise for September for Willow to be looked at again.iii. Willow tree on footpath from bus stop on Grove Road to Ladywood – Split in one of the limbs needs to be dealt with – ACTIONS - Clerk to obtain 2 more quotes for work for consideration at March meeting.iv. Community Park boundary with adjacent Beechwood property – Tree Surgeon advised against cutting beech hedge back any further. Hedge on other boundary just below the level of the fence line – No further action necessary.v. Spin Hill cutting – SSE advised of falling trees which may affect their powerlines, falling trees higher up the bank not considered to be high risk (bank ownership unknown) - No further action necessary.c) Footpath MLAV16 surface (Drove Lane to Oak Lane) – The existing tarmac footpath is breaking up, being exasperated by the excessive amounts of water that flows down the path during heavy rainfall – ACTIONS – Matter to be considered again after Parish Steward has cleared the brambles back further. In the meantime Cllr Taylor in her role

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	<p>as Rights of Way Working Group Leader to contact her counterpart at Easterton to discuss.</p> <p>d) Request for 'Pedestrians in Road' signage – Cllr Muns noted this type of request was commonly presented to LHFIC. Wiltshire Council Highways Officers opinion was that whilst signs of this nature seem sensible and are noticed by vigilant drivers, they are often ignored by other drivers, which can then create a dangerous situation where pedestrians feel safer having the signs in place and therefore become less cautious, whilst the drivers who pose the greatest risk to them are still driving at the same speed and reduced care despite the signage. There was of course the option for the Parish Council to purchase their own signs. Following further discussion it was agreed to accept the advice from Wiltshire Council – no further action.</p> <p>e) Northbrook – water on road surface – The Clerk reported that the Wiltshire Council Area Highways Engineer had come out and inspected the section of Northbrook, and noted it appeared to be ground/spring water (this had been confirmed by Wessex Water). Whilst the water was crossing the highway, he considered the risk to highway users to be low as the speed of the traffic was low, and noted the nearby grit bin. All the Councils drainage budget was being targeted at high speed sites or where there is a risk to property flooding. He would arrange for large section of concrete to be removed from the stream and recut the feeder ditch on the southside of the bridge. Cllr Fraser referred to a footpath which leads from the rear of an adjacent property onto the amenity land which is currently obstructed / silted-up so very little water that can get underneath it – ACTIONS – Clerk to ask Handyman Contractor to investigate and try and clear.</p> <p>f) Other updates – The Clerk noted that the Old School flooring had now been treated, there was a slight issue with sticking of the sliding doors which a local contractor dealt with, and the flooring contractor paid for. An area of rotten skirting board has been identified behind the sliding doors which would need to be investigated further. Cllr Poole suggested that it be looked at during the next heavy downpour to determine if any external drains or downpipes etc. were blocked. The Chair referred to a matter from Cllr Roberts regarding the sides of the riverbank near to the end of the footpath at the bottom of Northbrook which appeared to be slipping – ACTIONS – Matter to be considered further at March meeting.</p> <p>g) New matters to report for Handyman contractor / Parish Steward (date of next visits 19th and 20th February / 19th and 20th March) / Footpath, Amenity Land contractor / Wiltshire Council – The Clerk referred to concerns raised by a local resident regarding the lack of fencing on parts of the edge of the footpath from Canada Rise to Spin Hill MLAV12 adjacent to the cutting – ACTIONS – Cllr Davis to investigate and report back at March meeting.</p> <p>h) Tree Policy and full tree survey – Cllr Fraser presented the suggestion for mapping a full list of trees and hedges on land belonging to the Parish Council for the purposes of maintenance and duty of care, and then having a full tree survey undertaken. Councillors expressed their agreement for the mapping exercise to be undertaken. With regards to a Tree Policy, Cllr Fraser referred to examples of matters that could be included within such a policy – ACTIONS – Clerk to liaise with Cllr Fraser to commence mapping exercise. Cllr Fraser to investigate possible Tree Policies, and liaise with Clerk for tabling as a future agenda item.</p> <p>i) Raised bed in Market Place – The Clerk referred to a request received from the WI for the Parish Council to cover the on-going costs for new / replacement plants and chippings which they were likely to incur each year whilst maintaining one of the Parish Council's raised beds. It was proposed by Cllr Turner-Scott, seconded by Cllr Stevens, and resolved to agree to cover costs of up to £100 per year which would be taken from the Legacy money (Cllr Poole abstained from the vote, due to family connection with the WI) – ACTIONS – Clerk to advise WI accordingly.</p>
24/25-230	<p>Correspondence Received</p> <p>a) From Local resident – Information regarding registering and declaring of Councillors interests – Information circulated to Councillors – Noted.</p> <p><i>Other correspondence received before the meeting, but after the agenda had gone to print</i></p>

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	<p>b) From family of local resident – Request to have a memorial bench situated in the village in memory of late father who lived in village for 27 years – Councillors supported the request – ACTIONS – Clerk to discuss further with family member regarding positioning of bench.</p>
24/25-231	<p>Planning applications, decisions, and any other planning issues</p> <p>a) The following planning applications received which had been considered at a Planning Committee meeting were noted: There were none.</p> <p>b) The following planning applications received, which had not been considered at a Planning Committee meeting were noted: There were none.</p> <p>c) To receive and consider planning applications / appeal notifications received after the issue of the agenda (<i>where the response time falls outside of the meeting schedule and an extension cannot be obtained</i>) There were none.</p> <p>d) The following recent planning application decisions made by Wiltshire Council were noted:</p> <ul style="list-style-type: none"> i. PL/2024/07119 Land South East of Elm View, Kings Road. Conversion of outbuildings to residential - Approve with Conditions ii. PL/2024/04016 The Barn, Spin Hill. Replacement of existing stables and construction of new all-weather riding arena for personal use - Approve with Conditions iii. PL/2025/00424 - Prior Notification - Land at Freith, Freith. Agricultural storage building of standard agricultural construction - Prior Approval Not Required <p>e) The following updates on matters referred to Wiltshire Council Planning Enforcement were noted: The Clerk referred to a recent matter submitted to Planning Enforcement in relation to construction of the two barns at the Barn site, Spin Hill, approved in August 2022. An initial visit from the Enforcement Officer had been attempted, but no reply, so an alternative visit has been agreed with property owner.</p> <p>f) The following recent planning appeal decisions were noted: There were none.</p>
24/25-232	<p>Monthly Reports</p> <p>a) Friends of Canada Woods & Community Park Community Group - Cllr Fraser reported that the Group had not held a meeting. The zip wire consultation had finished on the 31st of January, lots of positive verbal comments had been received, along with 3.5 written comments via email to the Clerk. Although they hadn't had a meeting, if they did go for funding the Group would suggest position 2 would be the favourite, taking into account comments received – takes it off the path, through the woods, and is a more exciting position. There was some discussion regarding whether the zipwire could be put at the Elisha Field, however the value of having equipment more centrally in the village was recognised. A member of the public asked about the ongoing maintenance, safety, and insurance liability etc. – The Parish Council would ensure that it was adequately insured, and it would be subject to an annual inspection as with other Parish Council owned play equipment.</p> <p>b) Youth Council – Cllr Taylor noted that there were several children from St Barnabas School interested in joining the Youth Council, so the next meeting would be held at the school on the 13th of March. Members from the Neighbourhood Planning Steering Group will also be attending the meeting to seek the views of the students. A 'Spring Clean' event has been organised for the 29th March at 2pm meeting at Broadwell.</p>

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	<p>c) Rights of Way Working Group – Cllr Taylor noted that members from the Neighbourhood Planning Steering Group would be meeting with the Rights of Way Working Group volunteers to seek their views. Additional volunteers had joined the group, so now up to 17 members, and lots of working parties were being planned.</p> <p>d) Community Hall Trust Report – Cllr Poole noted that he had not been called to a Trust meeting as yet.</p> <p>e) Any other reports – There were none.</p>
24/25-233	<p>Items for next agenda The Chair is keen to explore and set up a positive 'Flood Prevention Group'.</p> <p>The Chair noted that Gary Gotham from Trinity Church was keen to organise some events in the village to recognise the 80th anniversary of VE Day, and he invited anyone who might be interested in supporting this to a meeting on the 4th of March at 7.30pm in the Green Dragon to brainstorm ideas.</p>
24/25-234	<p>Adjournment for Public Participation The meeting was adjourned at 8.45pm and resumed at 8.49pm. A member of the public referred to the gully at the bottom of Northbrook near to the river and lack of maintenance in recent years, also noting that a heavy vehicle had recently pushed part of the verge into the gully. The Clerk referred to the recent agreement with the Wiltshire Council Highways Engineer to re-cut the feeder ditch on the southside of the bridge, and with the Handyman Contractor being asked to investigate the blockage under the footpath over the gully. Another member of the public highlighted the issue of there being no safe area when coming out of footpath MLAV13 onto Spin Hill, and then needing to walk on the road before being able to cross over onto a pavement, and that it would be great if something could be done about this.</p>
24/25-235	<p>Date of next Meeting Parish Council Meeting – Tuesday 18th March 2025</p>
24/25-236	<p>Closure of meeting There being no further business the meeting was closed at 8.50pm.</p>

Appendix

February Payments for approval				
Details	Cost Centre	Date of Payment	Amount Inc. VAT where applicable	Ref
OS Cleaner – monthly wages	4000/120	20/2/25	126.50	BP1
Handyman contractor monthly hours, and exps *	various	20/2/25	351.59	BP2
Clerk wages and exps **	Various	20/2/25	1,061.88	BP3
Market Lavington Community Hall – Remainder of venue booking fee for Neighbourhood Plan consultation event 1/3/25	4160 to RR 352	20/2/25	24.00	BP4
Diane Fraser – Friendly Friday refreshments	4090 to RR 329	20/2/25	43.61	BP5
Aussie Dave's Carpentry – Unstick sliding doors in Old School and clean and wax track	4430/120	20/2/25	50.00	BP6
Conservation Contractors – Tree works Canada Woods near Bank Slippage	4640 part to RR 353	20/2/25	1680.00	BP7

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Wiltshire Council – Church Street Socket and post for SID completed 2023/24 but not invoiced	4440/130 to EMR 330	20/2/25	77.44	BP8
Toddlers – S137 grant	4210	20/2/25	144.00	BP9
TOTAL			3,559.02	
Payments made in between meetings				
Devizes Fencing – Chain-link Fence to repair E/F fence	4710	3/2/25	60.00	BP
Total Floor Care – Re-treating Old School Floor and industrial mop	4430/120	10/2/25	2711.42	BP
Amazon – 2X external Fire Exit signs for Old School (as per Fire Risk Assessment report)	4480/120	3/2/25	6.12	card
Amazon – Pack of rubber bungs for bottom of Old School Chairs	4430/120	3/2/25	6.99	card
Amazon – Refill kit for First Aid Kit Old School	4480/120	11/2/25	13.40	card
Wel Medical – Replacement battery and pads for Elisha Field Pavilion Defibrillator	4480/140 to RR 326 and EMR 335	13/2/25	351.48	card

* Handyman hours worked £300 + Petrol allowance £9 + Post to repair E/F fence £19.11 + Wirer to repair E/F fence £14.65 + Link wire to repair E/F fence £8.55 = TOTAL £351.59

** Clerk wages £1,040.91+ cleaning Materials OS £12.98 + Recycling bin for inside Old School £7.99 = TOTAL £1,061.88

14/2/25 Transfer £5,000 from Deposit account to Current account