

BROMHAM PARISH COUNCIL
Minutes of Meeting held in Bromham Clubhouse on
11th DECEMBER 2023.

COUNCILLORS PRESENT:

Jim Butler (JB), Peter Paget (PP), Sam Paget (SP), Keith Mahoney (KM),
Jean Collens (JC), Phil Collins (PC), Cary Thompson (CT), Kate White (KW), Jonathon Seed (JS)
Adam Slusarczyk (AS).

PLUS: Wiltshire Councillor Laura Mayes (LM), Parish Clerk Valerie Fergus (VF) and 15 members
of the public.

APOLOGIES: Peter Hindle (PH) Adam Collins (AC)

The meeting was recorded and minutes taken by Parish Clerk, Valerie Fergus.

The meeting was chaired by Peter Paget until point 7 and then Jim Butler took over.

| | The meeting commenced at 7.30pm | Action |
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| 1 | Introduction of new Parish Clerk, Valerie Fergus and welcome from Chair | |
| 2 | Parishioners 10 minutes. | |
| | <ul style="list-style-type: none"> Den Fillis acknowledged the donation of a Christmas tree from Moors Wood Farm. VF asked to send thanks. | VF. Done. 12/12/23 |
| 3 | Laura Mayes Update. | |
| | <ul style="list-style-type: none"> To arrange meeting with VF to cross off list of small outstanding items New Highways Mgr Andy Cadwalladar, meeting up with this week to clear up small jobs which are outstanding. Two main items – Flooding in Hawkstreet and PP for 64 Hawkstreet. <u>Flooding in Hawkstreet.</u> LM questioned if Bromham has a flood plan and if not one should be put in place as a matter of urgency as this has been an ongoing problem. With a Village Flood plan in place Wiltshire Council can offer help. <ul style="list-style-type: none"> They will undertake preventative work and work with the farmers. Flooding has been particularly bad recently in Hawkstreet with water reaching homes. Stills Farm took some action but to little affect. <ul style="list-style-type: none"> Concerned homeowners can be supplied with sandbags by Wilts Council if requested. JS mentioned attending meeting with Flood Working Group 2 weeks ago. JS raised problem ref. Hawkstreet. JS noted that flooding was much worse this time than previously and questions what may have happened to cause the increase in flooding. LM commented that in addition to the standing water there also appeared to be running water. Recent waterworks mentioned as possible cause, also water running from the pond at Stills Farm across the road and over the drain and up to the houses. Second issue further up on Hawkstreet where it meets New Road. | |

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| | <p>Comment that possible cause is a blocked ditch running down the side of the chicken farm. JS confirmed jetting had taken place last year with some affect.</p> <ul style="list-style-type: none"> • JS raised second problem area between the junction and Pikes Farm. Main issue is that flood water is standing and not draining away. Possible cause, gully blocked. <ul style="list-style-type: none"> ◦ 18th Dec. Jetting machine will be in Bromham. ◦ Highways engineer has already made site visit due to car accident on Durllett road. • LM meeting with Andy Cadwalladar on Thursday and will raise all points mentioned. • <u>PP for 64 Hawkstreet</u> for 5 Bar Gate to allow twice yearly delivery of hay. <ul style="list-style-type: none"> ◦ Against PP they have erected a very tall solid gate, hedging is too high. ◦ Delivery of 100's of insulation panels taken causing severe disruption to neighbouring homes. ◦ LM has escalated the issue and raised with planning enforcement officer. ◦ Also the garage they have PP for has not been built in line with the agreed PP. This is being investigated separately. • LM was asked if any update on pipe at Wyatts Lake – none as yet. <ul style="list-style-type: none"> ◦ JS raised this issue at Flood working group meeting, it was agreed that the pump installed by the owner has made a difference but it is not a long term solution. They will be working towards putting a drain in place in the lake and this has been agreed with the owner. • LM gave update on travellers site. With no decision having yet been made since the case in February the barristers are now 'encouraging' the judge to do his job and make a judgment. Judge will be kept updated on any activity on the site. | |
| | <p>RESOLVED – Minutes of the Meeting held on 20th November were approved unanimously and signed.</p> | |
| <p>6</p> | <p>Minutes Update.</p> <ul style="list-style-type: none"> ◦ Wyatts lake – covered by LM Update (3) ◦ Travellers – covered by LM Update (3) ◦ Hedge cutting/Brambles – Chris Hayward is struggling but it will be done ◦ High St. trees – no update ◦ Dog Bins – no update. Discussion on where new bin was to be positioned. Move existing one from near the shop to Hawkstreet near telephone box. Query – was new bin ordered? ◦ Clerks Laptop – New laptop – Apple Air ordered by AS and received by VF. All information on previous Clerk's computer needs to be recovered and moved to new one. AS to action this | <p>VF.to check</p> <p>VF & AS</p> |

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| | <p>with VF and ensure enough storage (cloud) for all information. Clerks email address to be confirmed once password recovered from previous computer.</p> <ul style="list-style-type: none"> ○ Chittoe Heath – No update however a couple of fallen trees were removed promptly by the council and another couple of trees which were close to falling also cleared. ○ First Aid Course – Ian Tuckett will run the course for anyone interested in the New Year. Cost will be dependant on numbers attending. VF to contact. ○ Pavilion Clock – Neil Davision, JB and RMS have been doing the wiring, more work is needed as wiring is still not safe. New wiring will be installed and the search is still on for a new clock. ○ Lighting in Car park and by Clubhouse – Issue with lights – timer and sensor tripping lights in the Pavilion. Working on fixing this issue. Previous complaints about lights staying on too late, time for 'lights out' agreed to be at 11.00pm ○ Accident book – new one purchased HSE compliant. Will be kept in the clubhouse and maintained by SP. SP to also look at safety in the Clubhouse. Any reported accidents to be collated and kept safely. ○ Parish Website – A possible update to make better provision for Parish Council documents and dedicated emails for all councillors. VF already looking at how to make improvements. JB to email Joy Todd to let her know changes are going to be made. VF will report back to Councillors. | <p>VF.</p> <p>VF</p> <p>SP</p> <p>VF</p> |
| | Chair Passed to Jim Butler at this point | |
| 7 | <p>Neighbourhood Plan.</p> <ul style="list-style-type: none"> • Meeting of Neighbourhood Plan Committee took place 9th December. • Aim is to meet Local Government requirement to provide 65 new houses by 2036. <ul style="list-style-type: none"> ○ Consultant happy with progress so far and with the proposed small sites. Still open for any new proposals but needs to be concluded in a year to avoid large development being put in place. ○ 3 SLAR's have been proposed -The Crown have put forward 2 large sites and Wilkinsons 1, these are hopefully to be rejected. Wilkinsons have withdrawn theirs but the project is still live so this could change. ○ Main concern is to avoid a developer coming in resulting in a large development, Village needs to have plan in place. ○ Will still need to go to village vote. ○ Planning cost £10k (£2k in precept) ○ JS commented that the Levelling Up Secretary, Michael Gove, this week may announce that if Wiltshire meets it's 5 year housing land supply then no large sites can be forced to be put in place which has happened already in surrounding areas. | |
| 8 | <p>Planning for Community Hub.</p> <ul style="list-style-type: none"> • Planning application has been submitted as agreed at previous Council Meeting and awaiting approval. Agreed planning fee £2087 paid. <p>Report for Liability Insurance.</p> | |

- JB has found and circulated as many relevant documents as could be found. These go back to and include the original insurance cover before the fire.
- The Trustee Indemnity Insurance for £500k has not yet been tested as details of a possible claim are not yet established.
 - The minutes from the last Social Centre Management Committee (SCMC) meeting before the fire show that only two quotes for the roof repair had been received and that a third one be requested before the work could be undertaken.
 - No evidence of the 3rd quote was provided.
 - Contract for the work to proceed was given without the 3rd quote.
 - There is no information from the SCMC regarding who discussed the contract, who offered the contract and who gave the go ahead for the work to proceed.
 - No response has been received in reply to the email sent by PC requesting clarity on the procedures carried out prior to the contract being offered and the work going ahead.
- Due to the lack of clarity on the procedures followed, the question of where the liability lies is raised.
 - Is liability with the Trustees as they did not monitor the SCMC before the go ahead for the work was given? The Trustees at the time were: Peter Paget, Rod Amor and Rosalind Humphries and PC.
 - Is liability with the SCMC as they gave the go ahead for work to take place without consultation with the PC?
 - Is there a case to claim against the Trustee Indemnity Insurance?
- The Indemnity Insurance was up to date at the time of the fire and there are a couple of caveats in the policy which require further clarity as to how they may affect a claim.
 - “If gross annual income is below £25k and accounts checked by an independent examiner”
 - “If annual income for the last financial year is above £50k we don't have the correct information for your Trustee's Indemnity Cover and it may no longer be valid.”
- Questions - does the income mentioned in the Insurance policy refer to just the hall or the Owl?
- Is the income of the hall known?
- JS – The responsibility/liability lies with who placed the contract for the work to be carried out without first getting a 3rd quote as requested and take to the Parish Council. This was the SCMC.
- JB – Agreed, but they weren't the Trustees so this Indemnity Policy wouldn't apply.
- JS – But the SCMC were trustees, The 1972 Document, which has been circulated, claims the SCMC had to sign the Charity Commissioners Document. Thus making the Parish Council Custodian Trustees and the SCMC Management Trustees of the Social Centre.
- JS- The status of the four Trustees mentioned previously by name are Custodian Trustees.
- Conclusion is that if the SCMC are Trustees then they will be indemnified and a claim may be made. It was agreed by the Parish

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| | <p>Council that the best way forward would be to seek further advice, Ross Philips was suggested as a first contact. JB to speak with Ross and report back at the next meeting.</p> <ul style="list-style-type: none"> • The Insurance Document was discussed. It was taken out on 10/09/2020 with Allied Westminster. • Grants Update – KW. No updates yet on either grant. The lottery grant waiting for PP to be accepted first and awaiting response for the other. | JB. |
| 9 | <p>Allotments/Crown Lease.</p> <ul style="list-style-type: none"> • Still waiting for Mark Webb to come back with draft FBT's for tenants. • Renewed payment agreements in place ready to be sent out to larger allotment holders. • Small allotments all paid up to date with the exception of one. Increase in charges to be decided but will need to put in place to meet the increase in charge from the new rental agreement with the Crown to be signed 25/03/2024. | |
| 10 | <p>Play Area Inspections.</p> <ul style="list-style-type: none"> • All checked and good. | |
| 11 | <p>Defibrillator Inspection.</p> <ul style="list-style-type: none"> • Five defibrillators in the Village. One in Hawkstreet required new battery. This has been ordered. Batteries are £285 each. Previous new batteries have been paid for by Parishioners. | |
| 12 | <p>Skatepark.</p> <ul style="list-style-type: none"> • No issues reported. | |
| 13 | <p>Raby/Oldest Serviceman/Donations.</p> <ul style="list-style-type: none"> • KW - all cards have been written according to the updated list. Cards were distributed to councillors and members of the public in attendance to be delivered. • Oldest Serviceman. <ul style="list-style-type: none"> ◦ Ivor Gardner. • Donations. <ul style="list-style-type: none"> ◦ Monday Club £150 ◦ Air Ambulance £100 ◦ Dorothy House £100 ◦ Youth Club £150 ◦ Devizes Link £100 ◦ Julia's House £100 ◦ Hoot £300 ◦ St. Nicholas PCC £200 ◦ Busy Kids £250 • Total £1450 • Raby Cash £310 • JG Davis (Ivor Gardner) £20 <p>RESOLVED – Proposed Phil Collins passed unanimously.</p> | |
| 14 | <p>Football Club.</p> <ul style="list-style-type: none"> • Request for the gate at the side to be opened as agreed at a meeting a year ago. JB to make request. | JB |

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| | <ul style="list-style-type: none"> • No issue with dogs reported. • Funding needed and application to be made to Devizes Area Board for a grant. JB and Neil have applied in the past. • JS suggested the application should be made soon as cut off date end of March 2024. JB to advise Neil. Members of the football club to make presentations to the board. | |
| 15 | <p>Finance Meeting.</p> <ul style="list-style-type: none"> • Finance Meeting held 7pm 11/12/2023. Calculations for the Precept 2024/2025 discussed. <ul style="list-style-type: none"> ◦ Last year Precept was £45k. ◦ Initial calculation for new Precept £56k ◦ Proposed Precept £52k • Increase due to rise in expenses and costs. Proposed figure kept as low as possible but is still the biggest increase year on year to date. <ul style="list-style-type: none"> ◦ Current Precept = £58.61 Band D ◦ Proposed Precept = £67.75 Band D (Under £10 increase) • Small contingency in place £2500 • Concerns raised that the proposed Precept will not be enough to cover rising costs including any additional unplanned legal and planning costs. <p>RESOLVED. Precept £52k - Prop PP, Sec SP. 2 abstained. KW, PC</p> | |
| 16 | <p>Complaints/Petition/FOI request.</p> <ul style="list-style-type: none"> • Monitoring Officer, Maria Dougherty, has received all complaints. <ul style="list-style-type: none"> ◦ Luke Humphries against Jim Butler – Resolved – No further action ◦ Katherine Read against Jonathon Seed – Resolved – No further action ◦ Luke Humphries against Peter Paget – Resolved – No further action. <p>Freedom of Information (FOI)</p> <ul style="list-style-type: none"> • Original request from SCMC then D. Fillis. • Advice sought from Tim Prees – Wansborough's <ul style="list-style-type: none"> ◦ Response “The Parish Council has been advised that all communications between members of the Parish Council and Parish Councillors legal advisors created for the purpose of seeking or receiving legal advice are covered by legal and professional privilege and therefore do not have to be discussed in response to a FOI request.” • Concerns raised about increased and high legal costs depleting funds. | |
| 17 | <p>No new Planning Applications.</p> <ul style="list-style-type: none"> • Property in Horsepool discussed. PP for Garage with office above, concerns raised reference the entrance and should the new build become a dwelling the access and splay are not adequate. It was agreed that the PC should comment. JB to action. | JB. |

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| 18 | <p>Emails/Letters.</p> <ul style="list-style-type: none"> • Email received from Richard Dyke – reference attending SCMC meeting. Both he and Greg Woods would like to attend SCMC meeting as representatives of the Wednesday Club. They were not given access to the last SCMC meeting. • PP Confirmed that the constitution of the Social Centre is that 2 representatives of each organisation in the Village can attend SCMC meetings. • JS asked if the public can attend these meetings. <ul style="list-style-type: none"> ◦ Confirmed that there can be public attendance of the Annual General Meetings. <p>JB to email SCMC reference encouraging the admittance of Village Organisation representatives as stated in their constitution.</p> <ul style="list-style-type: none"> • Letter received from Land Registry. <ul style="list-style-type: none"> ◦ Land Registry Requisition – Social Centre Site and Football Field. ◦ Confirmation and evidence required that BPC are still in possession of site and is in use. ◦ Unclear as to who initiated the application – Wansborough's to be consulted. • Accounts – Bromham Social Centre. <ul style="list-style-type: none"> ◦ Approval required from BPC before submission to Charity Commission. ◦ Income = £23654. Expenses = £30154 ◦ Nett Expenditure = £-6389 <p>RESOLVED. Prop SP, Sec JC. Passed Unanimously.</p> <ul style="list-style-type: none"> • Letter from Zoe Perry. <ul style="list-style-type: none"> ◦ Parish Council response to be drafted and given consideration at next PC meeting. ◦ Agreed Zoe Perry to receive written response. • Parish Councillor Vacancy. <ul style="list-style-type: none"> ◦ Vacancy not official until published by Electoral Services. (ES) ◦ ES will email confirmation application dates. ◦ Once received, vacancy will be posted on PC Website. • Elections. <ul style="list-style-type: none"> ◦ Confirmation of date of next elections to be sought from ES. | <p>JB</p> <p>KW</p> <p>KW. CT. JB.</p> <p>JS</p> |
| | <p>Urgent Parish Business.</p> <ul style="list-style-type: none"> • Pudding Run. <ul style="list-style-type: none"> ◦ PC to extend thanks and appreciation to the school & PTA for their excellent organisation of this event | <p>JB</p> |
| | <p>Meeting declared closed by Chair PP 9pm.</p> <ul style="list-style-type: none"> • Date of next PC meeting – Monday January 8th 2024 | |