



Melksham Neighbourhood Plan

Steering Group Meeting

Crown Chambers, 1st Floor, 7a Market Place, Melksham, Wiltshire SN12 6ES

Date: Wednesday 28th October 2015

Start: 6pm

Present:

Richard Wood (Chairman) (MWPC)

Teresa Strange (Clerk, MWPC)

Cllr. Rolf Brindle (MWPC) (Transport lead)

Colin Goodhind (Delivery task group)

Mark Ashkowski (Housing lead)

Andy Hinchcliffe (Melksham Town Council)

Bruce Sanders (Business lead)

Tom Roach (Business)

Nick Westbrook (Health lead)

Steve Gray (Clerk, Melksham Town Council)

David Way (Wiltshire Council)

Lorraine McRandle (MTC)

Cllr. David Pollitt (Area Board)

Cllr. Richard Wiltshire (MTC)

Notes: Phil McMullen, MCAP

Agenda

1. Welcome & apologies
2. Declaration of Interests
3. Public Participation
4. Minutes of the last meeting (held 30 September 2015)

[Link to draft September minutes](#)

5. Matters Arising

6. Finance Report

6.1. Payments for Approval

6.11 To consider the September 2015 invoice from MCAP reference 15/P/009 sum: £261.00

[September 2015 Timesheet](#)

6.2 Current Budget

7. Public Participation Sub-Group report

7.1 Additional help for Public Participation Group - update

8. Reports from Task Groups

8.1 Allocate a task group for following subject headings

Cemeteries
Ditches
S106 & CIL requirements
Heritage and Setting
Urban design guide

8.2 Health and Wellbeing (lead: Nick Westbrook)

8.3 Transport (lead: Rolf Brindle)

8.4 Business (lead: Bruce Sanders)

8.5 Housing (lead: Mark Ashkowski)

8.5.1 SG to consider attached Wiltshire Housing Land Supply Statement

[Briefing Note 258 - WILTSHIRE HOUSING LAND SUPPLY STATEMENT 2015](#)

8.6 Education (lead: Richard Wood)

9. Environmental section

9.1 SG to consider adopting the final Sustainability Scoping Report incorporating all revisions and updates

[Final Sustainability Scoping Report](#)

10. Any Other Business

10.1 Proposal from Colin Goodhind that in light of the apparent [disbanding of Malmesbury's Neighbourhood Plan Steering Group](#), that our terms of reference are changed/updated to address this issue and remove any risk of surprises here in Melksham.

11. Date of Next Meeting: Wednesday 25th November 2015

1. Welcome and apologies

Phil reported that apologies had been received from Shirley McCarthy (Environment).

Teresa Strange mentioned Cllr. John Glover

Colin Goodhind apologised for the fact that he would be late attending.

2. Declaration of Interests

There is a standing declaration of interest in MCAP from Colin Goodhind, Nick Westbrook Shirley McCarthy and Phil McMullen. Nick Westbrook also has a standing interest in a company named Envolve Technology Limited, trading as "Memberoo".

3. Public Participation

There were no members of the public present at the meeting.

4. Minutes of previous meeting

[Link to draft September minutes](#)

Tom Roach proposed that the Minutes of the August meeting were accepted. Rolf seconded. All were in favour. The minutes were signed off by Richard Wood.

5. Matters Arising

Nick Westbrook asked if his task group report reference the Air Ambulance field had been discussed and whether we needed to safeguard the additional 28.5 acres on the Semington side of the site. There had been no discussion at the meeting in September. David Way said we had noted that the Air Ambulance had presumably safeguarded enough land. Nick observed that it could be employment land or leisure land potentially. Rolf said that MWPC had had some discussion about this and suggested that any remaining part of the site ought to be industrial.

6. Finance report

6.1. Payments for Approval

6.11 To consider the September 2015 invoice from MCAP reference 15/P/009 sum: £261.00

[September 2015 Timesheet](#)

Bruce Proposed, David seconded, all were in favour that they be agreed. The Timesheet was accordingly signed off by Richard Wood.

6.2 Current Budget

Steve stated that the current total is £3868.21, prior to the current invoice just approved.

7. Public Participation Sub-Group.

7.1 Recruiting additional help for Public Participation Group.

A meeting had been held on 14th October. A role description for participation group volunteers had been drafted up. It was proposed that we have a stand at the Christmas Lights event. This was agreed to, noting that the final cost was unknown.

[Copy of role description for participation group volunteers](#)

7.2 Nick Westbrook provided a written report.

Activities since last MNPSG Meeting

1. Produced press releases and letter for publication in Melksham News.
2. Participation in Community Engagement events:

- | | | |
|-----|---|-------------------------------|
| (a) | Meeting of Participation / Delivery Group | 14 th October |
| (b) | Several members attended / contributed at meetings about future of Council Boundaries | 20 / 21 st October |
| (b) | Presentation to Melksham Health Working Group | 22 nd September |
| (c) | Meeting with Goughs about Hospital site | 26 th September |
3. We need to start uploading information, events and minutes etc to Neighbourhood Plan website as required.
 4. MyCommunity has been rebranded as the 'Memberoo' community management portal (to avoid confusion with other sites).
 5. We still need to identify dates for training to access the website and develop the Melksham 2026 site on the Memberoo community management / participation system.
 6. The Participation / Delivery Group met to discuss a Role Description for volunteers. A copy of the proposed document is attached as Annex A.
 7. The Group also discussed how to attract both more volunteers and AGREED TO RECOMMEND to the Steering Group meeting that the Neighbourhood Plan Group has a stand at the Christmas Lights event on 5th December 2015.
 8. The stand would be located close to the Christmas Tree, replacing one for Melksham in Bloom from last year.
 9. It is suggested that MNPSG volunteers mingle with the crowds handing out leaflets about the plan and inviting people to lodge their email address at the Stand, where they could claim a glass of mulled wine. Additional glasses would be provided on basis of a donation to funds.

ACTION POINTS FOR CONSIDERATION

10. The Steering Group is invited to consider:
 - (a) Dates for a training course to inform members how to make best use of the website and new 'Memberoo' community management portal;
 - (b) Being represented at the Christmas Lights event, and authorise the production of (A5) handout leaflets and the provision of mulled wine and other refreshments.

Action placed on Nick Westbrook to contact the Chairs of the theme groups to arrange a training session in the Memberoo software.

8. Task Groups

8.01 Following a request from Teresa, the Steering Group allocated a task group for following subject headings as follows:

Cemeteries (it was agreed Health and Wellbeing)
 Resilient Communities, flooding, ditches etc. (it was agreed Housing)
 Heritage and Setting (again, Housing)
 Public Open Spaces (Health and Wellbeing)
 S106 & CIL requirements (Housing)

Nick Westbrook drew attention to the fact that most of the issues were included in the [draft Framework document](#) which have previously been lodged with the Steering Group for comment, though none have been received to date.

8.1 Reports from Task Groups:

8.2 Health and Wellbeing (lead: Nick Westbrook)

Nick Westbrook provided a written report.

Activities since last MNPSG Meeting

1. The editor decided to again reschedule the article about the future of Melksham Hospital for publication in the 8th October issue of Melksham News. A front page 'lead' story plus the whole of page 3 was devoted to the topic.
2. A number of options were outlined for consideration. Attention was drawn to the successful community take-over of the hospital in Tetbury, which has been trading successfully to provide both NHS and private health / care services.
3. These articles attracted a number of letter / email responses with suggestions and ideas – some of which were published as letters in the subsequent MIN issue.
4. Unfortunately the absence of the response vehicle has limited the response.
5. One response received provided some intelligence about the covenant on the hospital. This lead has been followed up with local solicitors (Goughs).
6. It is clear that if the hospital site is now 'crown land' it is near impossible to obtain deeds or any relevant information relating to covenants etc.
7. However, a resulting meeting and some pro-bono research by Goughs has uncovered registrations on five separate areas related to the hospital site, dating from the mid 1980s until quite recently.
8. Members will note the text of Goughs' email – shown as Annex B.
9. This includes some suggestions and costs related to obtaining (a) relevant registration documents, and (b) asking Helen to provide some preliminary legal guidance of possible next steps.
10. It may still be possible to get round any covenant, if any still exists.
11. The Steering Group is invited to consider next steps – see Goughs' email shown as Annex B.

ACTION POINTS FOR CONSIDERATION

12. The Steering Group is invited to consider:
 - (a) If members wish to participate in a visit to the successful Tetbury Community Hospital;
 - (b) Goughs' email (Annex B) and if they will authorise up to £200 to obtain appropriate registration documents and obtain some preliminary legal guidance to determine the feasibility of future action.

Dear Nick

It was a pleasure to meet with you yesterday in the office to discuss the Melksham Hospital site.

I have carried out some investigations at the land registry and have identified that the areas of concern are all registered titles. Numerous deeds and documents have been revealed as summarised as follows: -

Title Number	Description	Tenure	Documents	Date
WT274746	Sewage Pump (within main title)	Freehold	Register and Plan Conveyance Deed	01.04.1987 08.08.1994
WT188648	Land to South West	Freehold	Charge Charge Conveyance Lease Transfer	21.02.2002 03.03.2012 26.04.1993 15.08.2002 23.12.1999
WT215154	Land and Building to Southside and Pharmacy	Leasehold	Register and Plan Conveyance Lease Transfer Conveyance Lease	26.04.1993 15.08.2002 23.12.1999 01.04.1987 27.01.2003
WT128925	X-Ray Rooms	Leasehold	Register and Plan Conveyance Transfer Lease	26.04.1993 04.02.1993 24.09.1993
WT121451	Hospital and Primary Care Centre	Freehold	Register and Plan Conveyance Transfer Transfer Conveyance (plan only) Deed Lease	26.04.1993 04.02.1993 23.12.1999 01.04.1987 15.05.2013 24.09.1993

Whilst I do not propose to order all of the above documents, as many will be irrelevant, ordering the register entries for those areas you would like together with the most historic transfer or conveyance referred to in that entry. Some information may be able to be gleaned from just the entries themselves which may potentially be of use. Alternatively, the most historic deed recorded against the titles may in fact within the body of the document refer to or abstract/exhibit older deeds, which I would imagine to be the deeds which may potentially refer to any restrictive covenants or stipulations on the land's use.

I would estimate at this time that the Land Registry fees would be in the region of £25 - £45.

We can approach the legal work in one of two ways, I summarise to you what's available and you instruct me what documents you require and I will simply order these and forward them to you for your own perusal/investigations. The time spent on this matter will be charged at my hourly charge rate which is currently £145 plus VAT. The basis for charging is on actual time spent which is recorded in units consisting of 6 minutes per unit (i.e. 10 units of time to an hour). Each 6 minute unit of time is recorded at £14.50 plus VAT, so if the work only takes 30 minutes then that is all that is paid for (plus the Land Registry fees). I anticipate this work to take in the region of 30 minutes to 1 hour.

Alternatively you may wish me to carry out the above, but in addition, investigating the documents myself and reporting to you on the content of the same, ordering any additional historic documents referred to in the body of the deeds and enquiring of the Land Registry as to the existence of any such documents. This work I would anticipate to take in the region of 1 hour – 3 hours depending on the level of report required (£145.00 - £435.00 plus VAT and land registry fees).

Please let me know whether you wish me to undertake any further work in this matter, so that I may open up a file and send out my client care letter and terms of business to you.

Kind regards

Helen While

Nick further explained that Goughs Solicitors had undertaken some *pro bono* investigation into ownership of the hospital site, following concern expressed by local residents. Goughs had discovered that it was in fact made up of five separate sites. Nick wanted authority to take the investigation a stage further and spend some money to establish exactly who owns each part via the Land Registry. The scale of charges was estimated to be one to three hours of work at £145.00 per hour plus fees.

Richard asked the meeting whether it was appropriate expenditure. Bruce wondered whether it was relevant to us or to Friends of Melksham Hospital. Teresa said it could be done more cheaply in-house. Steve agreed to this. Mark offered to do some "free" investigating initially which was appreciated and agreed to.

Post Minute Note from NW: *whilst I sought authority to investigate the covenant issue further, I did not advocate using Goughs but only that a budget be allocated for the exercise - this would apply even if limited to the disbursement costs of obtaining the Land Registry information by the Council(s) - which is what I believe was approved. (I was not aware of Mark's access to professional expertise but am very happy to draw on his offer).*

8.3 Transport (lead: Rolf Brindle)

Rolf reported that he's been in email correspondence with Spencer Drinkwater in Wiltshire Council who had offered statistical support. The group hasn't met since last meeting.

8.4 Business (lead: Bruce Sanders)

Bruce reported that letters had been sent to estate agents (no response so far). Retail outlets in town have yet to be approached.

Phil reported that a survey had been sent round to all the businesses in Bowerhill as part of the Bowerhill Business Initiative – [copy here](#)

Bruce feels that the canal proposals are of such importance to the town that a meeting should be arranged with their representative Jock McKenzie. We need to engage with it as a group, rather than individually as sub-groups. There needs to be clarification over the confusion.

Steve Gray agreed that it's core policy and is fundamental to the Neighbourhood Plan and that there needs to be an entire section.

David Way mentioned that we have all attended several presentations before by Jock McKenzie. This is though a great chance for the Neighbourhood Plan to influence the Canal Development.

Richard and Teresa expressed concern over the group becoming too close to developers, but recognise that we need to acknowledge that the plans exist and potentially could have a major impact on Melksham.

Mark agreed that the Housing group needs to have a lot more information about what the canal development is proposing (est. 6 to 800 homes).

Bruce raised the point that we need to consider as a town whether we want to keep the town small or achieve aspirations of growth. This steering group could potentially make a big difference. Rolf noted that Melksham is not considered one of the principal settlements alongside Chippenham and Trowbridge.

Nick Westbrook raised the issue of Cooper Tires potentially leaving Melksham.

It was agreed that we should invite Jock Mckenzie to our next Steering group meeting. Bruce offered to speak to him to arrange that.

8.5 Housing

8.5.1 Steering Group noted the attached Wiltshire Housing Land Supply Statement.

[Briefing Note 258 - WILTSHIRE HOUSING LAND SUPPLY STATEMENT 2015](#)

8.5.2 Mark said there has been a lot of work happening behind the scenes. Mark's been in discussions with David Way and has made amendments to the scoring criteria as a result. David has also been looking at what further information could be provided. There is a meeting taking place on 3rd November to further consider the SHLAA sites.

8.6 Education (lead: Richard Wood)

Richard Wood provided a written report of the Education Group meeting held at Melksham Oak on October 16th.

The group reviewed the current position at Melksham schools around present and future rolls and the ability to expand. Forest and Sandridge already has plans prepared for an eventual increase to 2 ½ form entry. Melksham Oak has the capacity for quite significant expansion and a site near the sports hall which already has services installed. Shaw School is on a flood plain and this precludes expansion at present. Aloeric has some spare capacity and could possibly expand.

The group discussed issues that will arise when the George Ward site is developed. The county view seems to be that the demand can be absorbed by schools in the rest of the area when and if Shaw is full. The group expressed concern that this is not a sustainable situation. The traffic build up alone is a major concern.

The next meeting is to be arranged so that Claire Medland (Wiltshire Council, head of school place commissioning) can attend.

Richard would be glad to hear from anyone who might be willing and interested in serving on the committee, although it does have a good core of people represented.

9. Environmental Report

9.1 SG to consider adopting the final Sustainability Scoping Report incorporating all revisions and updates

[Final Sustainability Scoping Report](#)

Richard Wood formally thanked Phil McMullen for his work on this.

Steve Gray said he had a some minor points he wanted looked at again. He would get together with Phil to look at these before it is formally adopted by the group.

David Way pointed out that consultants ideally needed to be brought in to develop the plan to the next stage.

10. Any Other Business

10.1 Proposal from Colin Goodhind that in light of the apparent [disbanding of Malmesbury's Neighbourhood Plan Steering Group](#), that our terms of reference are changed/updated to address this issue and remove any risk of surprises here in Melksham.

Colin explained that this had come as a bit of a shock considering that we had been holding up Malmesbury as a shining example.

Bruce said that he'd looked into it a little bit. The bottom line is at the end of the Neighbourhood Plan, do we continue to have a dormant monitoring role or disband altogether. Colin said that the principle is do we want to address this or not. Richard said that oddly enough in Melksham, having two councils prevents something similar to Malmesbury from happening; but potentially if we amalgamate, there is a possibility that something similar could occur. David Way agreed that it would be sensible to build in a review every two to three years. It's not however a Wiltshire Council concern.

Nick suggested inserting a section 6.3 into the Terms of Reference concerning a monitoring review role. It would have to go back to both councils to agree.

Steve suggested we write this in as an outcome of the Plan, to keep the Steering group *in situ* to review and monitor, rather than amend the Terms of reference. David Way agreed this would be an approved approach.

Teresa agreed that the consideration be formally minuted, that the concern was noted by the Steering Group and that we build in the monitoring aspect to the Neighbourhood Plan.

Colin and the rest of the meeting agreed this was a sensible approach. There was a unanimous vote in favour of this.

11. Date of Next Meeting

Date of Next Meeting – Wednesday 25th November 2015

If Jock McKenzie attends then potentially the meeting could extend to half past eight.

Signed:

Chairman of MNPSG

Date:

Links to supporting documentation and relevant sites of interest

[Draft Framework Document](#)

[Briefing Note 258 - WILTSHIRE HOUSING LAND SUPPLY STATEMENT 2015](#)

<http://www.ourneighbourhoodplanning.org.uk/resources/documents>

<http://mycommunityrights.org.uk/neighbourhood-planning/>

[Wiltshire Council Core Strategy Sustainability Appraisal Report Addendum](#)

Common Abbreviations: MNPSG = Melksham Neighbourhood Plan Steering Group; MCAP = Melksham Community Area Partnership; CAP = Community Area Partnership; AB = Area Board; SCOB = Shadow Community [campus] Operations Board; SG = Steering Group; TC = Town Council; MTC = Melksham Town Council; MWPC = Melksham Without Parish Council; PC = Parish Council; WC = Wiltshire Council; JSA = Joint Strategic Assessment; JSNA = Joint Strategic Needs Assessment; MIN = Melksham Independent News; DPD = Development Plan Document