



**Bradford on Avon
Town Council**



**LOCAL COUNCIL
AWARD SCHEME
QUALITY GOLD**

BRADFORD ON AVON TOWN COUNCIL

You are hereby summoned to a Full Council meeting
of Bradford on Avon Town Council
On Tuesday 6th September 2022

At 7.00pm in St. Margaret's Hall, Bradford on Avon

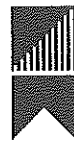
Sandra Bartlett
Town Clerk
1st September 2022

AGENDA

<p>1. QUESTION TIME OPEN TO THE PRESS AND PUBLIC (not to exceed 30 minutes) <i>The public are welcome to ask questions on matters that are on the agenda and other matters at the Chairman's discretion. The question should not be a statement and limited to no more than 2 minutes. The Chairman will call the question from those who are indicating that they wish to speak. A record of any public participation session shall not be included in the Minutes but included as an appendix note to the Minutes of the meeting and will be made public via our website and held in archive.</i></p>
<p>2. To accept apologies for absence</p>
<p>3. Declarations of Interest <i>To receive any Declaration(s) of Interest under The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 made under Section 30 (3) of the Localism Act 2011 and under the Code of Conduct adopted by the Town Council.</i></p>
<p>4. Minutes <i>To approve the minutes of the meeting held on the 5th July 2022.</i></p>
<p>5. Matters arising (FOR INFORMATION ONLY) - none</p>
<p>6. Chairman's report <i>Chairman's report attached.</i></p>
<p>7. Minutes of Committees <i>To note the minutes and decisions taken under delegated powers. These minutes are not for discussion. Circulated by email to members. (i) 12.07.22 Town Development Committee (ii) 19.07.22 Sustainable Travel (iii) 26.07.22 Environment & Green Spaces</i></p>
<p>8. Re opening the High Street <i>Cllr Gibson to give an update.</i></p>
<p>9. Neighbourhood Plan <i>Cllr Gibson's report is attached for discussion.</i></p>
<p>10. Traffic Consultation <i>Cllr Trimble to give an update on the response from Wiltshire Council.</i></p>
<p>11. Business Survey <i>To note that the Town Council has been offered to be used as a pilot scheme for a business survey and that Bradford on Avon Business has agreed to circulate it to their members.</i></p>
<p>12. Leave of absence <i>To note that Cllr Jack Vittles is due to become a father at the end of October 2022 and that he will not be available for council business following the birth for the remainder of the year.</i></p>
<p>13. Next meeting <i>Next meeting arranged for 8th November 2022.</i></p>
<p>14. Confidential business 'Under the Public Bodies (Admission to Meetings) Act 1960 by reason of a confidential nature to be discussed, that the public and press be excluded from the meeting'. Commercial matter to be discussed.</p>



**Bradford on Avon
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**LOCAL COUNCIL
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Minutes of the Full Council meeting of
BRADFORD ON AVON TOWN COUNCIL held
on Tuesday 5th July 2022 at 7p.m in St. Margaret's Hall

Attendance – Town Council

Cllr K Bessant
Cllr E Franklin
Cllr D Garwood
Cllr S Gibson
Cllr A Kay
Cllr S McNeill-Ritchie
Cllr J Parker (Vice-Chairman)
Cllr A Potter
Cllr T Trimble
Cllr K Vigar (Chairman)
Cllr J Vittles
Mrs S Bartlett (Town Clerk)
Mr I Brown (Director of Operations)
Ms S Hawkins (Accountant)
Mr C Hogg (Green Spaces Officer)

Members of the public: Joyce Shaw, Lisa Otter Barry and four others.

Apologies: Cllr S Blackwell

17. Declarations of interest - none

18. Minutes

It was proposed by Cllr Potter and seconded by Cllr Gibson and with all in favour it was **RESOLVED:** that the minutes of the Annual Council meeting held on the 3rd May 2022 were accepted as a true record.

19. Matters arising – none

20. Chairman's report

The Chairman's report is attached to these minutes. The Chairman also mentioned the following items:-

- (i) Network Rail will be having public consultation on replacing the railway bridge in St. Margaret's Hall on the 11th July 2022 between 4pm and 6pm.
- (ii) On the 3rd July 2022 a fund-raising session for the skateboard park took place at the Youth and Community Centre. This event had been publicised on social media. She attended with Cllr Parker and all those present were encouraged to get involved and help with the fund raising.
- (iii) To update councillors, following the Community and Wellbeing Committee at which up to £5000 had been agreed to subsidise childcare provision over the summer holidays – Youth sessions for children and young people living in Bradford on Avon will be provided at a cost of £5 per child and to be held on two mornings a week.

21. Minutes of Committees

It was noted the minutes of the following committees:-

24.05.22 Sustainable Travel, 07.06.22 Environment & Green Spaces, 21.06.22 Resources Committee and 28.06.22 Community & Wellbeing.

22. Terms of Reference

It was proposed by Cllr Kay seconded by Cllr Franklin and with all in favour it was

RESOLVED: To accept the recommendation from the Environment & Green Spaces Committee that in 1.1 up to ten members including the Chairman of the Council and Deputy Mayor ex-officio. In 3.4 Policy regarding the provision of the following services: Parks, Open Spaces and Assets.

23. Reopening the High Street

The report from the Director of Operations was considered. A variety of concerns were expressed as regards the design and materials of the proposed installations and it was considered important that discussions take place with the designer before final approval is given. It was proposed by

Cllr Gibson seconded by Cllr Kay and with all in favour it was **RESOLVED:** To accept the proposal in principal but some councillors to meet with City Dressing to discuss the details and report back to Town Development Committee next week.

24. Next meeting

The next meeting has been arranged for the 6th September 2022.

25. Confidential business

It was proposed by Cllr Trimble and seconded by Cllr Garwood and with all in favour it was **RESOLVED:** to start confidential business.

APPENDIX 1

Members of the public who spoke at the Full Council meeting held on the 5th July 2022

1. Joyce Shaw wondered where the waste was going with the canal boats. She said that she had visitors coming and some of the boats look unsightly and take up a lot of the riverbank. Cllr McNeill-Ritchie said that it would be the Canal and Rivers Trust, although sometimes they had difficulties imposing their rules. Cllr Gibson said that there was a trust set up called the Floaty Boat Fund who helped boaters with training on how to do maintenance of their boats.

Joyce said that when she was doing lorry watch close to the town bridge, she was asked by tourists where the canal and Tithe Barn were located, as there is a complete lack of signage in the town. Chairman said that the Reopening the High Street item tonight on the agenda would help towards that with signage on offer.

2. Lisa Otter Barry asked two questions:-

(i) The Town Council agreed to sell Becky Addy Wood to FROBAW on the 8th April 2022. Please would the Town Council accept FROWBAW's offer Subject to Contract which ensures that all parties are reimbursed their 20220 contributions which totalled £47,000. £30,000 of FROBAW member donations has already been subtracted FROBAW now agrees to pay: £9,000 to the Town Council for the funds they contributed and costs incurred £5,000 to be reimbursed to the Area Board, £3,000 to the Preservation Trust. We hope this sale will now proceed swiftly since FROWBAW knows the woods well and they still have the 2020 pre-auction legal pack.

FROBAW is a Not for Profit company limited by guarantee and they intend to seek charitable status. We have Charitable Objects and on this basis, are granted membership of the NCVO National Council for Voluntary Organisations and are likewise eligible for free legal advice from the Environmental Law Foundation. FROBAW has agreed to insure and take on liability for the woods from the point of exchange of contracts.

(ii) Our second question is that, while the sale is underway, the council pauses their planned £15,000 worth of tree-works – especially during the bird nesting and bat breeding season – or, accepts our offer to discuss risk issues and agree any proposed tree-work with FROBAW.

Our legal teams cite the Memorandum of Understanding between FROWBAW and Town Council as a key partnership document requiring agreement with FROBAW as to significant tree management and Ash Dieback decisions.

FROBAW are also very significant stakeholders who donated 2/3 of the funds to buy the woods. With regard to issues around risk and public safety:

James Crawford, FROWBAW Committee member and career safety Risk Assessor is preparing a Safety Policy for BAW and will continue to monitor BAW on a regular basis.

Ian Monger an experienced Arboricultural consultant who specialises in tree risk assessment is now advising FROBAW as to risk and safety issues in Becky Addy Woods on an ongoing

basis, following his site visit to the woods on 6th June. Ian Monger has worked as a senior council tree officer and now carries out tree risk assessments nationwide and works as an inspector deciding protected tree appeals.

Both FROBAW's legal teams have expressed their confidence that Ian Monger's expert advice can safely be followed with regard to the landowners duty to keep the public safe.

To quote from ELF's recent letter to the Town Council:

"Mr Monger's professional qualifications, considerable experience and his key observations, also taking into account the recent FROBAW Footfall survey, show that the frequency of occupation below the trees is very low, and that very little work is needed to maintain safety in the woodland, and any work at this time of year should be absolutely minimal".

This concurs with the advice of David Wyatt Wiltshire Council Tree Officer, He emailed FROBAW 9th February 2022 to say that, in relation to TPO permissions, he would give an exemption to work on "a couple of trees that are clearly a threat".

Ian is one of a growing number of pioneers in tree and woodland risk management who use QTRA and VALID tree risk assessment – assessing tree risk in an objective and quantified way, working alongside the Professor of Natural Hazards and Risk Science at Bristol University, and using similar criteria as the Health and Safety Executive use to assess levels of risk.

This results in public safety being maintained but with far fewer trees being lost. He hopes to roll this out nationwide.

This is very timely with the Woodland Trust making a national appeal last month for Ancient and Veteran Trees and Woodlands to be better protected.

In conclusion – if FROBAW take ownership of the woods, the Town council will save up to £40,000 of public money, the estimated cost of the tree works advised by their surveyor last October.

Chairman thanked Lisa Otter Barry for her questions and explained that the issues were to be addressed in the private part of the meeting.

Chairman's Report

Mayor's and Deputy Mayor's Engagements

Tuesday 12 July – Deputy Mayor, Cllr Jennie Parker and I, along with Cllr Alex Kay, met with the **Southwest in Bloom** judges and joined them on a walk around the town to view projects that formed part of our entry to the competition. Having won the Preece Cup last year, we are now in the more challenging Champion of Champions category! Results will be announced in October. I'd like to thank all the volunteers, residents and businesses, as well as our Green Spaces Officer, Chris Hogg for all the hard work that has made our entry such a strong one.

Friday 15th July – Along with Cllr Alex Kay and Green Spaces Officer, Chris Hogg, I attended the **Natural Environment Summit for Wiltshire** which provided interesting briefings on subjects such as the 2021 Environment Act and biodiversity net gain. The Act establishes a duty for Wiltshire Council to develop a Local Nature Recovery Strategy. This will help build a Nature Recovery Network, green corridors through the landscape, which will be a material consideration in planning. All developments will have to deliver biodiversity net gain, so that a site has greater value for biodiversity following any development, compared to before, or, if not possible, delivered off site. The keynote speaker was Dame Glenys Stacey, Chair of the Office for Environmental Protection, the organisation that replaces the EU's role in scrutinising the government policies on the environment including pollution and wildlife. Other speakers were from Natural England, the Butterfly Conservation Trust, Bristol Avon Rivers Trust and Wiltshire Council.

Sunday 17th July – I attended the **Chippenham Civic Service** and presentation of awards, appreciating the opportunity to meet with representatives of other towns across Wiltshire.

Saturday 23rd July - The **Chippenham Civil Re-enactment** was attended by Deputy Mayor, Cllr Jennie Parker. She and other guests enjoyed watching a full-scale battle between Cavaliers and Roundheads. She reports that the cannons were very loud and there was a great deal of smoke! It was interesting to hear how and why the war was fought and to see it played out in fully authentic costumes with very realistic weaponry. Jennie expresses her gratitude to Chippenham Town Council for the invitation.

Wednesday 27 July - **Monday, Wednesday Club AGM**. This was attended by Deputy Mayor, Cllr Jennie Parker, who had had a long-term interest in visiting the club. The club is based in Trowbridge and caters for people with a wide range of physical and mental challenges including four members who travel from Bradford on Avon by minibus. Jennie was very impressed by the level of commitment shown by the members. Some people had been attending regularly for well over ten years and together the volunteers, trustees and members presented as a family unit. Jenny spoke to a great many people, and they were all so positive about what being a part of this club meant to them personally. Jennie hopes to visit them again and that what she can learn from them can be put to good use in our town.

Friday 29th July - There was great excitement across the town to see the **Living Green Wall** erected over some very hot days in July, and it was a privilege to attend the launch and talk with those involved in driving the project and representatives of the company who installed it.

Alongside these engagements, it was a pleasure to visit the **Summer Club** one morning led by BoA Youth, organised and subsidised by the Town Council to help with summer childcare provision. This has benefited a number of children from local, as well as newly resident Ukrainian, families. BoA Youth also organised a fundraising event for the skatepark project which I enjoyed attending and

thank them for their efforts. The **Ukrainian Independence Day** event in Westbury Gardens proved to be a wonderful community event with fabulous food, music and a chance for so many of our Ukrainian residents, their hosts and other residents to gather together. The event was supported by the Town Council, and I acknowledge the efforts of our staff in helping ensure it was a success.

Friday 2nd September – I am due to open the BOA Walking Festival

Sunday 4th September - I am due to present the prizes at the BOA Flower Show

Strategic Vision and Neighbourhood Plan Update. 31/08/22

Following on from the Councillors meeting in June 2022 it was agreed that an overall strategic vision for the town should be the framework for any decision on the extent of the review required for the Neighbourhood Plan (NP). It should be noted that our neighbourhood plan is valid for 5 years, but as Wiltshire Council (WC) is unable to demonstrate a 5yrs Land Supply, any NP made more than 2 years prior is given less weight in planning decisions and this is the case for our plan.

The Strategic Vision should encompass the aspirations for the town and priorities of those that live and work here. Once developed as an overarching plan it can be expanded, as and when necessary, to inform Town Council projects, which can be measured against the vision, to respond to consultations by central government and WC, therefore ensuring a consistency in our outlook across various aspects of the town as part of an holistic approach and used by stakeholders to understand the aims and objectives of Bradford on Avon.

" The made Neighbourhood Plan 2016 includes reference to the then agreed aspirations of how those that live and work in the town would wish to see the town develop and this should be the basis for a future vision" (To quote the TC Planning adviser, Colin Johns), and should be the basis for the work.

Much of what we include in the vision will relate to planning issues and should therefore be considered with the NPPF, WC Local Plan and our capacity to influence these in mind. Other aspects of the Vision may fall under DfT or other national or regional guidance. However if we wish these aspirations to be taken into account as part of the planning process they will need to be embedded in an updated NP.

At the meeting in June we established areas for the Vision, grouped into the following headings:

1. **Active Travel:**
2. **Commerce:**
3. **Community and Health:**
4. **Education and Youth:**
5. **Green Spaces:**
6. **Housing:**

As with the NP review, developing an all-encompassing vision will take time and absorb officer capacity, and we need to weigh up the advantages against this cost of any work undertaken (IE: will it be effective in achieving the desired outcome). As part of this process we should evaluate the resources that the council wishes to dedicate to aspects of planning in general, in terms of effectiveness, importance and legal requirements.

The four main aspects to the planning system are:

1. Government policy as set out in The National Planning Policy Framework - <https://www.gov.uk/government/publications/national-planning-policy-framework-2> and the associated Planning Practice Guidance
2. Plan-making (preparing local plans, including Neighbourhood Plans) this is action by Wiltshire Council and NP's by towns and parishes.
3. Development management (dealing with planning applications, proactively managing development)
4. Enforcement and monitoring (monitoring how policies and developments are being implemented, including enforcement against breaches of planning)

What the Town Council can do.

1. National Planning Policy and Guidance is handed down from Central Government
2. There are opportunities to make representations on the Wiltshire Local Plan as it progresses. Wiltshire Council will consult from time to time and the TC should respond.

The TC can seek to update or amend its Neighbourhood Plan where this is considered necessary or desirable.

3. The TC will be consulted on all planning applications within the Parish. It is not obliged to respond but can do so if it considers the application is significant or raises important issues. Responses need to cover material issues. The TC can also ask Wiltshire Council take enforcement action where breaches of planning law occur.

4. Ensure that all applications and works for which the TC is responsible comply with planning policy and best practice.

(The information above from is from C Johns and he has offered to meet with councillors and officers to elaborate.)

Suggested way forward:

1. **Develop a strategic Vision.** This can be a framework to be built up, setting out overarching concepts and developed as needed. If we want to embark on developing an updated vision to feed into an updated NP, we do need to prioritise to avoid a long drawn out process that could be demoralising for councillors, volunteers and consultants alike and result in little or no change to the NP.

(A review of the NP and its subsequent approval is additionally important as it protects us from un-planned development while WC lacks a 5yr land supply. This should not be the only reason to embark on this as the update will take time and the 5yrs land supply is being resolved. The existing NP dates from 2016 s and would normally be reviewed after 5 years.)

The areas identified in June can be looked at by groups of councillors with volunteers over the coming months to develop initial ideas and then brought back together in a public consultation and review as a first stage Vision.

2. **Neighbourhood Plan Review.** This can be done in parallel as the made plan should be used as a starting point for the vision and pertinent parts of the vision areas that are relevant should be feedback. I suggest a separate group to work on this specifically. There will be areas of the vision that will not be included here but can be used by the TC and stakeholders to inform decisions and develop priorities.
3. **Individual planning applications Protocol.** As part of this process, I suggest we develop a protocol for response to applications so that we can dedicate more resources to the strategic side, given that most householder applications are not significant to the town as a whole and therefore need to be considered only in the light of individual resident concern.

29th July 2022

Cllr Katie Vigar
Town Mayor
Bradford on Avon Town Council
By E-mail:
cllr.vigar@bradfordonavontowncouncil.gov.uk

Cabinet Office
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Your Ref: Letter dated 17th June
Our Ref:MM/LY/22822

Dear Katie

Thank you for your response of the 17th June and I apologise for the delay in replying.

Thank you for your clarification of local priorities as you see them. I am concerned that the expectations of local residents remain at a high level, and I would ask if the contents of your letter have been shared with all members of the Town Council and been formally agreed upon. I am seeking assurance that you have secured an overall consensus of support to move forward on the basis of your letter and that local residents are aware.

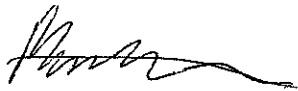
If a consensus can be demonstrated, then I would be willing to ask officers to develop proposals in sufficient detail to allow a further round of consultation to take place in the Town.

This will require some traffic modelling work to inform the proposals. I anticipate it would require analysis of several options.

Initial estimates put a cost at around £50,000 to take us up to the next consultation stage - can you confirm your Council's preparedness to meet a significant proportion of that cost?

I look forward to hearing from you.

Yours sincerely



Cllr Dr Mark McClelland
Cabinet Member - Transport, Waste, Street Scene & Flooding

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**Bradford on Avon
Town Council**

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Councillor Dr Mark McClelland
Cabinet Office
Wiltshire Council
Bythesea Road
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8th August 2022

Dear Mark

Thank you for your letter of July 29th. I very much welcome your willingness to ask officers to develop proposals.

In response to your request for reassurance that there is a consensus of support, the approach we have discussed with you, and which was outlined in my letter of May 9th was based on a motion backed unanimously in a vote of the Full Council. You then sought clarification, and my response to you (June 17th) was shared with all councillors as a draft and no objections were received. As covered in earlier correspondence, we believe the proposed way forward is also well aligned with the balance of opinion in the town, as expressed in our consultation.

We would very much like to give an update and information about next steps at our Full Council meeting on September 6th. This is the best way of maintaining the consensus across the council and within the town. As you say, residents' expectations on this issue are high, and a clear indication of progress at this meeting will give vital reassurance to the community that progress is being made.

In terms of financing, the Town Council spent £20,000 on the first round of consultation and anticipates spending a further £10,000 on the next round of consultation. So, the total spend for phases 1 and 2 for both our councils would be: BoA Town Council £30,000, Wiltshire Council £50,000. This does seem like a fair balance considering the responsibilities (and budgets) of each council. We believe therefore that it would be reasonable for Wiltshire as the Highways Authority to fund modelling work designed to prepare new proposals.

However, with regards to traffic modelling, we have been contacted by a local traffic engineer who has independently built a VISSIM traffic model for the town. He has offered to validate and run the modelling without charging for the build phase of the work which would offer substantial savings compared to a third party who would be starting from scratch. Please let us know if this is an offer that you would like to explore further; we can then supply you with the contact details.

I very much hope that this provides a basis from which we can indicate to residents what the next stages will be and look forward to hearing from you. I am away from August 11-21st so I would be grateful if you would copy your reply to the Town Clerk and Cllrs Tim Trimble and Sarah Gibson.

Yours sincerely

pp Cllr Katie Vigar
Chairman & Mayor

31st August 2022

Cllr Katie Vigar
Town Mayor
Bradford on Avon Town Council
By E-mail:
cllr.vigar@bradfordonavontowncouncil.gov.uk

Cabinet Office
County Hall
Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Your Ref: Letter dated 8th August
Our Ref: MM/LY/22921

Dear Katie

Thank you for your letter of 8th August 2022. We are experiencing significant inflationary pressures which require us to carefully consider our priorities and ensure value for money for the taxpayer.

Were we to venture into a next stage, it would require us to instruct specialist consultants to embark on a modelling commission. I should say there is no current budget for such a project, and were we to proceed, funding would have to come from as yet unfound headroom in other budgets.

We have learnt from past experience that similar modelling exercises can come under attack in the town where there is local dissatisfaction with any conclusions subsequently drawn. That being the case, and on a without prejudice basis, we are in discussion with Atkins to see how such risks might be managed, at the same time keeping costs to a minimum. This requires careful consideration, and although that discussion is ongoing, we have not yet reached a point where we can share the outcome.

I am sorry that it is taking longer than we had hoped, but I should be able to share something with you shortly.

Yours sincerely



Cllr Dr Mark McClelland
Cabinet Member - Transport, Waste, Street Scene & Flooding

Direct line: 01225 718386
Email: mark.mcclelland@wiltshire.gov.uk

Copies to Bradford on Avon Town Clerk, Cllr Trimble and Cllr Gibson