

WEST SWINDON PARISH COUNCIL

20 September 2017

Notice of a meeting of
WEST SWINDON PARISH COUNCIL
to be held on **Monday 25 September 2017 at 7.30pm**
at **WEST SWINDON LIBRARY**

AGENDA

Public Questions, Comments or Representations (**maximum of 10 minutes**).

1. **Apologies**

2. **Declarations of Interest & Applications for Dispensation**

To receive any Declarations of Interest required by the Code of Conduct adopted by the Parish Council on 18 May 2017.

3. **Minutes of the previous meetings**

To confirm as a true record the minutes of the Parish Council meeting held on 21 August 2017.

4. **Minutes of the Leisure & Amenities Committee**

To receive Recommendation (Minute 130) that the Council approves expenditure of £6,854 to be allocated to renewal and installation of dual purpose bins in 2017/2018.

To confirm and adopt the minutes of the Leisure & Amenities Committee meeting held on Wednesday 6th September 2017.

5. **Minutes of the Planning & Environment Committee**

To receive Recommendation (Minute 136) that the Council adopts a Tree Policy (Copy attached).

To confirm and adopt the minutes of the Planning & Environment Committee meeting held on Monday 11 September 2017.

6. **Minutes of Finance and Staffing Committee**

In response to consultation on the Council Tax Support Grant, receive Recommendation (Minute 144) that the West Swindon Parish Council returns a report to the consultation that states it is in agreement to either Option 2 or 3 but registers no support for Option 1.

To confirm and adopt the minutes of the Finance and Staffing Committee meeting held on Thursday 14 September 2017.

7. **Update from Swindon Borough Councillors**
To receive information and updates from Swindon Borough Councillors present.
8. **Reports from Parish Council Representatives**
To receive reports from any Councillors who have represented the West Swindon Parish Council since the last Full Council Meeting.
9. **Report from the Chair**
The Chair to report to the Committee on any meetings or representation undertaken on behalf of the West Swindon Parish Council.
10. **Consultation Policy**
To receive a copy of Swindon Borough Council's Consultation Policy (copy attached) for comment.
11. **Winter Service Review**
To receive a schedule setting out revisions to Swindon Borough Council's Winter services/gritting schedule for comment (copy attached).
12. **Play Area Lease**
To receive a revised lease proposed for the transfer of play areas to the Parish Council, (copy attached).
13. **Admission of Public and Press.**
To resolve in accordance with Standing Order 3 (d) that 'in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they be instructed to withdraw'.
Reasons:
 - Update on Clerk arrangements
 - Update on assets

Members of the West Swindon Parish Council:

Cllr Matthew Courtliff
Cllr Stephanie Exell
Cllr Suresh Gattapur
Cllr Nigel Gibbons
Cllr Ellen Heavens
Cllr Vinay Kumar
Cllr John Lenton
Cllr Timothy Makofu
Cllr Nick Martin
Cllr Mary Martin
Cllr Peter Stoddart
Cllr Tim Swinyard
Cllr Caryl Sydney Smith
Cllr Matt Walker
Cllr Keith Williams

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation), Crime and Disorder, Health & Safety and Human Rights.

WEST SWINDON PARISH COUNCIL

Minutes of the
WEST SWINDON PARISH COUNCIL MEETING
on **MONDAY 21 AUGUST 2017** at **6.30pm**
at **WEST SWINDON LIBRARY**

Present:

Cllr Nigel Gibbons (Chair)
Cllr Nick Martin (Vice-Chair)
Cllr Matthew Courtliff
Cllr Stephanie Exell
Cllr Suresh Gattapur
Cllr Ellen Heavens
Cllr Vinay Kumar
Cllr John Lenton
Cllr Mary Martin
Cllr Peter Stoddart
Cllr Tim Swinyard
Cllr Caryl Sydney Smith
Cllr Matt Walker

Officers:

Joyce Holman (Parish Clerk)
Paula Harrison (Parish Manager)

Public: Fourteen

Public Session:

Mr Roger Ogle voiced support for the mass bulb planting scheme discussed at the Leisure and Amenities Committee. Mr Ogle indicated that debate on Facebook suggested that communication from the Parish Council about its intentions for the local area could be improved. The Chair confirmed that the Council did intend to bring out a report to update residents, the website should be up and running and residents should see an improvement. Public Noticeboards were also in progress for Shaw and Freshbrook village centres, which with the website, should enable residents to access all they need to know.

A resident indicated that rather than spending £10,000 on bulbs it would seem that a more fundamental priority would be to tidy up the area such as Westlea Park, muddy pathways, debris and grass in gutters. The Chair confirmed that there is a lot going on. The planting is budgeted for so is not happening to the exclusion of other things.

A resident expressed concern that there was experience of mindless vandalism at Freshbrook village centre which might be a problem for a noticeboard. The Chair noted with thanks.

A resident asked what influence the parish has with Swindon Borough Council particularly with gutters. How can we get the roadsweeper out? The Chair replied that the Parish has some influence particularly with the line of communication with Swindon Ward Councillors. Comments are noted.

117. **Apologies**

Cllr Timothy Makofu
Cllr Keith Williams

118. **Declarations of Interest & Applications for Dispensation**

No declarations.

119. **Minutes of the previous meeting**

RESOLVED that the minutes of the Parish Council Meeting held on Monday 24 July 2017 be confirmed and adopted.

120. **Minutes of the Leisure and Amenities Committee**

RESOLVED that Recommendation (Minute 104) that the Council agrees expenditure of £10,000 to spring bulb planting schemes determined by the Leisure and Amenities Committee be approved.

RESOLVED that the minutes of the Leisure & Amenities Committee meeting held on Wednesday 2nd August 2017 be confirmed and adopted.

121. **Minutes of the Planning and Environment Committee**

Councillors noted that if questions brought to a Committee in the Public Participation session, sit within the remit of a different committee, then the Participant should be advised on the correct Committee and those questions redirected accordingly.

RESOLVED that the minutes of the Planning & Environment Committee meeting held on Monday 14 August 2017 be confirmed and adopted.

122. **Minutes of Finance and Staffing Committee**

RESOLVED that Recommendation (Minute 114) to approve an amendment to the West Swindon Parish Council Financial Regulations adopted on 18 May 2017 be approved as follows under *Section 6. Instructions for the Making of Payments*

6.o. Any corporate credit card opened by the Council will be specifically restricted to use by the Parish Manager and/or Clerk/RFO and will also be restricted to a single transaction maximum value of £1000.

6.p. Transactions and purchases made using the corporate credit card will be reported to the council and shall be subject to automatic payment in full at each month-end.

RESOLVED that Recommendation (Minute 115) to approve the *Licence to Occupy the*

West Swindon Library Premises at a cost of £9,000 per annum be approved.

RESOLVED that the minutes of the Finance and Staffing Committee meeting held on Monday 14 August 2017 be confirmed and adopted.

123. Update from Swindon Borough Councillors

Cllr Tim Swinyard updated that a Planning Application had been submitted to build at Brook Cottage within Lydiard Park and asked that everyone consider raising an objection. The Parish Manager was working on a report on behalf of the Parish Council.

Cllr Nick Martin reported his membership of the Swindon Borough Licensing and Planning Committees. This was noted.

Cllr Mary Martin reported that extended access into libraries was currently on trial in the North Swindon library. The West Swindon library would be next. This would enable library members to have free use of the library outside of library staffed hours.

Cllr Exell introduced Jane Frances from Toothill Community Centre who gave a report to the Council, a copy of which is attached as **Appendix A**.

Cllr Nick Martin reported that play areas presented an interesting challenge in terms of quality and maintenance. Many probably require imminent investment by the Parish Council.

124. Reports from Parish Council Representatives

None.

125. Report from the Chair

The Chair reported that he has assisted a number of residents including assisting an elderly resident's dialogue between housing benefit and Swindon Borough Council.

126. Website

Councillors considered a report from the Parish Manager, a copy of which is attached as **APPENDIX B**. Cllr Gattapur queried providers responses to data security and document uploader

RESOLVED that Doughty Software be appointed to set up a website for the West Swindon Parish Council subject to satisfactory answers to Cllr Gattapur's queries.

The meeting closed at 7.15 pm

Signed.....

Date.....

Chair of the Council

WEST SWINDON PARISH COUNCIL

Minutes of the
LEISURE AND AMENITIES MEETING
on **WEDNESDAY 06 SEPTEMBER 2017** at **6.00pm** at **WEST SWINDON LIBRARY**

Present:

Cllr Vinay Kumar
Cllr Timothy Makofu
Cllr Nick Martin
Cllr Caryl Sydney Smith
Cllr Matt Walker (Vice Chair)

Officers:

Paula Harrison (Parish Manager)

Public: Two

Public Session:

A resident asked whether or not Toothill would be getting a noticeboard? The Chair indicated that one would be considered once there was a clearer understanding about potential changes at the village centre. In the meantime, the Toothill Community Centre had given permission to share their exterior noticeboard with the Parish Council.

The resident asked if work would be done on hedges at Stamford Close and fly tipping removed from Flint Hill. The Chair noted the issues.

Mr Roger Ogle asked if the Committee would be considering wildflower planting for West Swindon. This would support local conservation. Cllr Sydney Smith reported on a visit to Park Farm. Mr Ogle suggested that John Ball, resident in Grange Park might be interested in assisting the Parish with wildflower planting. The Chair suggested the Parish Manager liaise with Mr Ogle to progress this discussion further.

Cllr Matt Walker joined the meeting.

Meeting opened 6.02 pm.

Cllr Nick Martin chaired the meeting.

127. Apologies

Cllr Matthew Courtliff
Cllr Nigel Gibbons
Cllr Ellen Heavens
Cllr Tim Swinyard

128. Declarations of Interest & Applications for Dispensation

None

129. Noticeboards (Minute 101)

The Parish Manager reported that Property Services were finalising a Licence for the installation of a noticeboard at Shaw Village Centre. The Parish Manager reminded councillors of the design submitted previously by the Parish Noticeboard Company. With installation, this is likely to be a cost in the region of £900. Councillors confirmed the location by the circular bench, and, agreed that a green noticeboard would be preferred. The Parish Manager reported that Tesco's at Freshbrook village centre have confirmed that the Parish Council can use the window adjacent to the cashpoint for notices but would prefer it if this was in the style of a hook up board. The Parish Manager reported that to have a board made would be in the region of £120. Freshbrook Community Centre have also confirmed access to their front facing window for notices.

RESOLVED that the Parish Manager

- To progress the installation of a green metal noticeboard at Shaw Village Centre subject to the relevant permissions and agreeing the licence with Property Services.
- Works with Tesco's at Freshbrook Village Centre to install a small noticeboard in the store window

130. Review of Litter Bins (Minute 102)

The Parish Manager submitted a report regarding litter bins within the Parish a copy of which appears as **Appendix B** in the Minute Book. The Parish Manager agreed to arrange a site visit at Freshbrook Village Centre to review and potentially relocate the current provision of bins.

RECOMMENDED that Council agrees a budget of £6,854 to be allocated to renewal and installation of dual purpose bins in 2017/2018.

Budget: 4890 Litter/Dog Bins £1,000 Vire remainder from 4870 Street Furniture/Art £1,000, 4880 Seats £2,000, 4820 General Maintenance £2,854.

Power: Provision of bins, Litter Act 1983, ss.5, 6

RESOLVED that:

- a) The Committee agrees the areas proposed in the litter bin report, exact locations to be subject to confirmation via a site visit.

131. Belsay Fencing Request (Minute 103)

The Parish Manager gave a verbal update on the costs associated with the replacement of fencing at Belsay/Idovers Drive in Toothill. The Committee considered the quotes for the work provided by Streetsmart, Kudos Fencing and LWBC Building Services.

RESOLVED that:

- a) The Parish Manager confirms Kudos Fencing to undertake the fencing work quoted At £2478 including VAT.

Budget: Vire from 4830 Tree Maintenance

Power: Power to maintain open spaces, Open Spaces Act 1906 ss.10

132. Planting (Minute 104)

The Committee considered possible locations for spring bulb planting as set out By Mr Martin Hambidge, Swindon Borough Council, Streetsmart.

In terms of wildflower planting, the Committee recognised that wildflower planting required specialist maintenance and would need a designated space.

RESOLVED that

- a) Two locations to be identified including an option for bulb planting that is visible off road. Responses to be collated by the Parish Manager and reported to Streetsmart. Confirmed as Blagrove/Whitehill Way entrance and Shaw Ridge open space.
- b) The Parish Manager to liaise with Roger Ogle and Streetsmart to identify potential areas to trial wildflower planting such as Peatmoor Lagoon.

133. Play Areas (Minute 105)

Councillors received a report outlining condition of play areas in West Swindon. Councillors considered three options; closure, replacing current provision or replacement with alternative equipment e.g. outdoor fitness equipment.

RESOLVED:

- a) that the Parish Manager to arrange for site visits to those play areas listed for priority action
- b) that the Parish Manager identifies population information to help inform decision making relating to local demand for play areas, to be reported to a future meeting.

Meeting closed at 7.16 pm.

Signed:
Chair, Leisure and Amenities Committee

Date:

WEST SWINDON PARISH COUNCIL

Minutes of the
PLANNING & ENVIRONMENT COMMITTEE
on **MONDAY 11 SEPTEMBER 2017** at **6.00pm** at **WEST SWINDON LIBRARY**

Present:

Cllr Keith Williams (Chair)
Cllr Ellen Heavens (Vice Chair)
Cllr Nigel Gibbons
Cllr Vinay Kumar
Cllr John Lenton
Cllr Tim Makofu
Cllr Nick Martin
Cllr Caryl Sydney Smith

Officers:

Paula Harrison (Parish Manager)

Public: None

134. Apologies

Cllr Tim Swinyard

135. Declarations Of Interest & Applications For Dispensation

Cllr Nick Martin – Planning applications Pearl Road and Pioneer Close.
(Cllr Martin declared an interest as a property owner and took no part in the discussions thereof.)

136. Tree Policy

The Parish Manager circulated a draft Tree Policy for discussion, a copy of which appears as **Appendix A** in the Minute Book. Councillors agreed that It would be helpful to have an agreed position in relation to tree matters to ensure fair and consistent decision making, and, clarity about the responsibilities of the Parish Council.

RECOMMENDED that the West Swindon Parish Council adopts the Tree Policy.

137. Brook Cottage S/16/1832

The Parish Manager circulated a draft response to the Planning Authority in response to S/16/1832 | Erection of 4no. dwellings and associated works, a copy of which appears as **Appendix B** in the Minute Book. Councillors agreed that the Parish Council should make representation to the Planning Committee. This application creates overdevelopment within the essential setting of Lydiard Park and is not in keeping with the House and gardens.

RESOLVED that

- a) This application is called in to Planning Committee
- b) The Parish Manager to submit the written letter of response

138. Planning Report

The Parish Manager submitted a planning report outlining planning applications in West Swindon, a copy of which appears as **Appendix C** in the Minute Book. Councillors agreed the following:

138.1 S/ADV/17/1426
Kia Motors (UK) Fish
Brothers,
Ashworth Road
Bridgemead Swindon

**Display of 1no. internally
illuminated totem sign**

RESOLVED: No Objection

138.2 S/HOU/17/1455
3 Pearl Road,
Middleleaze
SN5 5TD

**Erection of a two storey
side and single storey rear
extension**

RESOLVED: No Objection

138.3 S/HOU/17/1452
12 Pioneer Close,
Middleleaze
SN5 5TU **S/17/1080**

**Erection of single story
rear and side extensions**

RESOLVED: No Objection

Meeting closed 6.29 pm.

Signed:
Chair, Planning & Environment Committee

Date:

Tree Management Policy

Adopted:

DRAFT

INTRODUCTION

Trees are a highly valued feature of the West Swindon Parish; they make an important contribution to the character of our local landscape and create environments rich in biodiversity.

We also recognise that although trees are a positive feature, they can be the cause of a range of problems, from being a nuisance or inconvenience, to potentially causing serious injury. Trees are the responsibility of Swindon Borough Council but are managed jointly with the West Swindon Parish Council. This policy sets out West Swindon Parish Council's approach to tree management.

1. THE IMPORTANCE OF TREES IN THE URBAN LANDSCAPE

Trees are important features in the landscape. Not only do trees have a visual quality, but they also enhance the environment in less obvious ways:

- they improve air quality by filtering airborne dust, smoke and fumes;
- they absorb traffic noise in built-up areas and can help limit noise pollution;
- they reduce temperature extremes by providing shelter in hot weather and insulation in cold weather; trees adjacent to buildings can reduce air conditioning and heating costs;
- they act as a screen, increasing privacy in residential roads and gardens;
- they provide food and habitat for birds and other wildlife, thus supporting nature conservation value and biodiversity;
- research has shown that trees provide many psychological and health benefits and have been shown to reduce stress significantly.

2. TREES MANAGED BY WEST SWINDON PARISH COUNCIL

The West Swindon Parish Council has discretionary power to provide and maintain trees on open spaces and amenity land under the Open Space Act 1906. As such, we have a responsibility to maintain trees within our management to ensure they are in a safe condition and not causing an unreasonable danger or actionable nuisance.

This policy applies to all trees under West Swindon Parish Council maintenance

responsibilities. The Parish Council contracts work that is able to be undertaken at ground level and up to head height. Swindon Borough Council maintains work on trees outside of that work.

The majority of tree services are currently maintained by Streetsmart within Swindon Borough Council within the West Swindon Parish Council's service level agreement. Maintenance that falls outside of the service level agreement is the responsibility of Swindon Borough Council – www.swindon.gov.uk tel: 01793 445500. Trees growing on land which forms part of the adopted highway are the responsibility of the Highways Authority, Swindon Borough Council.

Swindon Borough Council is responsible for over 40,000 street and park trees, including the pruning and maintenance of trees that are situated along the roadside, in publicly owned parks and green/open spaces.

Trees are generally maintained as part of a continuous programme of work. The normal standards are:

- Trees along the main roads are all inspected on an annual basis.
- The majority of street trees are pruned on a cyclical basis every 1, 3 or 5 years depending on species and location.
- Parks and green spaces trees are pruned on an ad-hoc basis.

Any problems reported are assessed by Swindon Borough Council's expert Tree Officer and any remedial work is determined on a priority basis, depending on the nature of the request. Situations where there is a potential risk to public safety will be given the highest level of priority.

All enquiries regarding trees in West Swindon should be directed Swindon Borough Council on 01793 445500, www.swindon.gov.uk, email: streetsmart@swindon.gov.uk

3. TREE MAINTENANCE

Tree maintenance is currently mostly 'reactive' in nature and conducted in response to inspections and reports from the public.

While works are sometimes necessary to ensure that trees are in a safe and healthy condition, Both West Swindon Parish Council and Swindon Borough Council receive requests and complaints regarding trees. It is important that individual issues are dealt with consistently and that decisions are balanced against the positive contribution that trees make to the environment, and, enjoyment of the Parish by local residents and visitors. Many of the complaints received involve minor or seasonal issues or social problems associated with living near trees.

To ensure that requests for works to trees are dealt with efficiently, consistently and fairly, our policy in relation to the more common types of request is outlined below:

- ***Obstructing/ Overhanging Tree Branches***

Tree branches can cause obstructions to public footpaths, roadways / signs, streetlights and open spaces. The West Swindon Parish Council will respond to reports where work can be undertaken at ground level by the maintenance team, to eliminate hazards caused by obstructive branches.

Adjacent Landowners do have a common law right to prune back tree branches **to their boundary**, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

- ***Shading and Loss of Light***

Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden. Therefore, tree works to improve light levels will not normally be considered.

Where elderly, infirm or disabled persons who spend a significant amount of time within their home are affected by loss of light, or it can be established that the presence of trees is detrimental to the health of such residents, further consideration will be given to the management approach to trees. This consideration will also take into account the quality and importance of the tree in question, as well as the benefits to the wider community.

- ***Loss of View***

Trees will only be pruned or removed to restore views when necessary to retain important public viewpoints or there is potential to bring about significant public benefit and/or enhance the local landscape or townscape. Pruning of trees for highway sight-line requirements will be dealt with on a case by case basis.

- ***Trees affecting reception {Television, Satellite or Solar Panels}***

Pruning in the short term may help improve television reception. However in the long term the flush of quick, extra growth associated with pruning can exacerbate the problem. In most cases the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a booster. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances.

Similarly we will not prune to improve natural light to a solar panel.

- ***Overhead Cables/ Telephone Wires***

Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain a clearance between trees and their apparatus to ensure continuity of supply. This may sometimes involve the loss of trees. Where works to trees are necessary

as a result of proximity or conflict, we will encourage utility operators to adopt the most appropriate long term solution, giving consideration to tree health, local tree cover and visual amenity.

We will not prune a tree within our maintenance work in order to prevent or reduce interference with telephone wires. We would recommend contacting the telephone service provider in such circumstances.

- ***General/ Minor Nuisances***

We will not prune trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of our control. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be normal and acceptable consequences of living near trees. Examples of such problems are:

- falling leaves, sap, blossom, fruit, nuts, bird and insect droppings;
- insects associated with trees (spiders, wasps, flies etc);
- reduction or increase of moisture to gardens;
- suckers or germinating seedlings in gardens;
- leaves falling into gutters, drains or onto flat roofs;
- the build-up of algae on fences, paths or other structures.

Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out.

Falling leaves, sap, blossom, fruit, nuts, bird and insect droppings are not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with these issues alone.

We would not normally prune or fell a tree under our maintenance that bears poisonous fruit/ foliage (such as laburnum or yew).

However, where it is known that unsupervised young children are likely to be exposed to berries or foliage that will make them ill if eaten, we will investigate and take action, where appropriate.

- ***Trees considered too big/ too tall***

Felling trees sits within the remit of Swindon Borough Council.

4. DAMAGE AND TREE ROOTS

Many tree conflicts arise because of the presence of tree roots and the perception that they are causing damage. Where damage is alleged, each complaint will be investigated on an individual basis. The following guidance will be used in assessing levels of nuisance and identifying appropriate action.

Root invasion in gardens; tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Landowners do have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

All issues relating to tree roots from land maintained by the Parish Council should be directed to Swindon Borough Council.

- ***Damage to walls and fences***

Any issues where trees are considered to be causing damage to walls or fences should be referred to Swindon Borough Council.

- ***Damage to paths***

It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude they can be root pruned, or the path re-laid around the tree with flexible materials such as asphalt to provide a smooth surface. Where trees are considered to be causing damage to paths or footpaths, West Swindon Parish Council will work jointly with Swindon Borough Council to address the issue.

- ***Damage to drains or water pipes***

There is no evidence to suggest that the tree roots can actively penetrate an intact pipe or drain, but they can find their way into drains by any existing fault and increase damage. In these situations, the owner of the drain should seek to get the drain repaired at their own expense.

- ***Trip Hazards***

West Swindon Parish Council will work with Swindon Borough Council to make safe an unacceptable trip hazard in a street, road or highway which is caused by a tree in our ownership / management.

5. OTHER FACTORS CONSTRAINING WORK TO TREES

- **Birds**

Under the Wildlife & Conservation Act 1981 (as amended) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Non-urgent major tree work involving tree removal, reduction and hedge cutting operations should not normally be undertaken during bird nesting and breeding season, which is considered to be from 1st March to 31st July.

- **Bats**

Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting/nesting site is a criminal offence which can lead to imprisonment. Trees displaying signs of roosting bats will be referred to an Ecologist before any work commences. Any trees supporting roosting bats will not be worked on until Natural England is consulted.

- **Restrictive covenants**

Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

- **Unadopted land**

There are areas in West Swindon that may not be adopted by Swindon Borough Council and may not have ownership recognised by neighbouring properties. The West Swindon Parish Council does not have the authority or responsibility to maintain private land. Some instances may be considered on a case by case basis as exceptional circumstances.

6. DAMAGE RELATING TO TREES

- **Direct Damage to Property**

Tree roots, stems and branches get thicker each year via a process called secondary thickening. Over time as they increase in size, they can disrupt or distort adjacent structures and surfaces. This is generally limited to 'lightly loaded' structures such as low walls, fences and paving. Trees generally deflect around more 'heavily loaded' structures such as houses. Any reports of damage to property need to be reported to Swindon Borough Council in the first instance.

- **Indirect Damage to Property (Subsidence)**

Incidents of subsidence related damage involving H&DPC trees are rare; however there are areas of shrinkable clay soil within the Parish. Any reports of indirect damage to property to Swindon Borough Council.

- **Subsidence**

Any incidents relating to trees and subsidence should be reported to Swindon Borough Council.

- **Heave**

When a tree is removed in a clay sub-soil, the soil will rehydrate and swell in volume. The expansion may lift the foundations and cause cracking to the property. This is known as 'heave'. This is more likely to occur if the removed tree was mature and had a high water demand such as an oak tree. No liability, at present, falls upon a local authority for damage due to heave resulting from tree removal where this is requested by the third party.

7. INSURANCE CLAIMS

Where trees are alleged to have caused direct or indirect damage to property and a formal claim is submitted the matter will be referred to the Swindon Borough Council's insurers.

Members of the public who are concerned about tree related subsidence are advised to contact their insurers.

8. EXCEPTIONAL CIRCUMSTANCES

In exceptional circumstances the West Swindon Parish Council's Planning and Environment Committee will consider applications to the Parish for assistance with tree work. The Parish Council will ask Swindon Borough Council to assess and price the work to be undertaken.

If the Committee agree that the work is exceptional, it will consider offering a financial contribution of up to two thirds of the total cost.

WEST SWINDON PARISH COUNCIL

Minutes of the
FINANCE & STAFFING COMMITTEE
on **MONDAY 14 SEPTEMBER 2017** at 7.00pm at **WEST SWINDON LIBRARY**

Present:

Cllr Nigel Gibbons (Chair)
Cllr Vinay Kumar
Cllr Mary Martin
Cllr Peter Stoddart

Officers:

Paula Harrison (Parish Manager)

Public: One

Public Session:

A resident asked the Committee to pass on a request for service.

Meeting start: 7.07 pm.

139. Apologies

Cllr Steph Exell
Cllr Suresh Gattapur
Cllr John Lenton
Cllr Nick Martin
Cllr Tim Swinyard

140. Declarations of Interest and Applications for Dispensation

None.

141. Parish Council Office

The Parish Manager gave a verbal update. The corporate credit card has been updated. A laptop has been purchased. Training for the accountancy software is booked for 26 September 17. BT are booked for a quote for wifi and phone line. Quotes for an additional security alarm/button are pending.

RESOLVED that the Chair signs the Lease and Licence to Occupy once the office is ready for occupation.

142. Bank Statement and Payments Schedule

The Parish Manager submitted a copy of the bank statement which appears as **Appendix A** in the Minute Book. The Parish Manager circulated a Payments Schedule for September which appears as **Appendix B** in the Minute Book. This set out a quarterly payment of £115,380.00 to Streetsmart is agreed in line with the Service Level Agreement for 2017/18.

Budget: 410 Contracts £115,380.00 4110 Training and Conferences £319.44
Power: Open Spaces Act 1906, ss.9 and 10

RESOLVED that the Schedule of Payments for September is agreed.

143. Data Protection – NALC briefing

The Parish Manager circulated the National Association of Local Councils briefing on Data Protection, a copy of which appears as **Appendix C** in the Minute Book.

RESOLVED that the West Swindon Parish Council considers the appointment of an Independent Data Protection Officer by 1 April 2018 and considers a Data Protection Policy at a future meeting.

144. Council Tax Support Grant

Councillors considered a report on proposed changes to the calculation of the Council Tax Support Grant, a copy of which appears as **Appendix D** in the Minute Book. The deadline for a response from West Swindon Parish Council is 30 September 17. Three options were proposed:

Option 1 to calculate the 2018/19 Council Tax Support Grant based on existing calculations.

Option 2 to calculate the 2018/19 Council Tax Support Grant based on the reduction in the tax base

Option 3 to calculate the 2018/19 Council Tax Support Grant based on tax base.

RECOMMENDED that the West Swindon Parish Council returns a report to the consultation that states it is in agreement to either Option 2 or 3 but registers no support for Option 1.

Meeting closed 7.28 pm.

Signed:
Chair, West Swindon Parish Council

Date: