

CYNGOR CYMUNED YR YSTOG
CHURCHSTOKE COMMUNITY COUNCIL
 2 Rows Terrace, Plough Bank, Montgomery, Powys. SY15 6QD

MINUTES of Meeting on 17th December 2008
 at Churchstoke Community Hall at 7.30 p.m.

1.0 Attendance, Apologies and Declarations of Members' Interests

Attendance: Cllr D L Powell (Chairman), Cllr K H J Dowbiggin, Cllr C S Fowles, Cllr S V Griffiths, Cllr M J Jones, Cllr L D Owen, Cllr D H Payne, Cllr P C Rigg, Cllr J Stelmasiak, Cllr V E D Tudor.

The Chairman welcomed members of the public.

Apologies for Absence: Cllr B A Rowley.

Declarations of Members' interests: Members declared interests as follows:

Agenda Number	Item	Councillor	Nature of Declaration
4.5	Planning Applications	M J Jones	Personal not Prejudicial Interest as a Members of Powys CC Planning Committee
4.5	Planning Applications	V E D Tudor	Personal and Prejudicial Interest as a employee of applicant
10.0	Bishops Castle Biomass plant	K H J Dowbiggin	Personal and Prejudicial Interest as employee of adjacent college
11.3	Financial Year 2009-2010 – draft budget	C S Fowles	Personal and Prejudicial Interest as secretary of Hyssington Village Hall Committee
11.3	Financial Year 2009-2010 – draft budget	K H J Dowbiggin	Personal and Prejudicial Interest as member of Churchstoke Community Hall Committee
11.3	Financial Year 2009-2010 – draft budget	P C Rigg	Personal and Prejudicial Interest as member of Churchstoke Community Hall Committee
11.3	Financial Year 2009-2010 – draft budget	D L Powell	Personal and Prejudicial Interest as member of Churchstoke Community Hall Committee
11.3	Financial Year 2009-2010 – draft budget	V E D Tudor	Personal not Prejudicial Interest as Member of Hyssington Village Hall Committee appointed by CCC

2.0 Minutes of Meetings – to approve and sign the minutes of 26th November 2008 at Hyssington Village Hall, as a correct record.

The minutes of the meeting 26th November 2008 were approved and signed as a correct record.

3.0 Matters Arising from Minutes for Information – to report matters for information arising from minutes of 26th November 2008 at Hyssington Village Hall.

None.

4.0 Planning Matters:

4.1 Powys CC Autumn Planning Liaison Meeting Wednesday 10th December – to report on matters from the meeting

The Chairman and Clerk reported on attendance at the meeting of 10th December, at Neuadd Maldwyn, Welshpool. Items highlighted included:

- Meeting was attended by approx 25 Town & County Council reps, county councillor portfolio holder, plus officers of Powys cc
- Planning System on the Web – all applications are now stored on 1 county wide database (rather than 3 separate shire databases); since November all applications are being scanned; in 2009 all scanned and electronic documents will be available on the web; paper copies will continue to be available for consultees for the time being and senior management acknowledge the technical difficulties of moving to electronic only consultations, although it was noted that there will come a time when that will change
- Portfolio Member's Update – Planning Services are now part of Regeneration Services, rather than being stand alone; the service will continue to meet Town and Community Councils regularly and is setting up 'Agents' liaison meetings; the UDP not yet adopted due to WAG directives and is delayed to March 2010 (although it is being used as the point of reference when determining planning applications); the LDP cannot formally start until the UDP work ceases.
- Other changes – a backlog of planning applications is expected to be cleared by Feb 2009; validation check sheets are to be used to ensure the requirements for a 'complete application' are met in order to start the process of determination; service standards are to be set up (including an emphasis on speed of determination, and implications for town & community councils which ask for extensions beyond 28 days); pre-planning advice will be offered to applicants in order to speed applications (consultation will take place on the charging regime for pre-planning advice); development advice maps (DAMS) are shortly to be published ready for sign off in Spring 2009 (these will significantly affect flooding area definitions)
- Wind farms – will require road improvements or by-passes for Pant, Llanymynech, Newtown due to volume and size of construction traffic

4.2 Powys CC Planning Determinations – to report recent Powys CC planning determinations

The Clerk reported notification of planning determinations by Powys CC as follows:

Ref.	Site	Powys CC Planning Decision
P20081430	Chasleyfield, Hall Bank	Full planning permission refused
P20081464	Roundton House, Old Churchstoke	Full planning permission granted
P20081498	The Old Quarry House, Upper Aston	Full planning permission granted

4.3 Planning Specific Correspondence – to receive correspondence (if any)

None.

4.4 Planning Appeals – notifications/reports (if any) of Planning Inspectorate Appeals.

The Clerk reported on notification of planning appeals decision as follows:

Plan Ref.	Appeal Ref	Site	Start Date
P20081286	APP/T6850/A/08/2090520/WF	Barn at Fishpool Farm, White Grit	02/12/2008
Appellant	Mr A W & Mrs J Y Shelly		

Description	Section 73 application for removal of condition no. 9 attached to application M20060531 (relating to vehicular access)
CCC RESOLVED	<i>To submit further information to support its response at planning consultation stage as follows: 'The driveway has been in place for more than 60 years with no record of accidents at that site. Both entrances are adjacent to each other and CCC cannot see any significant reason why either entrance should be stopped'.</i>

Action – Clerk to process

4.5 Planning Applications/Notices – to receive and resolve responses to consultations by Powys CC including –

Declarations of members' interests: Members declared interests as follows:

- Cllr M J Jones: all applications – previously declared a Personal not Prejudicial Interest as a Members of Powys CC Planning Committee
- Cllr V E D Tudor: application P20081713 – having previously declared a Personal and Prejudicial Interest, left the room for this application

RESOLVED '*CCC responds to planning consultations as follows:*'

Ref.	Applicant	Site	Description	rec.
P20081636	Mr & Mrs Richardson, New House, White Grit	New House, White Grit	Erection of two storey extension, internal alterations, erection of porch extension and new chimney	S
P20081678	Satipanya Buddhist trust, Satipanya (formally West Croft), White Grit	Satipanya (formally West Croft), White Grit	Erection of a stupa and a statue	S
P20081676	Dr J Angell-James, Hillington Farm, White Grit	Hillington Farm, White Grit	Retrospective application for erection of agricultural building and extension to an existing agricultural building	S
P20081695	Mr D Leopold, Hillside, Churchstoke	Hillside, Churchstoke	Erection of two storey extension	S
P20081713	Mr R Delves, Harry Tuffins, Churchstoke	Harry Tuffins, Churchstoke	Temporary permission for siting of 6 caravans for residential use (retrospective)	N*

***P20081713** – CCC noted the application and agreed to point out to planners that

- a) the proposed location of the caravans was included as photographic evidence in support of previous application P2081713 which was refused
- b) the caravans have been present for several years, which gainsays the temporary nature of the application.

Action – Clerk to process

4.6 Planning Enforcement Appeals – notifications/reports (if any) of Planning Inspectorate Enforcement Appeals.

Ref.	Site	Description
None		

4.7 Planning Enforcement – to report on planning enforcement matters within the community. The Chairman invited Members to bring forward planning enforcement matters for discussion. Members discussed enforcement matters as follows –

Ref.	Site	Description
None		

5.0 One Voice Wales / Society of Local Council Clerks, Guidance Notes – to receive reports of AGM / conference / area meetings / guidance notes / correspondence.

None.

6.0 Vacancy in the Office of Community Councillor

6.1 To declare the occurrence of a casual vacancy in the office of community councillor for Churchstoke Ward.

The Clerk reported on a letter of resignation from the office of community councillor in Churchstoke ward from Mrs B J Davies, and it was

RESOLVED: *‘In accordance with the Local Government Act 1972, CCC declares a casual vacancy in the Office of Community Councillor in Churchstoke ward as a result of the resignation from office of Cllr B J Davies. Publication of the declaration of vacancy will be distributed for the notice boards in accordance with Section 87(2) of the Local Government Act 1972, and the Deputy Returning Officer will be informed’.*

Action – Clerk to process

6.2 To elect a Vice Chairman (and therefore a new bank signatory)

The Clerk reported that as a result of the resignation of Mrs B J Davies from the office of councillor, that CCC has no current Vice-Chairman. Members elected to Vice Chairman and new bank signatory as follows:

- Cllr M J Jones.

Action – Clerk to process

6.3 To elect a Member with Special Responsibility for Democratic Governance and Organisation

The Clerk reported that as a result of the resignation of Mrs B J Davies from the office of councillor, that CCC has no third Member with Special Responsibility for Democratic Governance and Organisation. Members elected to Member with Special Responsibility for Democratic Governance and Organisation as follows:

- Cllr J Stelmasiak.

7.0.Publication Scheme – to adopt the model publication scheme from the Information Commissioner’s Office (Wales) with affect from 1st January 2009 (previously circulated).

The Chairman reminded Members of information received at the November meeting that all existing publication schemes will expire on 31st December, that councils are required to adopt a new model scheme by 1st January 2009, and that the matter was referred to Members for Special Responsibility for Democratic Governance and Organisation. The Chairman reported on the recommendations of the group and it was

RESOLVED *‘CCC adopts the Model Scheme from the Information Commissioner in full and unedited, and that it will publish the Scheme and the Guide to Information on the Notice Boards and on the Web Site’.*

Action – Clerk to process

The Chairman thanked the Clerk for the preparatory work that helped the group makes its recommendations quickly and easily.

8.0 Street Lighting ‘switch off’ Review – to consider the options paper (previously circulated) from Powys CC regarding the forthcoming review, and to resolve a response if desired.

The Chairman reminded Members of the information from Powys CC and from Cllr M J Jones that the county council is to undertake a review of practice and policy, and of the four options proposed for the practical review.

RESOLVED *‘In order to inform the County Council review, Members will meet to ‘walk the area’ as a group to locate areas and lamps where lighting may be re-instated or remain off’.*

Memo to members: Meet Sunday 4th Jan 2009 Pottery Car Park

Council also received information from Powys CC (in response to its support for private funding at 20 Cross Likey) that there is currently no mechanism for private funding of lighting other than through the community council, but that CCC comments will be used to inform the review. Members reported that the lamp has already been re-instated. Noted.

CCC also received a letter from Mr P Delves, of Harry Tuffins Supermarket enquiring as to the use of its business rates for private funding of lighting. Members agreed that the Clerk will write to Mr Delves to advise that funding, policy, and provision of street lighting, and collection of business rates, is a function of the County Council and that the best course of action is to contact the County Council on the matter.

Action – Clerk to process

9.0 Village Green at Hyssington – to receive the report from the working group (previously circulated).

The Chairman reminded Members of information received at the November meeting from the working group considering possible registration of village green and referred Members to the Clerks written report of the meeting of Sunday 23rd November

RESOLVED *‘to accept the recommendations of the group as follows:*

- *That CCC proceeds to stage 1 (survey) for the ‘Pump Green’ and ‘Blacksmith’s Bank/Road Triangle’*
 - *To set up Project Owners and Team*
 - *Photograph the area as is*
 - *Cost estimates are obtained for major expenditure*
 - *Undertakes an evidence survey and collation of responses with a clear Statement of Intent*
 - *Finance and Resources are identified in the 2009-10 budget to cover capital cost, running cost, and possible additional staff cost*

10.0 Bishops Castle Biomass plant – to discuss, and resolve if desired, the development of the biomass plant.

Declarations of members' interests: Members declared interests as follows:

- Cllr K H J Dowbiggin: having previously declared a Personal and Prejudicial Interest, left the room for this item.

The Chairman reminded Members of their request at the November meeting to discuss the matter of the Bishops Castle Biomass plant (planning application 1/08/2050/F at the business park) and opposition to the plant in Bishops Castle.

Members discussed the objections by Bishops Castle Town Council, by Lydbury North Parish Council, and by Bishops Castle High School

RESOLVED *'CCC considers the development to be a commercial enterprise rather than an environmental one, and will write to Bishops Castle Town Council in objection to the proposed Biomass Plant on grounds of:*

- *Likely adverse implication for visual impact and air quality*
- *Materials for incineration will be transported from outside the area and that it will be difficult to control the content of that material*
- *Lack of clarity on local cropping materials to be incinerated*
- *No clear solutions for dealing with waste ash*
- *No evidence of local power supply problems'.*

Action – Clerk to process

11.0 Financial Report:

11.1 Financial Year 2007-2008 – to report and approve conclusion of external.

The Clerk reported on conclusion of external audit for financial year 2007-2008, and that there are no matters raised by the auditor. The 'Notice of Completion of Audit' and Annual Return will be displayed on notice boards and the web site for a period of 14 days.

RESOLVED *'To approve and accept the Annual Return following completion of external audit'.*

Action – Clerk to process

11.2 Financial Year 2009-2010 – to receive appeals for financial assistance.

The Clerk reported on further general financial appeals received during the year as follows,

- Llangollen International Eisteddfod. Noted.

11.3 Financial Year 2009-2010 – to receive 2nd draft annual budget (previously circulated).

Declarations of members' interests: Members declared interests as follows:

- Cllr K H J Dowbiggin: having previously declared a Personal and Prejudicial Interest, left the room for this item.
- Cllr D L Powell: having previously declared a Personal and Prejudicial Interest, left the room for this item.
- Cllr C S Fowles: having previously declared a Personal and Prejudicial Interest, left the room for this item.

- Cllr P C Rigg: having previously declared a Personal and Prejudicial Interest, left the room for this item.
- Cllr V E D Tudor: previously declared a Personal not Prejudicial Interest

Cllr M J Jones took the Chair

The Clerk reported on the 2nd draft 2009-2010 budget, with provisional notification from Powys CC of figures for the Council Tax Base, Cemetery Grant, and Recreation Grant.

The budget will be re-presented for final discussion and adoption at the January meeting.

Action – for January agenda

11.4 Items received since last meeting – to report.

The Clerk reported on income received since the last meeting as follows:

Payer	Description	£
E R D Corfield & Sons	Burial & Excl. Right of Burial fees (plot 455)	200.00

11.5 Items for payment – to report and resolve to approve items for payment as follows:

RESOLVED 'CCC authorises payments as follows':

Chq	Payee	Description	£ex vat	£vat	£inc vat
<i>To authorise items for payment:</i>					
476	BDO Stoy Hayward	Ext audit 2007-2008 accs	160.00	28.00	188.00
477	Soc Loc. Council Clerks	Subscriptions 2009	94.00	0.00	94.00
478	D L Powell	Chair.Allow. (gr. gr'nts)	36.50	0.00	36.50
<i>Total to authorise</i>			<i>290.50</i>	<i>28.00</i>	<i>318.50</i>
<i>To report items previously authorised to be paid by direct debit or standing order:</i>					
SO	E J Humphreys	Clerk's salary Dec'08	373.58	0.00	373.58
DD	Public Wks Loan Board	Instal no.12 loan 487805	1,169.08	0.00	1,169.08
<i>Total previously authorised</i>			<i>1,542.66</i>	<i>0.0</i>	<i>1,542.66</i>

Action – Clerk to process

11.6 Consolidated balances at 17th Dec 2008 after sweep, receipts & payments – to report.

The Clerk reported on gross, ring-fenced funds, & net available balances as follows:

Item	Reserve account £	Current account £
Gross balances	26,075.81	500.00
Less ring-fenced funds	5,456.15	0.00
Net balances available	20,619.66	500.00

12.0 Highways and Rights of Way Reports:

12.1 Highways and Rights of Way report from Powys/Shropshire CC to CCC – to report.

The Clerk reported on replies/correspondence from Powys CC/Shropshire CC

- a) Information on inspections regime for the area: 6 inspectors for Montgomeryshire with the area inspector Mr D Lewis covering Churchstoke, Forden, Kerry, Llandyssil, Mochdre, Montgomery, Trewern and eastern part of Newtown. Trunk roads are inspected 4-weekly, B class roads are monthly, C/U roads are 3 monthly, 6 monthly or annually. Noted.

12.2 Highways and Rights of Way report from CCC to Powys CC – to report.

- a) Cllr L D Owen: C2054 (north) Wernddu Lane, near south end junction with B4385 towards Courthouse – flooding at every rainfall

Action – Clerk to process

13.0 County Council Matters– to receive and discuss other general Powys CC, Shropshire CC, and South Shropshire DC matters.

- a) Powys CC: Cllr M J Jones reported,
 - No further items to report.

- b) South Shropshire DC:
 - No report.

14.0 Correspondence – to receive other items of general correspondence.

14.1 Powys CC – Chief Executive

Re: Powys Community Strategy 2008-2011

Council received a copy of the revised strategy for developing the County through partnership working. Members noted that the Welsh Assembly Government is proposing to place a duty on other public bodies to fully participate in the community planning process, and such a duty may have implications for CCC. Noted, and for file.

14.2 Various other correspondences listed:

- a) PAVO: Annual Report 2007-08. Noted.

15.0 Chairman’s Announcements & Date of Next Business Meeting

- a) Cllr J Stelmasiak – reported 6 allotment questionnaires are currently outstanding or returned.
- b) Chairman – reported that council tax precept by Chirbury and Brompton Parish Council is increasing by 19.7%
- c) Chairman – wished all Members and residents within the community council area a “VERY MERRY CHRISTMAS, AND A PROSPEROUS AND HEALTHY NEW YEAR”.

Next business meeting: Wednesday 28th January 2009, 7:30 p.m. at Churchstoke

Meeting ended 9.35 p.m.