

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

**MINUTES of Meeting on 21<sup>st</sup> February 2007**  
 at Churchstoke Community Hall, at 7.30 p.m.

**1.0 Attendance, Apologies and Declarations of Members' Interests** – Cllr Mrs B J Davies (Chairman), Cllr E Evans, Cllr G F Griffiths, Cllr M J Jones, Cllr P J Jones, Cllr D H Latimer, Cllr D A Paterson, Cllr D L Powell, Cllr P A Rees, Cllr Mrs B A Rowley, Cllr Mrs A R Stephens

Apologies – none

The Chairman welcomed members of the public.

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

Members declared interests as follows:

Agenda Number	Item	Councillor	Nature of Declaration
4.0	Village Green	M J Jones	Member of Powys CC Rights of Way Committee
6.4	Planning applications	D L Powell	Personal interest in M20070132
6.4	Planning applications	M J Jones	Member of Powys CC Mont. Planning Committee (decision role)

**2.0 Guest – Principal Planning Officer Powys CC (Ms A Jahn)** – to meet the community council in order to help maintain a strong working relationship and mutual understanding.

The Chairman welcomed Ms Astrid Jahn (Principal Development Control Officer, Powys CC), Mr Eddie Hrustanovic (Planning/ Development Control Officer), and Mr Geraint Roberts (Planning/ Development Control Officer) to the meeting.

The Team described the background to the geographic areas of responsibility (the 'green team') in North-East Montgomeryshire, and how a named officer deals with each planning application. Ms Jahn described the use of key reference documents used in processing applications – the Montgomeryshire Local Plan (1995), the draft UDP (soon to be published). They acknowledged the importance of a link between Powys and Churchstoke councils, and consider the role of CCC as 'eye and ears' close to the community for input of the local vies as consultees.

Conservation Areas

Members heard how there are over 200 such areas in Montgomeryshire as designated by WAG where there are features of special interest (such as architectural, historical or archaeological) and where specific planning policies must apply. Planners will seek high quality design in these areas

Affordable Housing and Local Needs

Members heard how this issue has received an increasing profile in recent years and how a variety of mechanism can be used by planners:

- Housing development of 5 or more require a % of affordable housing
- Flexibility for single housing on land outside but adjoining development areas
- Single developments in small settlements where there is no boundary
- Restricting floor area to 130 sq metre to keep down the market price
- Occupancy conditions such as 1<sup>st</sup> time buyer or a person with a link to the area, or restricting the 'sell on' price, or tying the value to land value and local income, by means of S106 Legal Agreements to keep down the market price

Members asked questions across a range of issues including

- Amendments to approved applications - amendment require a new application
- Piecemeal development circumventing the 5 or more condition – greater vigilance to ensure that is less likely to occur
- Affordable Schemes – discussions by planners in advance are welcomed
- Shared Equity – Powys CC has an Affordable Housing Officer to deal with these schemes
- Whether greater encouragement to build rather than restrict might be pursued
- Development in open countryside
- Barn conversions

The Chairman thanked Ms Jahn and the Team for the opportunity to meet planning officers first hand and that CCC looked forward to a continuing good relationship.

**3.0 Minutes of Meetings** – to approve and sign the minutes of 24<sup>th</sup> January 2007 at Churchstoke Community Hall, as a correct record

The minutes of the business meeting 24<sup>th</sup> January 2007 were approved and signed as a correct record.

**4.0 Matters Arising from minutes for Information** – to report matters for information arising from minutes of 24<sup>th</sup> January 2007 at Churchstoke Community Hall

4.1 (10.0) Low flying of model aircraft at recreation field

The Clerk reported that the sign has been received and will be put in place at the field.

4.2 (14.3) Dyfed Powys Police – guest at meeting

The Clerk reported that Inspector Curtis has accepted an invitation to attend the May meeting.

4.3 (8.0) Playground Inspections

Cllr D A Paterson reported that Hyssington Playground it now included in the inspection round, at village hall expense.

**5.0 Applications for registration of Village Greens in Churchstoke** – to report on the hearing, the Notice of Findings, and inclusion in the Register of Village Greens maintained by the Registration Authority

The Clerk reported that Village Green status has been granted at the Hearing on 30<sup>th</sup> January 2007, for the Cherry Tree Land and for North Walk, and that Powys CC Commons Registration Officers had been instructed to make the relevant entries in the Register of Village Greens. Documents have been received from the Registration Authority as follows:

- Notice of Findings of the Rights of Way Committee (the Hearing) with map. Copied to Members for reference
- Extracts from the Inclosure Act 1857 (Section 12), and the Commons Act 1876 (section 29), which sets out the protection afforded to village greens by law. Copied to Members for reference
- Confirmation and copy of the entries the Register of Village Greens.

The Chairman recommended that CCC conduct a short review of the registration exercise to summarise the experience, lessons learned, current rights and responsibilities, and costs of registration.

## 6.0 Planning Matters

### 6.1 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	Planning Inspectorate Decision
None	None	None	None

### 6.2 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
M20060469	Toldeth farm, Old Churchstoke	Full planning permission granted
M20060845	Middle Alport, Churchstoke	Listed building consent granted
M20061039	Westcroft, White Grit	Full planning permission granted
M20061159	Red Hopton, Churchstoke	Full planning permission granted
M20061161	Camlad view, Old Churchstoke	Full planning permission granted
M20061081	Montg. Natural Spring Water Co.	Full planning permission granted
M20061094	Unit 5, Mellington Workshops	Full planning permission granted

### 6.3 Planning Specific Correspondence – to receive correspondence (if any)

None

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

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

- All applications – Cllr M J Jones, having earlier declared an interest as a member of Powys CC Montgomeryshire Planning Authority (decision role), refrained from discussion or voting.
- M20070132 – Cllr D L Powell, having earlier declared a personal interest, withdrew from the meeting for this item.

RESOLVED: *'to respond to consultation on applications as follows':*

S = support, O = object, N = note,

Ref.	Applicant	Site	Description	rec.
<i>New Applications</i>				
M20070038	Mr A Buy, Whispers, Bishops Castle	Land adj. Marmian Cottage, Hall Bank, Churchstoke	Design amendments to M20051239 erection of dwelling & construction vehicular access	S
M20070106	A S & S M Jones, The Farm, Snead, Churchstoke	The Farm, Snead, Churchstoke	Conversion of barn to dwelling, erection of detached garages & installation of sewerage treatment plant	S
M20070132	Mr R W H Jones & Mrs J M Jones, Oakdale, Broadway, Churchstoke	Land at rear of The Courthouse Hotel, Churchstoke	Erection of detached 2-storey private dwelling with garage, a new private vehicular access, external works, and establishment of riverside walk	N*

\***M20070132** – CCC noted the application, and wished to draw the attention of planning officers to a number of issues for professional consideration, or for further enquiries:

- a) Flooding – the river is prone to frequent flooding, especially in the bridge area and over the field in which the development is proposed. CCC urged planning officers to give careful consideration to this matter, both from the point of view of flooding of the development itself, but also the potential effect (if any) on other properties
- b) Ownership – CCC would not want to see the development proceed with any doubts or legal problems over ownership of land, and Members had some concerns that this matter is unclear. The plans appear to indicate an inclusion of areas which may not actually be owned by the applicant, and CCC would not wish to see any loss to the community. Several examples were brought forward to illustrate the point.
- c) Village Green – North walk is a registered Village Green and has certain protection set out in law. CCC urged planning officers to refer to the Registration Authority (Powys CC, Countryside Services, Commons Registration Officer) for details of what would constitute an unlawful act by disturbance or enclosure of a village green. Members understand that the Inclosure Act 1857 (Section 12), and the Commons Act 1876 (Section 29) have particular bearing on this matter. CCC would not wish to see the development proceed to the detriment of the Village Green.
- d) Conservation Area – the main part of the development is within the conservation area in the centre of the village. CCC asked that planning officers ensure that the entire development is an enhancement of the area as a whole and of minimal impact on the environmentally sensitive area. In addition the conservation area is the oldest part of the village where there is a degree of local archaeological interest concerning the site. CCC urged planners to consults CADW on the matter.

Action – Clerk to process

6.5 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 and resolved as follows –

Ref.	Site	Description
M20050963	Land opp. Cwm Chapel, Mellington	Cllr D L Powell reported that the shed erected at the pump is still present although retrospective planning permission had been refused. Members agreed to enquire on the situation with the planning office

Action – Clerk to process

## **7.0 One Voice Wales / Society of Local Council Clerks, Guidance Notes**

7.1 Maldwyn Area Committee – to report, and to receive information from the meeting regarding the Welsh Language Act 1993 and preparation of a Welsh Language Scheme  
Cllr P A Rees reported that due to adverse severe weather conditions, the meeting was postponed. Members noted that as the meeting was to be addressed by a representative of the Welsh Language Board, the situation regarding adoption of a Welsh Language Scheme remained uncertain. Enquiries for clarification have been made by the Clerk to OVW.

7.2 ‘The Voice’ – to receive January edition

Two copies of the bi-monthly news magazine ‘The Voice’ received for information. Contributions are invited for the March edition.

7.3 Buckingham Palace Garden Party 10<sup>th</sup> July 2007

Invitation to submit 2 nominations for guests at the Garden Party, in recognition of past service. CCC agreed to make no nominations.

## **8.0 BMX Area – to receive status report**

The Chairman reported that work at the site remains paused during the dark evenings but that the forthcoming RoSPA inspection will focus attention once more on the site, and may give direction to the BMX group on work to be done.

## **9.0 Grounds Maintenance**

9.1 Recreation Field aeration – to receive quotation for aeration treatment 2007-2008

The Clerk reported on a quotation from Powys CC for aeration treatment of the recreation field at £69.69 per session.

RESOLVED *‘CCC continues with the usual aeration treatment programme provided by Powys CC – for 4 sessions at £69.69 per session’.*

Action – Clerk to process

9.2 Grass-cutting & Grounds Maintenance – to invite tenders for contract 2007-2008

The Clerk reminded Members that the grass cutting and grounds maintenance tenders will be due, and the contract awarded, at the March meeting. Notices of Tender will be posted to web site and distributed for notice boards. It was agreed to directly notify those who tendered last year.

Action – Clerk to process  
& for March agenda

## **10.0 Financial Report**

10.1 Items received since last meeting – to report.

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

Payer	Description	£
None	None	Nil

10.3 Items for payment this meeting – to authorise items for payment, including as follows, RESOLVED: ‘CCC authorises items for payment as follows’:

cheque	Payee	Description	£ inc. vat
382	Mr D Green	Village Green brief at hearing	2,350.00
383	Gilbert Davies & Partners	Village Green professional charges	1,360.25
384	Powys County Council	Playground inspections x2	117.50
385	Viking Direct	Printer toner & suspension files	63.65
386	E J Humphreys	BT Openworld dial up Sep-Dec’06	11.24
St.Ord	E J Humphreys	Clerk’s salary Feb 2007	324.06

Action – Clerk to process

10.3 Consolidated balances at 21<sup>st</sup> Feb 2007 after sweep, receipts & payments – to report The Clerk reported on the M&G six monthly annual statement for 1<sup>st</sup> Jul-31<sup>st</sup> Dec 2006,

Fund	Number of shares	Share Price (p)	Value at 31/12/2006 (£)
Charibond	100	123.20	123.20

Considering the small value of the holding, Members agreed to review the Charibond at the next meeting, with a view to selling.

Action – for March agenda

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

Item	Reserve account £	Current account £
Gross balances	18,745.63	500.00
Less ring-fenced funds	5,350.19	0.00
Net balances available	13,395.44	500.00

## 11.0 Highways Reports

11.1 Highways report from Powys/Shropshire CC to CCC – to report

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

- a) C2146 Coed Lane – the 30 mph restriction is too close to the A489 and needs to be extended down Coed Lane to cover developments further along. Powys CC states that extension of the limit can be achieved as far as street lighting without a Traffic Order, but past that point would require an Order and that the traffic engineer is able to meet on site to discuss. Members agreed to request extension of the speed limit to the edge of the street lighting.

Action – Clerk to process

- b) U2717 Bagbury lane – contractors Balfour Beatty and Redmane working for Severn Trent Water have large dumper trucks using and turning off the road, causing damage to condition of the surface making it difficult for other vehicles to use the road. Powys CC states that Severn Trent Water has been notified.
- c) C2054 near White Hopton – blocked culvert causing significant flow of water to run down the road in front of White Hopton. Powys CC states that repair order has been issued.

- d) U2707 near Middle Alport – approx 150 yds east of junction with A489, fallen trees causing blockage. Powys CC states that the landowner responsible will be contacted and instructed to remove the trees.
- e) C2005 at Old Churchstoke – fly tipping taking place in Old Churchstoke quarry. Material appears to consist of household articles such as buckets, bowls, chairs, pipes, and some tyres. Powys CC states that this has been dealt with.
- f) A489 near Tuffins – large lorries are parking on pavements and near ‘zebra crossing’ outside Tuffins causing obstruction and potential hazard to pedestrians using the crossing. Powys CC states that parking on the footway is a police matter
- g) A489 near Tuffins – defective beacon lights on ‘zebra crossing’. Powys CC states that the beacons are now in working order.

#### 11.2 Highways report from CCC to Powys CC – to report

- a) Cllr P J Jones – reported prompt and diligent actions by Powys CC highways department, for 4-5 hours on the night of Saturday 14<sup>th</sup> February during heavy storms and flooding. Cllr Jones noted that without their excellent work, damage would have been substantial. Members asked the Clerk to write to Powys CC to commend and thank them for their prompt action and good work
- b) Cllr D A Paterson – C2009 Hyssington near junction with C2056 – pothole on western side
- c) Cllr D A Paterson – C2056 Hyssington near junction with U2714 (Church lane) surface water drain blocked causing edge erosion of C2056
- d) Cllr M J Jones – C2054 (south of B4385) – Courthouse Cottage, Mellington to Cann Road – overgrowth forcing cars into middle of carriageway. This was reported in June 2006 but recent snowfall has exacerbated the situation
- e) Cllr M J Jones – A489 lay-by adj The Firs, Churchstoke Village – the surface is badly pitted and hardcore or pothole repairs are needed.
- f) Cllr D L Powell – A489, Churchstoke Village – pothole in middle of carriageway 30 yards inside the 30 mph limit sign (east end of village)
- g) Cllr B A Rowley – C2054 Wernddu Lane, Churchstoke – churned up verge adj Old Bowling Green. Measures could be taken to lay hard surface to prevent further damage

Action – Clerk to process

#### 12.0 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:
  - Budget – the Powys CC Council Tax increase has been set at 3.95%
  - Concordat on Cross Border Collaboration – WAG Cabinet Minister Carwyn Jones AM, and the Chairman of West Midlands Regional Assembly will be launching the concordat on 5<sup>th</sup> March. The concordat between Central Wales and the West Midlands is intended to improve collaboration on a number of matters including highways, public transport, health, planning, winter maintenance, local economy, and markets
  - A489 Newtown to Churchstoke – a safety review has been undertaken, and shown this road to be one of the worst non-trunk roads in Wales for safety. There is no major scheme planned although 6 accident black spots are to be addressed with improved signage and road safety furniture.

**13.0 Correspondence** – to receive other items of general correspondence.

Due to time constraints, Members agreed that the Clerk only report a summary of items that needed consideration at this meeting, and that it would be sufficient for other correspondence to be listed in the minutes.

**13.1 National Assembly for Wales – Local government Finance Division**

Re – Appropriate Sum under Section 137 Local government Act 1972

Confirmation that the Appropriate Sum S137 for 2007-2008 is £5.64 per elector - increasing in line with RPI formula by 3.6%.

**13.2 National Assembly for Wales – Head of Community Safety Division**

Re – Fire & Rescue National Framework - Revisions and Intervention Protocol

Consultation on:

- a) Revisions to the National Framework (published March 2005), to reflect changes to activities such as risk reduction planning guidance, and domestic safety standards
- b) Draft Intervention Protocol to be used in the event of an intervention order

Comments welcomed by 2<sup>nd</sup> March 2007.

**13.3 National Assembly for Wales – Making Connections Unit**

Re – Beyond Boundaries report, and Local Service Boards/Agreements

- a) Copy of the document ‘Making Connections – Delivering Beyond Boundaries’ following the Beecham Review of Service Delivery in Wales. The report sets a framework for improving public service delivery around 5 themes:

- Citizen First
- Working Together
- Workforce
- Value for Money
- Making the Changes through government and resources

The Clerk drew Members’ attention to the section on ‘Working Together’, containing definitions of Local Service Boards delivering services from across a number of organisations.

- b) Consultation on establishment of Local Service Boards and development of Local Service Agreements, and invitation for expression of interest in joining a test model.

Responses welcomed by 2<sup>nd</sup> April 2007. Passed to Chairman.

**13.4 Environment Agency Wales**

Re – Water Related Sport & Recreation Strategy for Wales

Information on the commission of the Agency to produce Water Related Sport & recreation Strategy for Wales, and invitation to participate in consultation process through a series of day workshops. The nearest workshop to Churchstoke is at Llandinam, 26<sup>th</sup> February. Participants are expected to prepare a simple poster for use on the day.

**13.5 South Shropshire District Council – Head of Planning and Building Control**

Re – Affordable Housing & Statement of Community Involvement documents

Update on the imminent publication of the two key documents, available on-line or hardcopy.

#### 13.6 Dyfed Powys Police – Chief Superintendent Gwyn Thomas

Re – Funding of Police Community Support Officers (PCSO's)

Following from the consultation on local policing priorities, information on the provision of PCSO's in Powys and a request that community councils consider direct funding of PCSO's for their particular local areas (e.g. £7,000 for 18 hours per week). Noted.

#### 13.7 Various other correspondences, tabled:

- a) Welsh Assembly Government – summary and progress information on the new Strategy for Older People in Wales. The Clerk reminded Members that CCC had commended the Older People Strategy document when it was published in 2005.
- b) Montgomeryshire Liberal Democrats – contact details poster for AM and MP
- c) PAVO – Winter news magazine.
- d) Organic garden Charity – information on mentoring scheme in Powys to promote organic gardening schemes.
- e) Llangollen International Eisteddfod – programme for July 2007

#### 14.0 Chairman's Announcements & date of next meeting

- a) Cllr D L Powell – reported that the notice board at Mellington needs repair to the sliding door runners.

Action – Clerk to process

Next meeting – Wednesday 28<sup>th</sup> March 2007, 7:30 p.m. at Churchstoke

Meeting ended 10:05 p.m.