

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

**MINUTES of Meeting on 23<sup>rd</sup> July 2008**  
 at Hyssington Village Hall at 7.30 p.m.

**1.0 Attendance, Apologies and Declarations of Members' Interests**

Attendance: Cllr D L Powell (Chairman), Cllr Mrs B J Davies, Cllr D H Payne, Cllr Mrs B A Rowley, Cllr Mrs A R Stephens.

The Chairman welcomed members of the public.

Apologies: None.

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

Agenda Number	Item	Councillor	Nature of Declaration
4.4	Planning Applications/Notices	B J Davies	Personal interest in application P20081016

**2.0 Minutes of Meetings** – to approve and sign the minutes of meetings:

2.1 of 28<sup>th</sup> May 2008 at Churchstoke Community Hall, as a correct record

The minutes of the meeting 28<sup>th</sup> May 2008 were approved and signed as a correct record.

2.2 of 25<sup>th</sup> June 2008 at Churchstoke Community Hall, as a correct record.

The minutes of the meeting 25<sup>th</sup> June 2008 were approved and signed as a correct record.

2.3 of 4<sup>th</sup> July 2008 at Churchstoke Community Hall, as a correct record.

The minutes of the meeting 4<sup>th</sup> July 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 meetings:

3.1 of 28<sup>th</sup> May 2008 at Churchstoke Community Hall

None.

3.2 of 25<sup>th</sup> June 2008 at Churchstoke Community Hall.

None.

3.3 of 4<sup>th</sup> July 2008 at Churchstoke Community Hall.

None.

**4.0 Planning Matters:**

4.1 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
M20050857	Pt OS 2365, land adj. Cliffdale Cottage, White Grit	Outline planning permission granted
P20080105	Cwm Chapel, Mellington	Full planning permission granted

P20080420	Land adj. Water Lilly Cott., Ch'stokes	Reserved matters are approved
P20080472	Ty Derw, Montgomery	Full planning permission granted
P20080533	The Bungalow, White Grit	Full planning permission granted

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

##### 4.2.1 Shropshire County Council – LDF Project Manager

Re: Local Development Framework for Shropshire – Consultation on Core Strategy  
 CCC received information regarding the new unitary Shropshire Council from 1<sup>st</sup> April 2009, and the preparation of a single Local Development Framework (LDF). LDF documents will be issued for consultation starting with the Shropshire Core Strategy 8 Topic Papers available on paper, or on-line at [www.shropshire.gov/onecouncil.nsf](http://www.shropshire.gov/onecouncil.nsf), and on which comments are welcomed by 1<sup>st</sup> September 2008. Noted.

##### 4.2.2 Mr B Morris, Churchstoke

Re: Planning application P20080989

CCC received a copy of a letter to Powys Planning Office objecting to the application. Members agreed to consider this with the application at agenda item 4.4.

#### 4.3 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			

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

Ref.	Applicant	Site	Description	rec.
P20080841	Dale Wall, Whitcott Farm, Norbury	The Coach House, Bacheldre	Erection of detached garage/workshop	S
P20080989	Mr G E Griffiths, 23 Cae Camlad, Churchstoke	Quarry Garage, Churchstoke	Erection of dwelling, installation of septic tank & improvement of existing commercial access	N*
P20081016	Mr Roy Delves, Harry Tuffins, Churchstoke	Harry Tuffins, Churchstoke	Temporary permission for siting of six caravans for residential use (retrospective)	N*

\***P20080989** – CCC noted the application and agreed to draw planning officers' attention to concerns regarding issues of water supply, which CCC would wish to be resolved before any development proceeds.

\***P20081016** – CCC noted the application and agreed to request that planning officers set a deadline for the temporary use of the accommodation in their determination of the application.

Action – Clerk to process

#### 4.5 Planning Applications/Notices – to receive and resolve responses to consultations by The Secretary of State including –

Ref.	Applicant	Site	Description	rec.
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BERR200803	CeltPower Ltd, c/o Scottish Power Renewables, Cathcart Business Park, Glasgow	Llandinam Wind Farm	Dismantle existing site & removal of 103 turbines; erection of 42 3mw turbines on extended site; crane hard standing; access tracks; access from A4783; substation; 2 power assessment masts & associated works	N
BERR1/RA D20070542	NUON UK Ltd, Cornwall	Llanbadarn Fynydd Wind Farm	Supplementary environmental information relating to means of access (traffic management plan)	N

\***BERR2008 003** – the Clerk informed Members that as responses were to be made to the Secretary of State by 23rd June, so in order to allow CCC to be able to respond, and on the advice of the office of the Secretary of State, the Clerk has made a holding objection.

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	Maes Chawrae	Development area remains in poor condition.
CCC received a copy (by way of keeping CCC informed) of a letter from residents of an adjacent property reminding the planning enforcement office of continuing breach of planning permission at the site.		

#### 4.8 Powys Local Development Plan Community Meetings – to report on matters from the first meeting on Monday 9<sup>th</sup> June, at Neuadd Maldwyn, Welshpool

The Chairman reported on attendance with Cllr D H Payne and the Clerk at the well-attended first LDP Community meeting on 9<sup>th</sup> June at Welshpool. Items highlighted included:

- Community Strategy Review – update
  - Every authority is required by law to produce a community strategy promoting and improving the economy and well-being of the community, and to contribute to its sustainable development
  - The first 10-15 year strategy was set out in 2005 with intent to review on a 3-4 year cycle
  - The first review started in 2007 asked, ‘What role do you see as being yours in the strategy process?’, ‘What are the strengths and weakness of the strategy?’, ‘How engaged are you in the process?’
  - The results of this review showed a lack of structure and ineffective engagement in the process
  - The review is to be completed in June/July 2008, with sign off in August, and from that to produce the revised community strategy.

- UDP – update
  - The UDP is nearing completion, and council is preparing to adopt the plan dependant on the modifications of May-July 2008
  - Council intends to adopt the plan after 28 days, providing there are no mineral extraction issues directed by WAG
  - Powys CC Planning Office is already using the UDP as the point of reference when determining planning applications.
  
- Introduction to the LDP process and the Draft Delivery Agreement (DA)
  - The LDP will replace the UDP in due course, for a 15-year period. It is one of 4 statutory plans the council must prepare, and will contain all planning policies used to determine planning applications
  - Preparation will take place over 4 years, taking the views of Town & Community Councils in order to promote ‘ownership’ by the community (as opposed to ownership by the planning office). It will incorporate elements on sustainability and will be prepared to WAG requirements for ‘Soundness and Robustness’
  - The Delivery Agreement will set out the stages and timetable for preparation of the plan, along with how the community will be consulted and engaged in the process.
  - Public consultation on the DA takes place 23<sup>rd</sup> June to 18<sup>th</sup> July and the DA must be approved by council and submitted to WAG by the autumn, with publication in 2009
  - There are likely to be 11 stages to the LDP process: Pre-deposit stages 2009-10 (x4), Deposit Stages 2011 (x3), Examination Stages (x2), Adoption Stage 2013, Monitoring & Review Stage Oct 2013
  - A Community Involvement Scheme (CIS) will be integral to the LDP process incorporating a range of consultation methods in order to reach a wide range of stakeholders.
  
- Role of Community Stakeholders in the LDP process
  - Stakeholders in the LDP process will include the Citizens Panel, Town & Community Councils, Community Strategy Fora, hard to reach groups, and Welsh language organisations
  - The role of stakeholders will include suggesting sites and features for development, ways of seeking developer contributions to the needs of the community, spreading awareness and making known the implications of the plan, and a bridging role within the grassroots community
  - It was emphasised that due to the short timetable, it may be necessary for consultees to call special meetings or to delegate consultation responses to smaller groups.

#### 4.9 Consultation on LDP Draft Delivery Agreement – to resolve a response to the proposals (previously circulated).

The Chairman referred Members to the briefing given by the Clerk (item 4.8 above) and to the draft Delivery Agreement (DA) documents which include the timetable, and proposed Community Involvement Scheme (CIS), with responses welcomed by 18<sup>th</sup> July. The Clerk reported that Powys CC is prepared to accept responses immediately after this meeting. Members noted the tight timetable for some of the steps, which may make consultation difficult or necessitate special meeting to be convened.

The Clerk distributed the WAG pamphlet 'LDP Wales Planning Your Community: a Guide to LDPs'.

RESOLVED *'to support the proposals in LDP Draft Delivery Agreement by reply to the set questions in the response form.'*

Action – Clerk to process

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

a) OVW – Royal National Eisteddfod of Wales, 2<sup>nd</sup> to 9<sup>th</sup> August 2008, Cardiff  
CCC received notice that OVW will be present on the Maes and available for advice, questions or discussions. OVW also welcomes members of councils to join it on the Maes and will be happy to accept volunteer helpers each day between 10am to 1.30pm or 1.30pm to 5pm. Volunteers will be given free admission to the Eisteddfod. OVW also states that Welsh language is not necessary, but will be an advantage. Noted.

b) OVW – National Training Programme for Community & Town Councils in Wales  
CCC received notice that OVW announces that the national Training Programme is now available with six modules covering:

- The Council
- The Councillor
- The Council as Employer
- Understanding the Law
- Council Meetings
- Understanding Local Government Finance

Modules will run for 2.5 hours in the evenings, with each module costing £25 per attendee. OVW request an indication of level of interest in order to plan appropriate venues. Members agreed to indicate a level of interest for 12 sessions and to enquire on the likely timetable.

Action – Clerk to process

c) OVW – Montgomeryshire Area Committee Annual Meeting,  
CCC received notice of the Annual Meeting of the Montgomeryshire Area Committee, 10<sup>th</sup> July, 7pm, Abermule Community Centre to be followed by the July ordinary meeting.

The Clerk reminded Members that CCC will need to appoint its OVW representative following co-option of new Members.

d) SLCC

The Clerk reported on attendance at the Powys branch meeting 9<sup>th</sup> July, 7pm, at Llandrindod Wells, where the guest speaker from the Powys planning office described recent changes in organisation and practices within planning services. The Clerk reported he would represent the branch at the national conference 18<sup>th</sup> October, near Reading. Members also agreed that the Clerk is funded to attend Wales Annual Policy and Technical Update, 8<sup>th</sup> September at Llandrindod Wells.

Action – Clerk to process

**6.0 New Model Code of Conduct: The Local Authorities (Model Code of Conduct) (Wales) Order 2008** – to resolve on adoption of the new model code (previously circulated).

The Chairman referred Members to the new Model Code and explanatory documents circulated.

The Clerk reminded Members that the Minister has made the statutory order on 20<sup>th</sup> March and the new Model Code of Conduct comes into force on 18<sup>th</sup> April 2008 replacing the 2001 Code. Councils have six months to adopt a new code before 20<sup>th</sup> September. The Clerk also reported that Powys CC is able to assist with placing the required newspaper notices, and with submission of adopted code to the Public Services Ombudsman for Wales.

Members noted the clarity the new code brings to the 4 step test of interest:

- Definition of personal interest
- Disclosure of personal interest
- Definition of prejudicial interest
- The effect of a prejudicial interest on participation in council business

**RESOLVED** *‘The Local Authorities (Model Code of Conduct) (Wales) Order 2008: The Council has considered the need to adopt the Model Code of Conduct in accordance with the requirements of the Section 51 of the Local Government Act 2000 and whether to make any additions thereto, and that the Council adopts the Model Code of Conduct without addition.’*

Action – Clerk to process

The Clerk also commended Powys CC for assistance with the Clerks’ training session on 12<sup>th</sup> June in Welshpool, and offered to circulate training notes to all Members.

**7.0 Vacancies in the Office of Community Councillor** – to receive nominations, and to proceed to fill the post election vacancies by co-option to the council as follows:

7.1 Churchstoke Ward – 5 vacancies

The Clerk reported nominations for co-option to office. Members voted to co-opt as follows:

- Julian Stelmasiac
- Kathy Dowbiggin
- Michael J Jones
- Laurence Owen
- Pauline Rigg

Action – Clerk to process

7.2 Hyssington ward – 2 vacancies

The Clerk reported nominations for co-option to office. Members voted to co-opt as follows:

- Caroline Fowles
- Val Tudor

Action – Clerk to process

**8.0 Consultation by Mid & West Wales Fire Authority: Draft Risk Reduction Action Plan 2009-10** – to resolve a response, if desired, to the consultation (previously circulated).

The Chairman reminded members of the consultation document regarding deployment of staff, with responses welcomed by 29<sup>th</sup> July. Cllr B J Davies reported that the document seems show a dominance of the service in South Wales with a noticeable lack of reference to eastern Mid-Wales.

RESOLVED *‘to respond that the document seems to show a dominance of the service in South Wales, with a noticeable lack of reference to eastern Mid-Wales, and to request what strategy is in place for the Churchstoke area.’*

Action – Clerk to process

## 9.0 Future Projects:

9.1 Garden Allotments – to receive status report.

Cllr A R Stephens reported that there is no further progress to report.

9.2 Other projects – to receive information and to discuss Members’ ideas and views.

a) Affordable Homes Scheme – the Clerk reported that copies of the register entries and title plans have been obtained from Land Registry On-line for the area in question.

b) Village Green – the Clerk reported that copies of the register entries and title plan have been obtained from Land Registry On-line for the area in question.

## 10.0 Financial Report:

10.1 Financial Accounts & Audit for Financial Year 2007-2008 – to report and to approve the pre-audit accounts and annual return to external auditor.

The Clerk presented the Financial Accounts for 2007-2008, and the Annual Return/Statement of Assurance, and answered Members queries. Members noted the internal audit report.

RESOLVED *‘To approve the accounts and Annual Return/Statement of Assurance as presented, and that the Annual Return and Statement of Assurance should now be submitted to external auditor for 5<sup>th</sup> September’.*

Action – Clerk to process

The Chairman thanked the Clerk for the work in the preparation and explanation of the accounts.

10.2 Items received since last meeting – to report.

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

Payer	Description	£
M&G Investments	Charibond dividend Feb-Apr 2008	1.90
Powys County Council	Waste recycling proceeds Q4, Jan-Mar 2008	894.71

10.3 Items for payment – to authorise items for payment, including as follows,

RESOLVED *‘CCC authorises payments as follows’:*

cheque	Payee	Description	£ inc. vat
<i>To report items previously approved &amp; paid by direct debit / standing order</i>			
D.Deb	Public Works Loan Board	Repay. instal. (no.11) loan 487805	1,169.09
St.Ord	E J Humphreys	Clerk’s salary June 2008	373.58

<i>Items for payment this meeting</i>			
447	H Stafford	Mole control at cemetery	40.00
448	Powys County Council	Recreation field areation 2007-08	327.54
449	Churchstoke Recr'n Assoc	Room hire Feb-Apr 2003	18.60
450	E J Humphreys	BT Openworld dial up Apr-Jun'08	14.70
<i>To report items previously approved to be paid by direct debit / standing order</i>			
St.Ord	E J Humphreys	Clerk's salary July 2008	373.58

Action – Clerk to process

10.4 Consolidated balances at 23<sup>rd</sup> July 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	26,294.17	225.58
Less ring-fenced funds	8,271.63	0.00
Net balances available	18,022.54	225.58

## 11.0 Highways and Rights of Way Reports:

11.1 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) Heblands between A489 and B4385: road signs have been turned and need realignment. Shropshire CC states that the signs have been corrected.
- b) U2691 Dan's Lane: potholes and subsidence possibly caused by heavy vehicles, and although CCC has reported this previously (1<sup>st</sup> March 2008), there appears to be no actions on the matter. Powys CC states that the road is included in the programme of jet patching commencing on 9<sup>th</sup> June.
- a) C2055 at Yew Tree Cottage: hedge encroaching onto carriageway and needs trimming back, and although CCC has reported this previously (1<sup>st</sup> March 2008), there appears to be no actions on the matter. Powys CC states that the hedge will be inspected and a notice sent as necessary.

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

- a) Cllr B J Davies – U2696 (Pentrenant to Pen-y-Cwm): poor surface with deep potholes and the road is becoming impassable. This was reported as reported in September 2007 but no action seems to have been taken.
- b) Cllr B J Davies – U2709 (Old Churchstoke to Woodgate) public rights of way towards Corndon Farm: the roadside rights of way signs/markers are missing at the point for gaining access from the road to the rights of way. This was reported on 29<sup>th</sup> April 2007, but no replacement has been put in place
- c) Cllr B A Rowley – C2054 (Wernddu Lane) junction with U4776 (Cae Camlad). In view of the nearby residential home in Wernddu Lane and the bungalow accommodation in Cae Camlad, CCC would like to request a drop kerb at the junction in order to assist those with mobility problems to gain the pavement.
- d) Cllr D H Payne – C2056 (Hyssington Village): concern at speed of traffic through the village on the narrow road. CCC would like to enquire what assistance Powys CC Highways section could give to traffic calming (using legal restrictions or otherwise)
- e) Cllr D L Powell – C2193 (Old Churchstoke to Todleth): potholes have been marked for repair for some time, but works have not been undertaken
- f) Cllr D L Powell – C2193 (Old Churchstoke to Todleth) overhanging trees have still not been cut back between Todleth Farm and Rock Ridge. This was reported on 27<sup>th</sup>

- February 2008, on 6<sup>th</sup> July 2007, and on 31<sup>st</sup> July 2006 indicating hedge encroachment obstructing high loads and a risk of snagging. No action seems to have yet been taken to remedy the situation despite a statement from the highways office on 17<sup>th</sup> March
- g) Cllr B A Rowley – C2054 north (Wernddu Lane) junction with B4385 (Blue Bell to Bishops Castle): to request a visibility mirror at the junction for traffic leaving Wernddu Lane onto the B4385, similar to the one which has proved successful at the nearby C2054 south junction.

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:
- No report
- b) South Shropshire DC:
- No report.

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

13.1 Powys CC – Economic Regeneration Manager

Re: BT Payphones

Council received a notice via Powys CC of BT proposals to remove 190 payphones in Powys included in a consultation process from 8<sup>th</sup> June to 6<sup>th</sup> September 2008. Powys CC is co-ordinating a response and wishes to ascertain the views of CCC on removal of 5 payphones in the Churchstoke area. Replies welcomed by Powys CC by 31<sup>st</sup> July. Members noted that the poor identification given to the precise locations of the payphones makes it impractical to respond on a ‘payphone by payphone’ basis, and agrees that:

*‘CCC understands the difficulty in maintaining payphones which take very low numbers of calls, but is opposed to closure of payphones where there is no alternative way of making an emergency call (such as good mobile phone signals or nearby properties).’*

Action – Clerk to process

13.2 Powys CC – Head of Legal, Scrutiny & Democratic Services

Re: Powys Standards Committee

Council received a notice that following recent consultations Powys CC has established a single subcommittee of the Powys Standards Committee to deal with standards matters affecting Town & Community Councils. Noted.

13.3 Various other correspondences: due to time constraints Members agreed other non-urgent items would be listed, and available from the Clerk, as follows:

- a) Welsh Assembly Government, Brian Gibbons AM – copy of the statutory Local Government Partnership Scheme & Report 2006-07.
- b) Welsh Assembly Government, Brian Gibbons AM – copy of the final guidance for ‘A Shared Community – Relationship Building and Charters for Unitary Authorities and Community and Town Councils’.
- c) Public Services Ombudsman for Wales – revised leaflets/complaints forms entitled ‘How to complain that a local authority members has breached the Code of Conduct’, making it clear to potential complainants that their identity may become public knowledge.

- d) Public Services Ombudsman for Wales – Annual Report 2007-08.
- e) Montgomery Community Health Council (MCHC), Chief Officer – copy, via MCHC, of the WAG consultation document ‘Proposals to Change the Structure of the NHS in Wales’. MCHC also provided a short response document and states that although it has little impact on Powys (Powys Local Health Board is unchanged) there might be issues CC may wish to raise.
- f) Montgomeryshire Family Crisis Centre – invitation to attend the AGM on Tuesday 16<sup>th</sup> September 2008, 11am at Unit 2 St Giles Business Park, Newtown, where the guest speaker will be Mr Tony Ivens of Children in Wales.
- g) Countryside Council for Wales – information pamphlet on ten activity of CCW.
- h) Play for Wales / Chwarae dros Gymru – summer 2008 newsletter.
- i) The National Trust – information on the Powys Castle lectures for summer 2008.

#### **14.0 Chairman’s Announcements & Date of Next Business Meeting**

- a) Cllr B A Rowley – PACT: reported on attendance at the local PACT meeting (Police and Communities Together) at Churchstoke on 15<sup>th</sup> July, where three attendees were from Churchstoke (from a total attendance of seven). Topics discussed included:
  - o The low crime rate in Powys
  - o The intention to continue to monitor speeding in the villages using through speed cameras and appropriate enforcement action

Matters raised by Cllr Rowley specifically relating to Churchstoke area included:

- o Parking on pavements near Castle Road post box
  - o Unlicensed vehicles on Cross Likey
  - o The arrangements for the new home watch contact in Churchstoke
  - o Promotion of the Bobby Van scheme (home repairs for the elderly)
  - o PACT meetings are to be advertised in local newspapers.
- b) Cllr B A Rowley – Cemetery: reported concerns that falling branches from trees on the far right side of the cemetery could cause damage to memorial stones. Members agreed to seek advice from Powys CC Landscape Officers

Members agreed that in view of recent delays in business due to the need to co-opt Members, the August meeting will be a full business meeting rather than the customary planning and finance matters only.

Next business meeting: Wednesday 27<sup>th</sup> August 2008, 7:30 p.m. at Churchstoke.

Meeting ended 9.55 p.m.