

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

MINUTES of Meeting on 24th June 2009
 at Churchstoke Community Hall at 7.45 p.m.

1.0 Attendance, Apologies and Declarations of Members' Interests

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

The Chairman welcomed members of the public.

Apologies for Absence: Cllr L D Owen

Declarations of Members' interests: Members declared interests during the meeting as follows:

Agenda Number	Item	Councillor	Nature of Declaration
5.6	Planning Applications	C S Fowles	Personal and Prejudicial Interest in application P20090616
5.2 to 5.9 inclusive	Planning Applications	M J Jones	Personal not Prejudicial Interest as a Member of Powys CC Planning Committee
8.0	Village Green at Hyssington	M J Jones	Personal not Prejudicial Interest as a Member of Powys CC Rights of Way Committee
5.6	Planning Applications	J Stelmasiak	Personal and Prejudicial Interest in application P20090616
5.5	Planning Appeals	V E D Tudor	Personal and Prejudicial Interest in appeal APP/T6850/A/09/2105082/WF

2.0 Minutes of Meetings – to approve and sign the minutes as a correct record:

2.1 Annual meeting on 27th May 2009 at Churchstoke Community Hall

The minutes of the annual meeting on 27th May 2009 were approved and signed as a correct record.

2.2 Business meeting on 27th May 2009 at Churchstoke Community Hall

The minutes of the meeting on 27th May 2009 were approved and signed as a correct record.

3.0 Matters Arising from Minutes for Information – to report matters arising from minutes for information:

3.1 Annual meeting of 27th May 2009 at Churchstoke Community Hall

3.1 (2.1) Election of Chairman

Cllr D L Powell confirmed acceptance of nomination and election as Chairman.

3.2 (3.1) Special Responsibility: Democratic Governance and Organisation

Cllr D L Powell confirmed acceptance of nomination and election to the position.

3.3 (3.6) Special Responsibility: Internal Audit and Finance

Cllr K H J Dowbiggin confirmed acceptance of nomination and election to the position.

3.4 (3.7) Special Responsibility: Personnel and Staffing

Cllr D L Powell confirmed acceptance of nomination and election to the position

3.5 (3.9) Special Responsibility: Web Site

Cllr K H J Dowbiggin confirmed acceptance of nomination and election to the position

3.6 (3.11) Representative: Churchstoke CP School Governors

Cllr K H J Dowbiggin confirmed acceptance of nomination and election to the position

3.2 Business meeting 27th May 2009 at Churchstoke Community Hall

None.

4.0. Vacancy in the Office of Community Councillor (Churchstoke Ward) – there being no election called, to receive nominations and to proceed to fill the vacancy by co-option.

The Clerk reported on notification from the office of the Returning Officer that no election has been called in Churchstoke ward, and that CCC should now proceed to fill the vacancy by co-option. Members agreed to seek interested members of the public, to publish notice of intent, and to notify the Clerk of names of interested parties so that co-option can take place at the July meeting.

Action – Members to seek
& Clerk to process

5.0 Planning Matters:

5.1 Powys CC Spring Planning Liaison Meeting Wednesday 23rd June – to report on matters from the meeting.

The Chairman reported on attendance with and Vice-Chairman and Cllr S V Griffiths at the meeting of 23rd June, at Neuadd Maldwyn, Welshpool. The Chairman reported that the meeting was very well attended and items highlighted included:

- Design and Access Statements – required for all applications for dwellings as from June 2009 (with some exceptions). Guidance can be found on Powys CC Website in Technical Advice Note 12 (TAN12). If statements contain factors of interest to Town and Community Councils, they are encouraged to state this in their responses to consultations
- Applications Consultation – no change at present to current consultation with Town & Community Council process, with continuation of circulation of hardcopy applications; application are all available on-line along with the determinations and the way that Town & Community Councils views have been considered
- Applications – no backlog; all applications must be complete before submission is accepted and lodged
- Affordable Homes – a new policy to be in place by end of year
- UDP – intention to adopt by end February 2010
- Flood maps – new maps to be available in 3-4 weeks; the planning office accepts that the current maps are out of date and inaccurate

- Wind farms – 23 applications pending (approx 500 turbines); the community benefits fund will vary a great deal in the value of benefit to each community, and as yet the distribution method is not defined.

Declarations of Members' interests

- Cllr M J Jones: items 5.2 to 5.9 inclusive – declared a Personal not Prejudicial Interest as a Member of Powys CC Planning Committee.

5.2 Consultation on: 'Further Proposed Modifications June 2009 to the UDP' – to resolve a response to the proposals (previously circulated).

The Chairman reminded members of the background to the development of the UDP by Powys CC Planning Service, and the current consultation on:

- Proposed modifications to the UDP following directive of Welsh Assembly Government concerning safeguarding of high polished stone value hard rock resources north of Garth
- Re-instatement of area of housing allocation at Caersws

Comments are invited by 13th July 2009. Members agreed that CC does not wish to make any comment on the proposed modifications.

RESOLVED 'CCC replies to Powys CC stating that 'CCC has noted the proposed modifications (June 2009) to the UDP Deposit Draft 2004, and does not wish to make any comments of support or objection '.

Action – Clerk to process

5.3 Planning Specific Correspondence – to receive planning specific correspondence (if any)
None.

5.4 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
P20090221	St Nicholas House, Churchstoke	Full planning permission granted
P20090222	St Nicholas House, Churchstoke	Listed building consent granted
P20090305	Old Post Office Cottage, Ch'stoke	Full planning permission granted
P20090482	Land adj. Acorn Workshop, Snead	Full planning permission granted

5.5 Planning Appeals – to receive and resolve responses to notifications/reports (if any) of Planning Inspectorate Appeals including –

Declarations of Members' interests

- Cllr V E D Tudor: APP/T6850/A/09/2105082/WF – having declared a Personal and Prejudicial Interest left the meeting for this item.

Plan Ref.	Appeal Ref	Site	Start Date
P20081286	APP/T6850/A/09/2105082/WF	Land at Chaseleyfield, Hall Bank, Churchstoke	28/05/2009
Appellant	Mr & Mrs P Delves		
Description	Erection of extension and alterations		

CCC RESOLVED	<p><i>‘CCC reiterates its original comments made at planning consultation stage and wishes to expand as follows:</i></p> <ul style="list-style-type: none"> ○ <i>CCC stresses that improvements will be needed to the entrance onto Green Lane if permission for this application is to be granted</i> ○ <i>CCC wants it to be known by the Inspector that development work appears to have already started without planning permission, and is of the view that such work should cease and a recompense or penalty made</i> ○ <i>CCC wishes that the Public Rights of Way at the site must not be compromised, and must be re-instated as a condition of planning permission’.</i>
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Action – Clerk to process

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

Declarations of Members’ interests

- Cllr C S Fowles: P20090616 – having declared a Personal and Prejudicial Interest left the meeting for this item
- Cllr J Stelmasiak: P20090616 – having declared a Personal and Prejudicial Interest left the meeting for this item

RESOLVED *‘CCC responds to planning consultations as follows:’*

Ref.	Applicant	Site	Description	rec.
P20090613	Mr & Mrs Roberts, Crow Wood, Mellington	Crow Wood, Mellington	Erection of conservatory	S
P20090616	Mr R W H & Mrs J M Jones, Oakdale, Broadway, Churchstoke	Land to rear of The Courthouse Hotel, Churchstoke	Erection of dwelling & formation of private vehicular access, car parking & associated works	N*
P20090619	Mr & Mrs Gricmanis, The Fold, White Grit, Minsterley	The Fold, White Grit, Minsterley	Erection of 2 storey extension & alterations to dwelling	S

***P20090161** – CCC noted the application, and submitted the following comments/observations:

- a) Flood plane and flood lines – although the development area is indicated as being above the flood line, it is known by the planning office that the current flood line maps are inaccurate and are overdue for a new release. It is understood that these new maps are expected in approximately 3 weeks time. CCC would like to bring it to planning officer attention that the area is prone to flooding, so for reasons of making a better assessment CCC requests that decision is deferred until such time as assessment can be made against the new release more accurate maps, and that assessment is made against those maps
- b) Flooding and field levels – development could result in raising the levels of the field between the site and the River Camlad, which would exacerbate flooding elsewhere. CCC requests that steps are taken to ensure that field levels are not raised by this development

- c) Flooding and perimeter wall – development could result in the perimeter wall deflecting floodwater onto other properties. CCC requests that steps are taken to ensure that such deflection of flooding does not occur as a result of this development
- d) Entrance Way – the private driveway enters onto the open parking area outside The Courthouse Hotel. CCC considers that this feature may build in future problems if cars parked at the parking area prevent access and egress at the driveway entrance. The parking area at the Courthouse Hotel is popular and valuable resource in the village, and at times can become congested. CCC requests that a solution is found to this potential problem in order to avoid future difficulties for all parties
- e) Village Green – the development could result in damage to the nearby village green (North Walk) during construction or otherwise. CCC requests that steps are taken to ensure no damage takes place as a result of this development
- f) Right of Way – CCC welcomes the positive steps taken by the applicant to avoid confusion over rights of access across the nearby village green and public footpath by stopping up the entrance onto North Walk and the giving up of a claimed right of way. For reasons of public safety, protection of public amenity, and to avoid confusion with the public right of way over the public footpath, CCC requests that this is built into any consent which may be granted for the development.

Action – Clerk to process

5.7 Consultation on Notice to Remove Hedgerows – to receive and resolve responses to consultations by Powys CC including –

RESOLVED ‘CCC responds to planning consultations as follows:’

Ref.	Applicant	Site	Description	rec.
HEDG/2009/0003	P V Jerman, Upper Pentre, Llandyssil	Lower Cwm Land, Churchstoke	Removal of hedgerows at Pt OS 25351 91560	S

Action – Clerk to process

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

Ref.	Site	Description
None		

5.9 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	Off A489 opp entrance to Cae Coed, Churchstoke	Large lorry container
Feb 2009 – Members reported the presence of a large lorry container within the curtilage of a dwelling, and enquired with the planning office whether there are any planning requirements.		
March 2009 – the reply from Powys enforcement office stated that investigations are in progress and it will advise further following a site visit.		

RESOLVED	<i>'CCC would like to report that the container is still present and that it is still awaiting the outcome of investigations. Members consider that enforcement is essential component in preventing abuse of the planning system and would be grateful for an update position'.</i>	
M20050963	Land opp. Cwm Chapel, Mellington	The shed erected with the pump is still present although retrospective planning permission had been refused.
Nov 2008 – CCC requested an update position.		
March 2009 – the reply from Powys enforcement office stated that the owner has informed that the shed will be removed following completion of an extension to the main house. Powys CC further stated that should the owner fail to comply within a reasonable time, that it will pursue enforcement action and seek prosecution.		
RESOLVED	<i>'CCC would like to report that there appears to be no enforcement measures actually taking place, and the shed is still present. Members consider that enforcement is essential component in preventing abuse of the planning system and would be grateful for an update position'.</i>	

Action – Clerk to process

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

6.1 One Voice Wales:

None.

6.2 Society of Local Council Clerks:

None.

7.0 Allotments – to report from the allotments task group.

The Chairman reminded Members of the resolution to establish garden allotments. The allotments task group had intended to meet on Monday 8th June, but due to unfortunate circumstances the meeting could not take place. The task group arranged to meet on 24th July, 7pm.

Action – Allotments group with Clerk

8.0 Village Green at Hyssington – to report from the village green task group.

Declarations of Members' interests

- Cllr M J Jones: all applications – declared a Personal not Prejudicial Interest as a Member of Powys CC Rights of Way Committee.

The Chairman reminded Members of agreement to undertake a survey of the neighbourhood to seek evidence to support and application, and to host an open meeting in Hyssington for interested members of the public. The Chairman and Clerk reported for the task group on the group meeting on Sunday 21st June where survey returns were reviewed, and on the recommendations of the task group.

The Chairman thanked Cllr D H Payne for additional work in re-measuring and re-plotting boundaries of area A.

RESOLVED *'CCC accepts the recommendation of the task group as follows:*

- *To accept modified boundary of Area A following on-site measurements to exclude the field gate and approach-way, and to include small area near entrance to Holly Bank*
- *To proceed with application for registration as village green on Area A – land at village pump*
- *Not to proceed to registration as village green for Area B – land at Blacksmiths Bank*
- *To allocate financial resources to the project as per budget allocation 2008-09 under spend and budget allocation 2009-10'*

The Chairman thanked Cllr D H Payne and Mrs Payne for once again hosting the group meeting, and the thanked task group for the methodical approach and in maintaining the momentum of the project.

Action – Village Green group with Clerk

9.0 Cemetery Trees (Maintenance) – to receive a verbal report from Cllr B A Rowley and the Clerk and to receive a quotation for tree works.

Cllr B Rowley and the Clerk reported on the survey of trees at the cemetery and recommended pruning, and lopping of trees, with felling of one near-dead tree for safety reasons, and the on cost quotation obtained from a local contractor.

RESOLVED *'CCC requisitions tree pruning and lopping, and also the felling of one tree with reference to the survey results and the quotation from local contractor; to notify visitors to the cemetery by posting notice of works at the cemetery gates'.*

The Chairman thanked Cllr B A Rowley and Clerk for their work on the matter.

Action – Clerk to process

10.0 Financial Report:

10.1 Consultation by Welsh Assembly Government: Proposed Changes to the Account & Audit (Wales) Regulations 2005 – to resolve a response, if desired, to the consultation (previously circulated).

The Chairman reminded Members of the consultation and referred to the Clerk's written assessment and recommendations report.

RESOLVED *'CCC accepts the Clerk's recommendation, and makes its response to the consultation accordingly'.*

The Chairman thanked Clerk for the report.

Action – Clerk to process

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 Charities	Charibond dividend Feb-Apr 2009	1.90
Powys County Council	Waste re-cycling proceed Jan-Mar 2009 (Q4)	610.00

10.3 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 this meeting:</i>					
504	NALC	Subs to LCR 2008-2009	13.50	0.00	13.50
505	H Moriarty	Advice on cemetery trees	25.00	0.00	25.00
<i>Total to authorise for payment this meeting</i>			<i>38.50</i>	<i>0.00</i>	<i>38.50</i>
<i>To report items previously authorised to be paid by direct debit or standing order:</i>					
DD	Public Wks Loan Board	Instal no.13 loan 487805	1,169.08	0.00	1,169.08
SO	E J Humphreys	Clerk's salary Jun'09	383.88	0.00	383.88
<i>Total previously authorised paid by d.deb. or st. ord.</i>			<i>1552.96</i>	<i>0.00</i>	<i>1552.96</i>

Action – Clerk to process

10.4 Consolidated balances at 24th June 2009 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	30,170.92	500.00
Less ring-fenced funds	7,195.68	0.00
Net balances available	22,975.24	500.00

11.0 Highways and Rights of Way Reports:

11.1 Highways and Rights of Way report from Powys/Shropshire Council to CCC – to report.

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

- a) B4385 near the Courthouse – flooding in times of recent rainfall. Powys CC states that there is a drain at the location which is prone to blocking. The location will be monitored at time of heavy rainfall.
- b) B4385 at Pentre Bridge – flooding and difficulties for traffic during the first rainfall for some time. Powys CC states that the landowner at the site has been contacted to carry out drainage maintenance to improve the situation.
- c) B4385 at the Feeding Grounds Cottage (grid ref approx SO 267 923) – overhanging trees making for single file traffic. Powys CC states that the carriageway is relatively narrow it is accepted that some vehicles may move out to avoid trees and hedges. The owners will be approached prior to autumn cutting time with a view to ensuring they are properly cut back then..
- d) C2009 near Llanerch – potholes (especially near Llanerch) along the length from C2056 (Hyssington turn) to A489. Powys CC states that the carriageway defects have been noted and should be attended to soon.
- e) A489 – pothole adj. road island near Waterlily Cottage, on left lane heading east. No reply. Members noted that repair work has been undertaken.

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

- a) Cllr D H Payne: A488 near Moor Quarries (also known as Squilver Quarries), between junction with C2009 and junction with A489– road deterioration after recent works causes vehicles to deviate towards the edge of the verge
- b) Cllr J Stemasiak: North Walk Village Green – disturbance to the ground with felling of trees

Action – Clerk to process

12.0 County Council Matters – to receive and discuss other general Powys CC, Shropshire Council.

- a) Powys CC: Cllr M J Jones reported,
 - Waste Management Roadshow – took place at Tuffins 22nd June. Cllr S V Griffiths reported that there was positive feedback from the public
 - Public Website – has been redesigned to enhance usability
 - Finance – in order to accommodate cuts in WAG funding, council will need to make £8.6m saving over the next 3 years cycle which is likely to adversely affect education services
 - School reviews – more work taking place on the Ystradgynlais area where there are a number of schools with low pupil numbers.

- b) Shropshire Council
 - No report.

13.0 Correspondence – to receive other items of general correspondence.

13.1 Powys CC – Scrutiny Services manager

Re: Advice to Town & Community Councils (Planning Applications)

Council received advice on how it might best to deal with planning applications in order to meet consultation deadlines, by establishing new planning committees and procedures.

Members agreed that this is a fundamental matter of democratic governance and organisation and agreed to explore the issue further at the July meeting.

Action – Clerk to copy to Members
& for July meeting

13.2 Powys CC – Music Strategy Officer

Re: Children's and Young People's Music Strategy consultation

Council received notice of the consultation taking place until 3rd July. Noted.

13.3 Various other correspondences listed:

- a) Powys Teaching Local Health Board – bulletin June 09 including information on NHS Reforms in Wales, and the Powys Joint Options Appraisal Project (re PTLHB and Powys CC). Noted.
- b) All Wales Convention – notice and invitation to give evidence at the session 15th June 2-5pm re. levels of understanding of devolved government in Wales and the impact of further law making powers. The Clerk reported that CCC has contacted the AWC to indicate that the invitation was too short notice to participate. Noted
- c) Powys CAB – newsletter May 2009. Noted.
- d) North Powys Community Councils Forum – agenda for meeting Friday 19th June, 11am at Welshpool. Noted.

14.0 Chairman's Announcements & Date of Next Meeting

- a) Chairman – reported that he has been contacted by a contractor employed by 'e-on' with regard to felling trees at North Walk for reasons of safety and security of electricity supply. CCC note that it has already made its response to Powys CC when consulted on the issue in October 2008 and agreed to forward the same comments to the contractor

Action – Clerk to process

- b) Cllr B A Rowley – reminded Members that they had requested that Powys CC remove the redundant communal aerial in Cae Camlad, but that no works appear to be taking place. Members asked the Clerk to enquire with Powys CC.
Action – Clerk to process
- c) Cllr S V Griffiths – reported some confusion at the football club with a clash of fixtures at the recreation field. Members agreed that the matter should be taken in the first instance to the Churchstoke Recreation Association.
Action – Clerk to process

Next business meeting: Wednesday 29th July 2009, 7:30 p.m. at Hyssington.

Meeting ended – 9:55 p.m.