

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

MINUTES of Meeting on 25th April 2007
 at Hyssington Village 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 D A Paterson, Cllr D L Powell, Cllr P A Rees, Cllr Mrs B A Rowley.

Apologies – Cllr P J Jones, Cllr A R Stephens

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

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Agenda Number	Item	Councillor	Nature of Declaration
4.4	Planning Applications/Notices	M J Jones	Member of Powys CC Mont. Planning Committee (decision role)

2.0 Minutes of Meetings – to approve and sign the minutes of 29th March 2007 at Churchstoke Community Hall, as a correct record

The minutes of the business meeting 29th March 2007 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 29th March 2007 at Churchstoke Community Hall

3.1 (13.0b) Landfill Tax

Members agreed to enquire with Powys CC whether CCC will receive an increase in the level of recycling site proceeds following the rise in landfill tax from April 2007.

Action – Clerk to enquire

4.0 Planning Matters

4.1 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

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
M20070038	Land adj. Marmian Cottage	Full planning permission granted

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

4.3.1 Application M20070336

Copy of letter of objection from Mrs Kinsey, The Green, to Powys CC Planning Office.

Members noted this is relevant to agenda item 4.4 Planning Applications.

4.4 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.

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

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

Ref.	Applicant	Site	Description	rec.
<i>New Applications</i>				
M20070286	Mr & Mrs Emery, Fir Court House, Churchstoke	Fir Court House, Churchstoke	Listed building consent for installation of satellite dish	S
M20070336	Mr M Phillips, Horse & Jockey Inn, Churchstoke	Land adjoining settlement development boundary, behind the Horse & Jockey Inn, Churchstoke,	Erection of 10 residential dwellings (outline)	O*
M20070348	Mr R Bishop, c/o Ian Pryce Property Services, Montgomery	Former Hatchery site, Castle Road, Churchstoke	Section 73 application to vary condition no. 2 of planning permission M20041044	S

***M20070336** – CCC objected to this application for reasons of:

- a) The proposed development is outside the development boundary, and CCC can only support this development outside the boundary if it is for affordable housing / local need
- b) There is lack of clarity whether (or if any aspect of) the plan is for affordable housing / local need. The application form itself states 'local needs' but there is no evidence provided in support of this, nor is there any evidence of proposals for affordable housing on the plans
- c) There is some concern as to the safety of the site entrance onto the A490, and the absence of safe pedestrian access from the site to the village

Action – Clerk to process

4.5 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	The shed erected at the pump is still present although retrospective planning permission had been refused.
Cllr M J Jones reported that the Montgomeryshire Planning Committee has resolved to serve an Enforcement Notice on the owners. Noted.		

5.0 One Voice Wales / Society of Local Council Clerks, Guidance Notes

5.1 Guidance on Establishing a Complaints Procedure

The Clerk reported on OVW guidance notes, endorsed by the Public Services Ombudsman for Wales, on how to establish a complaints procedure. The Clerk reminded Members that CCC does not have a formal procedure, and recommended that a procedure be established as outlined in the guidance. Members agreed that guidance notes will be circulated to Members for discussion at the May meeting.

Action – notes to be circulated to Members & for May agenda

5.2 Summary Notes on WAG Policy ‘A Shared Responsibility’

The Clerk reported on a OVW summary of ‘A Shared Responsibility’ of the points most relevant to local councils. Members had previously noted that the establishment of Local Service Boards and development of Local Service Agreements will be a long-term exercise with a potentially significant impact, and CCC will be wise to watch for the detail. Noted.

Action – notes to be circulated

5.3 Montgomeryshire Area Bulletin

Notes from meeting 20th March. Noted.

6.0 Playgrounds – to receive the reports of the February 2007 inspections

The Clerk reported on the results of the 2007 RoSPA safety inspections of 1st March, and highlighted items of low, medium, high risk as follows:

- a) Cae Camlad playground – in general, items are low risk but medium-high risk is identified regarding the close proximity of school gates, the playground gates, the car park, and the road. The Clerk also reported on correspondence from the School Governors concerning the same hazard, suggesting that the School and CCC work together to investigate how the area may be made safer.

RESOLVED *‘To continue with the requisition of repairs at Cae Camlad as appropriate, and to contact the School to discuss ideas for making arrangements safer at the entrance’.*

Action – Clerk to process & contact School Governors

- b) BMX Site – the inspector reports the site in very poor condition and recommends that the site remains closed until remedial work is undertaken.

RESOLVED *‘To accept the inspectors recommendation that the site remains closed until remedial work is undertaken, and that CCC will discuss and determine the future of the site’.*

7.0 BMX Area – to receive status report

The Chairman referred Members to the earlier discussion of the RoSPA inspections. Members discussed the options for the long-term future of the site, and noted it seems to be difficult to sustain interest and commitment of the BMX users. In view of this, and the RoSPA report, Members asked the Clerk to circulate the full report to all Members and that a full discussion/decision will be made at the May meeting.

Action – report to be circulated to Members & for May agenda

8.0 Welsh Language Scheme – to receive and resolve on a draft scheme for adoption (previously circulated)

Cllr P A Rees and the Clerk reported, and described the approach taken, on the first draft Welsh Language Scheme. Members discussed difficulties of organising translation (especially having sufficient notice for translation at public meetings) and agreed to add an additional paragraph on cost of the scheme being funded through precept.

RESOLVED *‘that the draft be amended to include a paragraph on costs of the Scheme being financed through precept and that the Scheme is submitted to the Welsh language Board for approval’.*

Action – Clerk to process

Members thanked the Cllr P A Rees and the Clerk for their work on preparing the draft scheme.

9.0 Applications for Registration of Village Greens in Churchstoke

9.1 To receive the Clerk’s review report regarding registration of Cherry Tree Land and North Walk as village greens (previously circulated)

The Chairman referred Members to the Clerks review report concerning registration of Cherry Tree Land and North Walk as village greens, and drew Members’ attention to the conclusion and recommendations regarding taking a ‘project approach’. Members noted the main recommendation and agreed that even with a ‘project approach’ events were difficult to foresee at the outset.

RESOLVED *‘to accept the review report’.*

Members thanked the Clerk for the considerable effort and time spent on preparing the review.

9.2 To receive an enquiry from Powys CC regarding the Hearing of 30th January 2007

The Clerk reported on two items if enquiry from Powys CC regarding the procedure at the village Green hearing 30th January specifically concerning separate matters as follows:

a) Possible discussions between applicant and members of the Rights of Way Committee. Members noted that there were four CCC councillors present during part or all of the hearing – the Chairman, Cllr E Evans, Cllr D L Powell and Cllr D A Paterson – and each addressed the specific points of enquiry and in turn stated to the meeting their recollection of events.

RESOLVED *‘that those Members at the hearing have considered the specific questions put by Powys CC and their individual replies will be made through the offices of the Clerk’.*

Action – Clerk to process

b) Possible conflict of interest of the Clerk

Members noted that the Clerk was present at the hearing solely in a position as employed officer of CCC as applicant, and was no part of the decision process of the Rights of Way Committee.

RESOLVED *'that the Clerk shall reply individually to Powys CC to state the position'*.

Action – Clerk to process

10.0 Democratic Governance and Organisation – to receive the Clerk's report regarding establishing a position of 'Member with Special Responsibility for Democratic Governance & Organisation' (previously circulated)

The Chairman referred Members to the Clerks report concerning establishing a position of 'Special Responsibility for Democratic Governance & Organisation', and drew Members' attention to the conclusion and recommendations.

RESOLVED *'that the Clerk's recommendations be approved, and a position of Special Responsibility for Democratic Governance & Organisation be established, comprising 3 Members'*.

Action – Clerk to process

11.0 Financial Report

11.1 M&G Charibond – to receive information resulting from Members' local enquiries regarding the origin and purpose of the holding

The Chairman reminded Members of their intention to make local enquiries as to the origin and purpose of the Charibond and invited them to report such information as has been ascertained.

Cllr G Griffiths reported on 2 parts of the Village Green at Hyssington – Maypole Bank:

- a) upper part sold to Ms Davies at £100
- b) lower part sold to Ms Kay at £200

and that it may be possible that the £110 M&G investment was connected to these transactions, and was to be used for the benefit of the people of Hyssington.

11.2 Financial Year 2006-2007 – to receive notice of annual audit

The Clerk reported on the timetable for external audit of financial accounts for 2006-2007, with the audit date set for 24th August 2007. Arrangements for internal audit have been made for June.

11.3 Items received since last meeting – to report.

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

Payer	Description	£
NatWest Bank plc	Gross interest Jan-Mar 2007	147.00
	Allotment No.2 rent 2007 2008	60.00

11.4 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
392	Mrs B A Rowley	Village Steward Jan-Mar 2007	85.85
393	E J Humphreys	Admin. expenses Jan-Mar 2007	250.85

394	Powys County Council	Field Aeration 2006-2007	318.00
395	Powys County Council	Cemetery Rates 2007-2008	246.40
396	One Voice Wales	Subscription 2007-2008	158.00
397	Local Council Review	Subscription 2007-2008	13.50
398	Powys CAB	Donation 2007-2008	60.00
399	Mont. Family Crisis Centre	Donation 2007-2008	25.00
400	The Samaritans	Donation 2007-2008	25.00
St.Ord	E J Humphreys	Clerk's salary April 2006	324.06

Action – Clerk to process

11.5 Consolidated balances at 25th Apr 2007 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	16,711.44	500.00
Less ring-fenced funds	4628.70	0.00
Net balances available	12,082.74	500.00

12.0 Highways Reports

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

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

- a) C2055 – flooding near Blue Barns corner and a need to address drainage levels and arrangements. Powys CC states that the site will be surveyed to find a suitable outfall as there is no positive drainage at the location, and necessary works will be included in programme of works.
- b) C2055 pothole and stone protruding from verge at Blue Barns corner, pothole on Old Churchstoke side of Little Brynkin, pothole near 'Shalom'. Powys CC states that orders have been issued for the work but there is currently a backlog of work.
- c) The public right of way (footpath) from Pear Tree to Quarry view – safety concerns due to the poor condition and adjacent building material. Powys CC requests (from Rights of Way Maintenance Officer) a more precise location e.g. postcode or grid reference. In addition Powys CC states that Churchstoke is the next priority area in the cycle of maintenance, commencing in the next few weeks, and offers to meet CCC to explain the work. Members agreed to invite the rights of way officer to the June meeting.

Action – Clerk to process (c)

12.2 Highways report from CCC to Powys CC – to report

- a) Cllr E Evans – A489 Churchstoke Village – broken water main cover adj 'Tudor Rose' at foot of Hall Bank
- b) Cllr D L Powell – C2056 Hyssington – open hole containing two stop tap boxes outside Hyssington Methodist Chapel
- c) Cllr P A Rees – C2151 between Bacheldre and Pentrenant – various potholes
- d) Cllr B J Davies – C2056 near Corndon Farm – signs for public footpath and for bridleway are missing from their finger posts

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:

- The Montgomeryshire planning committee for May has been cancelled as there are no matters for the agenda.
- Churchstoke CP School has complained once again regarding dog fouling on the recreation field.

14.0 Correspondence – to receive other items of general correspondence.

14.1 Powys CC – Street Lighting Manager

Re – Night Time Patrols

Information that Powys CC is to cease nighttime patrols of lighting and lit signs, and advice on how to submit reports of lighting faults:

- Telephone 0845-6076060
- Internet www.powys.gov.uk/index.php?id=3117&L=0
- By post on reporting cards
- In person at Neuadd Maldwyn.

Noted.

14.2 Welsh Assembly Government – Head of Local Government Policy Division

Re – Policy Statement 2007 – ‘A Shared Responsibility’

Copies of the statement outlining the way forward for deliver of commitments in ‘Making Connections – Delivering Beyond Boundaries’ (the WAG response to the Beecham Report). The Local Government Policy Division will be hosting discussion sessions across Wales and invite participation. The Clerk reminded members that the One Voice Wales summary (see minute item 5.2) will be distributed for information.

14.3 Information Commissioner’s Office – Assistant Commissioner

Re – Freedom of Information requests

Acknowledgement that the Freedom of Information Act has presented difficulties for smaller councils in Wales, and providing a short step-by-step guide on responding to requests for information under the Act. Noted.

14.4 Various other correspondences, tabled:

- a) Public Services Ombudsman for Wales – order forms for further public information leaflets
- b) Montgomeryshire Community Health Council – Issue 8 newsletter. Noted.
- c) Health Challenge Wales / Her Iechyd Cymru – Spring 2007 news magazine. Noted.
- d) Play for Wales / Chwarae dros Gymru – Spring 2007 news magazine. Noted

15.0 Chairman’s Announcements & Date of AGM and Next Meeting

- a) Cllr B A Rowley – has received a request from the grass cutting contractors that CCC consider issuing invitations to tender, and awarding contract, earlier in the calendar year. Members agreed to do so from 2008.
- b) Cllr D L Powell – reported mole infestation at the cemetery. Members asked the Clerk to contact the pest controller.
- c) Cllr P A Rees – reported that he is unable to attend the One Voice Wales meeting 12th June and that another member may like to deputise.

Next meeting and AGM – Wednesday 23rd May 2007, 7:30 p.m. at Churchstoke

Meeting ended 10:00 p.m.