

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

MINUTES of Meeting on 26th November 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 C S Fowles, Cllr S V Griffiths (item 7 onwards), Cllr M J Jones, Cllr L D Owen, Cllr D H Payne, Cllr P C Rigg, Cllr B A Rowley, Cllr J Stelmasiak, Cllr V E D Tudor.

The Chairman welcomed members of the public.

Apologies for Absence: Cllr B J Davies

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

Agenda Number	Item	Councillor	Nature of Declaration
10.0	Consultation by Powys CC: Protocol for Delivery of Community Benefits from Wind Farm Energy Developments	M J Jones	Personal not Prejudicial Interest as a Members of Powys CC Planning Committee

2.0 Minutes of Meetings – to approve and sign the minutes of 29th October 2008 at Churchstoke Community Hall, as a correct record.

The minutes of the meeting 29th October 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 29th October 2008 at Churchstoke Community Hall.

3.1 (4.5) Planning Enforcement

The Clerk reported that CCC has not yet received a reply from the planning office on what, if any, enforcement action is being taken.

3.2 (13.2) CCC Bank Investments

The Clerk reported that due to commitments with the Allotments and the Village Green task groups, that no research on alternative banking arrangements has been possible.

3.3 (16.2) Seminar on Responsibilities for Managing Play Areas

Cllr M J Jones reported on attendance with the Clerk at the seminar on 30th October. The seminar received presentations from the Head of Outdoor Recreation, Powys CC playgrounds maintenance officers, and the RoSPA registered inspector. The main outcome for CCC, is to consider a more robust inspection regime. Members agreed that the Clerk should meet the Village Steward with a view to establishing weekly inspections and to record these on standard forms. Members also agreed to supply the same inspection form to Hyssington Village Hall.

Action – Clerk to meet

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
P20081180	4 Fir Court Mews, Churchstoke	Listed building consent granted
P20081244	Jacobs Barn, White Grit	Full planning permission granted
P20081286	Barn at Fishpool Farm, White Grot	Full planning permission refused
P20081382	RVW Pugh, Mellington	Full planning permission granted

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

4.2.1 Planning Enforcement Monitoring Officer

Re TREE/2008/0004 Tree works land adj, Courthouse Inn

Council received acknowledgment of its comments on WCE Network Services proposals for tree works. Powys CC reminds CCC that consent is not required for the works and felling may take place if deemed necessary for electricity network integrity. Noted.

4.2.2 Planning Liaison Officer

Re: Autumn Planning Liaison meeting

Council received invitation for representatives to attend the Powys CC Town & Community Council Autumn Liaison Meeting Wednesday 10th December, 6.30 for 7.00pm, at Neuadd Maldwyn, Welshpool. The topic for discussion will be 'Planning...The Future'. Replies are welcome by 5th December.

Action – Chairman
& Clerk to attend

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 –

RESOLVED 'CCC responds to planning consultations as follows:'

Ref.	Applicant	Site	Description	rec.
P20081579	Mrs S L Rogers, Pond House, Bacheldre	Pond House, Bacheldre	Erection of a sunroom extension	S
P200081617	Mr M Rogers, Bacheldre Cottage, Churchstoke	Bacheldre Cottage, Churchstoke	Section 72 application to vary condition no.2 re. Planning permission M20070957 (design amendments roof windows to dormer windows, and change of roof materials)	S

Action – Clerk to process

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

Ref.	Site	Description
None		

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 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.

a) SLCC – Powys Branch Meeting 8th November 2008, Llandrindod Wells

The Clerk reported on attendance at the branch meeting, with points of note as follows:

- The Powys Branch has made representation to Powys CC Planning Office indicating the practical difficulties for Clerks and Councils, which will result from the current proposals to move to electronic-only processing and consultation on planning applications.

Noted.

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

The Clerk reported that notices of intention to co-opt have been posted to notice boards and to the web site. Council received nominations for co-option to office, and Members voted to co-opt as follows:

- Mr S Vaughan Griffiths

Action – Clerk to process

Cllr S V Griffiths signed the ‘Acceptance of Office’ and joined the meeting at this point.

7.0. Publication Scheme – to receive information from the Information Commissioner’s Office (Wales) on the expiry of the existing scheme, and the requirement to adopt a new model scheme by 1st January 2009.

Council received notice and information from Information Commissioner’s Office (Wales) that approval of all existing publication schemes will expire on 31st December, and that councils are required to adopt a new model scheme by 1st January 2009. Members agreed to refer the matter to members for Special Responsibility for Democratic Governance and Organisation so that adoption can be resolved at the December meeting in time for the deadline.

Action – for group & Clerk
and for December meeting

8.0 Allotments – to report from the working group on a draft project plan (previously circulated)

The Chairman reminded Members of their request that the working group report and recommend on implications, resources and tasks to be addressed in a project to set up allotments at the Millennium Field. Cllr J Stelmasiak and the Clerk reported for the working group on the meeting of Sunday 16th November, and CCC

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

- *Enquiries are made with neighbouring councils as outlined in the report*
- *Enquiries are made with the County Council and the Planning Authority*
- *Cost estimates are obtained for major expenditure*

and furthermore that

- *CCC undertakes a question and answer survey to quantify the degree of interest for allotments’.*

Action – Cllr J Stelmasiak
& Clerk

The Chairman thanked the working group and the Clerk for their work, and also thanked Cllr Stelmasiak for hosting the group meeting.

9.0 Village Green at Hyssington – to report from the working group on a draft project plan. The Chairman reminded Members of their request that the working group report and recommend on implications, resources and tasks to be addressed in a project to register a Village Green in Hyssington. The Clerk reported verbally for the working group on the meeting of Sunday 23rd November, and Members agreed that the report be written up and presented at the December meeting.

Action – Clerk to process
and for December meeting

The Chairman thanked the working group and the Clerk for their work, and also thanked Cllr Payne for hosting the group meeting.

10.0 Consultation by Powys CC: Protocol for Delivery of Community Benefits from Wind Farm Energy Developments – to resolve a response, if desired, to the consultation (previously circulated).

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

- Cllr M J Jones – Personal not Prejudicial Interest as a Members of Powys CC Planning Committee

Council received consultation on a protocol for ‘Delivery of Community Benefits from Wind Farm Energy Developments’, with replies requested by 28th November. The Clerk also referred Members to minutes of 29th October 2006 where CCC resolved on ‘Interim Development Control Guidance on Wind Farm Development’, with comments on collective community ownership of wind farms and on administration and distribution of a community investment fund. CCC discussed the proposals and

RESOLVED

- a) *General* – CCC welcomes the general principle of establishing the community benefits funds, and would like to make additional comments and seek clarifications built into the protocol as follows:
- b) *Use of funds* – CCC would like to see clarification that the community funds would be set aside as ring fenced funds, and not intended or used as a means of lowering general council tax precept either at County or Community level
- c) *Policy (page 6)* – the protocols sets out ‘Local Trust Funds’ which individual Town or Community Councils will be identified to administer. However Community Councils can only act according to the powers they have been specifically granted in statute, otherwise they would be ‘ultra vires’. CCC would like to see a positive statement in the protocol – for reasons of avoiding doubt or uncertainty – as to what statute would be granting these powers to undertake such administration
- d) *Strategic Concordat (Page 6)* – CCC understands and welcomes the separation of the planning process and negotiation of community benefit. This may be easily accomplished at County Council level. However at community council level the community council is a consultee in the planning process, and at the same time would be called upon to administer the local fund. CCC considers that there is a potential conflict of interest in this respect, so would like to see positive clarification in the protocol as to whether this is indeed the case (and if so, some recommendations how this could be resolved)
- e) *Publicity* – CCC would like to see a positive statement in the protocol on intention and methods of publicising both the protocol and the existence of the two funds’.

Action – Clerk to process

11.0 Dates of Meetings – to resolve on dates of meetings for 2009 (previously circulated)
The Clerk presented the proposed dates for CCC meetings in 2009.

RESOLVED ‘to set the dates for 2009 as presented (the dates to be set out in the appendix to these minutes)’.

Action – Clerk to process

12.0 Financial Report:

12.1 Financial Year 2007-2008 – to report and approve conclusion of external audit if available

The Clerk reported that there has been no communication from the auditors.

12.2 There was no item 12.2.

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

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

- Bobarth Children’s Therapy Centre Wales
- Childline Cymru
- Eisteddfod Genedlaethol Cymru 2008 (Bala)
- Hope House Children’s Hospice
- Powys Citizens Advice Bureau
- Urdd Gobaith Cymru Eisteddfod 2008 (Cardiff)
- Wales Air Ambulance
- WRVS

CCC agreed to consider donations of £25 each in the draft budget, for Bobarth Children's Therapy Centre Wales, Hope House Children's Hospice, and Wales Air Ambulance, in addition to Powys Citizens Advice Bureau, Montgomeryshire Family Crisis Centre, Royal British Legion, and The Samaritans.

12.4 Items received since last meeting – to report.

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

Payer	Description	£
None		Nil

12.5 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>					
472	Soc Loc. Council Clerks	Law of Allotments	15.20	0.00	15.20
473	Severn Waste Services	Empty soakaways rec field	110.00	19.25	129.25
474	Royal British Legion	Poppy appeal 2008	25.00	0.00	25.00
475	E J Humphreys	BT Openworld expenses	6.73	0.00	6.73
<i>Total to authorise</i>			<i>156.93</i>	<i>19.25</i>	<i>176.18</i>
<i>To report items previously authorised to be paid by direct debit or standing order:</i>					
SO	E J Humphreys	Clerk's salary Nov'08	373.58	0.00	373.58
<i>Total previously authorised</i>			<i>373.58</i>	<i>0.0</i>	<i>373.58</i>

Action – Clerk to process

12.6 Consolidated balances at 26th Nov 2008 after sweep, receipts & payments – to report.

The Clerk reported on the M&G six monthly annual statement for 1st Jul-30th Sep 2008,

Fund	Number of shares	Share Price (p)	Value at 31/12/2007 (£)
Charibond	100	114.60	114.60

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

Item	Reserve account £	Current account £
Gross balances	18,323.85	9,913.12
Less ring-fenced funds	5,546.15	0.00
Net balances available	12,867.70	9,913.12

13.0 Highways and Rights of Way Reports:

13.1 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) Road Kill Carcasses – information from Waste Management Services in response to CCC enquiries, that carcasses should be reported for collection and incineration on

0845-6076060 or tlshelpdesk@powys.gov.uk

- b) Food waste – information from Waste Management Services in response to CCC enquiries, that food waste collections do indeed pass though Churchstoke en route to Ludlow, but that these are delivery rather than collection vehicles, and that the intention is for the composting company to move processing from Ludlow to

Newtown. Powys CC also states that it is reviewing all collection systems but at present it is unable to indicate when food waste collections might be implemented for Churchstoke area.

- c) B4385 (near the feeding grounds cottage grid ref approx SO 267 923) – swing gates have been installed where the right of way abuts the road. Walkers at this entrance cause traffic to move to the middle of the carriageway, where traffic in the opposite direction also moves to the centre to avoid encroaching hedges. Acknowledgement only.
- d) U2719 (Owlbury lane) – road damage by flooding near Snead mill, and deep void near the bridge. Acknowledgement only.
- e) C2056 (Hyssington Village) – traffic speed census wires have been installed on a bend where traffic tends to slow naturally. CCC suggests that the wire would be better placed on stretches prone to speeding. Acknowledgement only.
- f) C2056 (Hyssington Village) – heavy lorries are being directed through the village by satellite navigation, and a sign is needed to discourage such a practice. Acknowledgement only.
- g) C2009 (near Hyssington Farm development) – water flowing from the new housing development onto the C2009, and damaging the carriageway. Acknowledgement only.
- h) C254 south (Courthouse to The Cann) – the brook alongside the road is blocked by fallen embankment, giving rise to flooding. Acknowledgement only.
- i) U2707 (Rock lane) – water mains leak near Rock Farm causing damage to the carriageway and flooding of the property. CCC noted this may require work from Severn Trent Water. STW states that leakage issues have been investigated and 2 incidents logged, and a job has been raised to repair the burst main.

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

- a) Cllr J Stelmasiak: A489 east of Churchstoke – rising surface tarmac outside Broadway Hall.
- b) Cllr M J Jones: C2147 Hurdley Lane – drainage problems near Hurdley Farm. The drains may need jetting.
- c) Cllr C S Fowles: C2056 Hyssington to White Grit – gutters are blocked near Primrose Cottage and water is flowing onto road.
- d) Cllr B A Rowley: C2054 to Old Churchstoke – water collecting in the dip in the road near Blue Barns and Cartref, indicating drainage problems. Members noted that this had also been reported in April and July 2007 when Powys CC stated that as there is no positive drainage, consideration would be given to structural works.
- e) Cllr C S Fowles: C2056 north of Hyssington – when gritting salt is distributed ready for winter, it would be useful for local residents to have a grit-drop at the gateway opposite the lane to Cefn Farm

Action – Clerk to process

14.0 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,
 - Street Lighting ‘switch off’ Review – a review of street lighting switch off is about to commence. It will consist of two elements: (i) a practice review with 4 options for reinstatement of lighting (ii) a policy review to consider long-term amendments to the switch-off policy. Powys CC also states that the review will run in the same

order as the switch-off, and that contact will be made when the review is about to commence locally.

Action – Clerk to circulate document and for December meeting

Cllr B A Rowley also reported an offer by a resident of Cross Likey who for medical reasons is prepared to fund the highways light outside their property, and will write to Powys CC to that effect. CCC agreed also to write to Powys CC to support the offer

Action – Clerk to process

- b) South Shropshire DC:
➤ No report.

15.0 Correspondence – to receive other items of general correspondence.

15.1 Powys CC: Local & Environmental Services – Waste Services Officer

Re: Recycling Adopt-a-Site Contracts

Council received information that Powys CC is to monitor the conditions and use of proceeds at all 'adopt-a-sites' for fly-tipping, damage to banks, daily safety inspections, general cleanliness and use of the sites by traders. Attention is drawn to the contract agreement to maintain site in good condition, and that failure to do so may result in loss of income or ending of the agreement. The Clerk reported that subsequent enquiries made in person with Powys CC Waste Services indicate that there is no problem at present at the Churchstoke site. Noted.

15.2 Powys CC: Local & Environmental Services – Waste Services Officer

Re: Recycling Facilities

Council received information that the waste banks are being replaced at the Tuffins bring-site. Plastics and cans are being replaced with a combined service, and card banks will also be replaced. Noted.

15.3 Powys CC: Regeneration & Development – Community Welcome Project Officer

Re: Community Welcome Scheme

Council received information on the Community Welcome Grant Scheme aimed at small-scale community based tourism projects, running 1st November 2008 to 31st March 2010. Noted.

15.4 Welsh Assembly Government: Local Government Policy Division

Re: Call for Evidence on Assembly Members' Allowances

Council received information that WAG has appointed an independent panel, to review Members' Allowances, with comments and constructive ideas welcomed by 31st December 2009 to independentreviewpanel@wales.gsi.gov.uk. Noted.

15.5 Local Government Boundary Commission for Wales – Chair

Re: Workshops 2008

Council received information on forthcoming workshops to be held at the annual open meetings on 1st December (Abergavenny), and 10th December (Carmarthen) where topics will be as follows:

- Are Councillor Numbers to Voters right?

- Making Clearer Communications
- What makes better boundaries?
- What can be done better?

Noted.

15.6 Various other correspondences listed:

- a) Dyfed Powys Police Authority: 'You Pay You Say' events at the Community Consultative Forums to give residents an opportunity to speak directly to the service (November 26th, Coleg Powys Newtown). Noted.
- b) Adjudication Panel for Wales: Annual Report 2007-2008. Noted.
- c) Mid & West Wales Fire & Rescue Authority: Copy of the Risk Reduction Action Plan 2009-2010. Noted.

16.0 Chairman's Announcements & Date of Next Business Meeting

- a) Cllr L D Owen – reported that Bishops Castle Town Council is opposing the development of the biomass plant at the town. Due to proximity to Churchstoke, Members agreed to discuss the matter at the December meeting.
- b) Cllr P C Rigg – reported on attendance at the meeting of Churchstoke Recreation Association where concern was expressed on finances and a forecast downturn in income. Members noted the implications for CCC draft budget
- c) Cllr J Stelmasiak – reported on attendance with Cllr B A Rowley, at the local PACT (Police and Communities Together) meeting at Montgomery Town Hall, 18th November. Topics raised included:
 - street lighting switch-off
 - barn fires and the need for increased vigilance, although little information could be given about on-going investigations. The police also reminded the meeting that the Fire and Rescue Authority provide a free inspection and advice service
 - vandalism of payphones in Montgomery
 - speeding vehicles and the need for further monitoring and enforcement measures

Next business meeting: Wednesday 17th December 2008, 7:30 p.m. at Churchstoke

Meeting ended 9.50 p.m.

Appendix to Minutes of meeting of CCC on 26th November 2008.

Dates of Community Council Meetings for 2009

Meetings are scheduled to begin at 7:30 p.m.

Day	Date	Venue
Wed	28/01/2009	Churchstoke
Wed	25/02/2009	Churchstoke
Wed	25/03/2009	Churchstoke
Wed	29/04/2009	Hyssington
Wed	27/05/2009	Churchstoke (plus AGM)
Wed	24/06/2009	Churchstoke
Wed	29/07/2009	Hyssington
Wed	26/08/2009	Churchstoke (planning, finance, and urgent matters only)
Wed	30/09/2009	Churchstoke
Wed	28/10/2009	Churchstoke
Wed	25/11/2009	Hyssington
Wed	23/12/2009	Churchstoke

end