

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

MINUTES of Meeting on 27th February 2008
 at Churchstoke Community Hall at 7.30 p.m.

1.0 Attendance, Apologies and Declarations of Members' Interests

Attendance: Cllr E Evans (Chairman), Cllr Mrs B J Davies, Cllr G F Griffiths, Cllr M J Jones, Cllr D H Latimer, Cllr D A Paterson, Cllr D L Powell, Cllr P A Rees, Cllr Mrs A R Stephens.

Apologies: Cllr Mrs B A Rowley.

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

| Agenda Number | Item | Councillor | Nature of Declaration |
|---------------|-------------------------------|-------------|---|
| 4.4 | Planning Applications/Notices | M J Jones | Member of Powys CC Mont. Planning Committee (decision role) |
| 8.0 | Allotments | G Griffiths | Personal Interest |

2.0 Minutes of Meetings – to approve and sign the minutes of 23rd January 2008 at Churchstoke Community Hall, as a correct record.

The minutes of the meeting 23rd January 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 23rd January 2008 at Churchstoke Community Hall.

3.1 (5.0) Planning – Local Needs Evidence

Cllr D A Paterson and the Clerk reported on results of enquiries made of the planning office, which indicate that for data protection reasons the 'Local Needs Questionnaire' is no longer sent with the planning applications consultation pack. Members noted that knowing nothing about the local need of an application which is classed 'local need', leaves CCC in a position of not being able to make a complete response. Members agreed to enquire whether a précis of non-confidential information could be included in the consultation pack.

Action – Clerk to process

3.2 (8.0) Dyfed Powys Police – communications centre

The Clerk reported acknowledgement from Sergeant Rees regarding CCC's suggestion of a 01 or 02 number, stating that this has been forwarded to the communications centre manager.

3.3 (15.3a) Dyfed Powys Police – PACT meeting

Cllr D L Powell reported on attendance with Cllr B A Rowley and The Clerk at the PACT meeting on 31st January at Montgomery Town Hall. Officers from Powys CC Highways were also present to assist with discussion of highway maintenance and safety. Points of note included:

- A489 at Churchstoke – it is unlikely that a pelican or otherwise improved crossing will be installed due to budget constraints. However higher visibility posts will be installed and defective lights replaced
- A489 Snead to Newtown – safety signage is being reviewed, redesigned and ordered
- A489 at Churchstoke – parking near the zebra crossing
- Speed limits – will not be adjusted (other than outside schools) until guidelines are received from the Welsh Assembly Government, but thereafter there will be a review of all county speed limits

The next meeting is on Wednesday 2nd April, 7pm, at Montgomery Town Hall.

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 |
|-----------|--------------------------------------|----------------------------------|
| M2061182 | Land adj. Water Lilly Cott, Ch'stoke | Outline planning perm'n granted |
| M20071114 | 2/3 Cwm Cae, Pentre | Full planning permission granted |
| M20071137 | Glencairn, White Grit | Full planning permission granted |

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

4.2.1 Powys CC – Planning Liaison Officer

Re. Various enquiries by CCC

The Clerk reported he is in current discussion with the planning liaison officer regarding a number of outstanding issues and will report back when a conclusive reply is received. It has also been confirmed that the response time for consultation on planning applications is now set at 21 days (instead of 14 days).

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 –

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':*

| Ref. | Applicant | Site | Description | rec. |
|-------------------------|---|--------------------------------|--|------|
| <i>New Applications</i> | | | | |
| P20080105 | Mr A Thirtle-Watts, Cwm Chapel, Cwm, Mellington | Cwm Chapel, Cwm, Mellington | Erection of a roof terrace and entrance porch | S |
| P20080106 | Mr & Mrs Lawrence, Jacobs Barn, White Grit | Jacobs Barn, White Grit | Installation of dormer windows to form 2 room loft conversion | S |

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 | | |

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

- a) Complaints Handling Seminar, Thursday 14th February 2008, 7.00 p.m., Park Lodge Hotel, Parc-y-Llyn, Aberystwyth

The Clerk reported on attendance at the seminar hosted by the Public Services Ombudsman in association with OVW. The purpose was to discuss the role of the Ombudsman and the principles of good complaint handling.

Points of note included:

- Approx. 15 attendees (2 councils from Montgomeryshire)
- The meeting covered 2 main areas of work of the Ombudsman – complaints of maladministration, and complaints of infringements of the code of conduct by Members
- The role of Ombudsman is not as an advocate of the public, but to act impartially, investigating whether a council has acted and decided reasonably based on relevant information. The Ombudsman will also assess whether the complainant has actually suffered hardship, and whether the council has offered reasonable redress
- The Ombudsman fully endorses the OVW guidelines on complaints procedure issued in 2007
- The precise definition of a complaint (e.g. a request for a service is not taken to be a complaint)
- The importance of record keeping as part of the procedure
- The powers granted to a local authority to make redress
- The Ombudsman Service cannot force a council to accept its recommendation but can refer it to WAG Inspectors
- The most common complaints against Town and Community Councils are not of maladministration, but are for breach of code of conduct.

The Clerk reminded Members that CCC does not have a formal procedure, and of its earlier decision that one be drafted by Members with Special Responsibility for Democratic Governance and Organisation and the Clerk.

- b) Copy of 'The Voice' January 2008 – including an article from the Electoral Commission. Noted.

6.0 Powys CC consultation on Draft Interim Development Control Guidance (IDCG) Planning Obligations (Jan 2008) – to resolve a response, if desired, to the draft guidance. (Available council main offices, main libraries, and on the Internet at: <http://www.powys.gov.uk/index.php?id=4405&L=0>).

The Chairman reminded members of the consultation running from 21st January to Friday 29th February 2008 on the Draft IDGC to supplement the Powys UDP with guidance on negotiation of planning obligation in Powys. Members agreed that CCC does not wish to make a response.

7.0 Tennis Club Wall – to receive clarification from the Churchstoke Recreation Association as to ownership and responsibility for maintenance.

The Chairman reminded members of brief discussion at the January meeting where there appeared to be some uncertainty as to ownership and responsibility for maintenance of the wall, and that information has been sought from the Churchstoke Recreation Association.

Cllr B J Davies reported that investigations so far are inconclusive but indicate:

- The deeds show that the trustee of the club is the Churchstoke Recreation Association, and the project was grant funded
- The trustee of the Churchstoke Recreation Association is the community council
- The land is owned ultimately by the Trustees and can only be used for recreational activity
- That it is considered whether it is desirable to arrange for the Tennis Club to be on a similar basis to the Bowling Club
- The responsibility lies firstly with the Tennis Club, thereafter to the Recreation Association.

Cllr Davies reported that temporary repairs have been made to the buttress, and that contact will be made with the Charity Commission regarding change of trustees.

Action – Cllr B J Davies

8.0. Allotments – to receive and resolve on tenders for 5 year tenancies from 25th March 2008 for 4x 1-acre allotments 1, 2, 3, 4 at Old Churchstoke.

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

- Cllr G Griffiths – having earlier declared a personal interest left the meeting for this item.

The Clerk reported that 4 tenders had been received. The tenders were opened and it was

RESOLVED *'to accept the tenders of*
 ➤ *K J Llewellyn – allotment 1*
 ➤ *B H P Llewellyn – allotment 2*
 ➤ *J R Munslow – allotment 3*
 ➤ *G Griffiths – allotment 4*

Action – Clerk to process

Cllr A R Stephens joined the meeting at this point.

9.0 Future Projects – to specifically discuss the possible provision of garden allotments, and to further receive and discuss Members’ ideas and views in general on possible future projects.

The Chairman reminded Members of their wish to discuss ideas for possible future projects, specifically the possible provision of garden allotments on which Cllr A R Stephens has done considerable preparatory work.

- a) Allotments – Cllr Stephens presented written proposals for discussion. It was agreed that CCC would canvass the community to gauge interest in allotments, and that prospective project work would be undertaken by Cllr Stephens and Members with Special Responsibility for Allotments. Members thanked Cllr Stephens for the considerable work preparing the proposals.

Action – Cllr A R Stephens

- b) Cross Likey Green Space – the Clerk reported that there is no response from Powys CC as to ownership of the green space

Action – Clerk to process

- c) Affordable Homes Scheme – Cllr D A Paterson opened discussion on the possibilities of an affordable housing scheme in conjunction with housing providers. Members agreed to ascertain ownership of land, and to enquire about re-zoning of industrial land to housing land

10.0 Seat on the Village Green (Cherry Tree Land) – to discuss and resolve on a proposal to place a village seat on the Village Green at the Cherry Tree Land.

The Chairman reported on confirmation of design for the seat, from Mrs W Roberts of Erw Las, Forden, for which permission had been provided in the Summer 2000. Members agreed that CCC needs to ascertain the lifetime of the seat, so that it could be maintained as long as it proves to be cost effective. The Chairman and Vice-Chairman agreed to visit Mrs Roberts to see the seat first hand.

Action – Chairman and
Vice-Chairman

11.0 Playgrounds Inspection 2008 – to receive information on inclusion in 2008 inspections round.

The Clerk reported that the anticipated invitation from Powys CC to join the round of inspections for 2008, at £50.00 + vat per playground site. In view of the deadline for response by 4th February, the Clerk has requested inspection of Cae Camlad playground.

RESOLVED: *‘CCC confirms that it will join the Powys CC round of playground inspections for 2008, for Cae Camlad Playground’.*

Action – Clerk to process

12.0 Financial Report

12.1 Items received since last meeting – to report.

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

| Payer | Description | £ |
|----------------------|---------------------------------------|--------|
| Powys County Council | Waste recycling proceeds Jul-Sep 2007 | 717.36 |

12.2 Items for payment this meeting – to authorise items for payment, including as follows,

| cheque | Payee | Description | £ inc. vat |
|--------|----------------------|---------------------------------|------------|
| 432 | Powys County Council | Playground inspections 2008 | 58.75 |
| 433 | E J Humphreys | BT Openworld dial up Sep-Dec’07 | 10.04 |

| | | | |
|--------|---------------|-------------------------|--------|
| St.Ord | E J Humphreys | Clerk's salary Feb 2008 | 373.58 |
|--------|---------------|-------------------------|--------|

Action – Clerk to process

12.3 Consolidated balances at 27th Feb 2008 after sweep, receipts & payments – to report.
The Clerk reported on the M&G six monthly annual statement for 1st Jul-31st Dec 2007,

| Fund | Number of shares | Share Price (p) | Value at 31/12/2007 (£) |
|-----------|------------------|--------------------|----------------------------|
| Charibond | 100 | 121.40 | 121.40 |

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

| Item | Reserve account £ | Current account £ |
|------------------------|-------------------|-------------------|
| Gross balances | 23,630.10 | 557.63 |
| Less ring-fenced funds | 7,739.74 | 0.00 |
| Net balances available | 15,890.36 | 557.63 |

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) C2193 Old Churchstoke near junction with C2055: water emanating from the field onto and across the road creating a danger in frost conditions. Powys CC states that an instruction has been issued to deal with the problem.
- b) A489 Churchstoke: deep pothole outside Wilber House, Castle Road. Powys CC states that it will be dealt with following inspection of 16th January.
- c) Cae Camlad: resurfacing seems still on hold since March 2007 pending remedy for a recent flooding incident. Members asked the Clerk to enquire when repairs can be expected. Powys CC states that it is still their intention to carry out resurfacing in the new financial year.
- d) C2151 between Bachelldre and Pentrenant: nothing has yet been done to remedy the case of water emanating from a field onto the road near Binwilkin as reported by CCC in June 2007. In July 2007 Powys CC replied, “the problem will be investigated and actioned as appropriate”. Members had asked the Clerk to enquire when appropriate works can be expected. Powys CC states that it has been included in the list for consideration in the future year’s programme (budget allowing).
- e) B4385: subsidence at the ‘Devil’s Elbow’ has been repaired but recommended that the whole length of the road needs inspection and gully emptying. Powys CC states that the road receives a monthly inspection, but that recent rainfall has revealed drainage problems. Inspectors will revisit gullies to check. Shropshire CC states that it is aware of problems between the Powys boundary and Bishop’s Castle
- f) C2148/U2703/U2704: water flowing down the road indicating there may be a blocked culvert or drain at the top of Pentre Wood near the Pentre Cwm junction. Powys CC states that an order for all drainage on this road to be jetted has been issued, and grips allowing water to run off the road will be attended to.
- g) U2709 / U2711 Old Churchstoke / The Pant: shortage of salt grit during the recent frosts. Powys CC states that request for salt heaps to be topped up has been passed to operational staff.
- h) A488 / A489 at Bromleysmill: road markings on A489 are worn and nearly invisible giving rise to hazard at the junction. Shropshire CC states that markings will be replaced.

- i) C2054 Wernddu Lane: damage caused by large vehicles; requesting a 'no access for large vehicles' sign. Powys CC states that a sweeper has been requested to attend and drainage works are planned.
- j) C2055 Old Churchstoke to Priest Weston: very badly damaged surface. Powys CC states that the main stretch is in Shropshire, but the Powys portion is included in the surface-dressing programme for the summer. Shropshire CC states that the road will be patched in this financial year and surface dressed during the summer. Cllr B J Davies reported that the road is already receiving repairs.

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

- a) Cllr B J Davies – U2691 Dan's Lane: potholes and subsidence, possibly caused by heavy vehicles
- b) Cllr D L Powell – C2193 below Todleth: a number of potholes
- c) Cllr G Griffiths – C2055 at Yew Tree Cottage: hedge encroaching onto the highway.
- d) Cllr D L Powell – C2193 below Todleth: overhanging trees have still not been cut back
- e) Cllr A R Stephens – U2708 Stone House Lane: potholes have been identified and marked for repair, but works has not been undertaken so there is been further deterioration

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:

- Council Tax – increase has been set at 3.5%, translating to £843.16 per band D property for Churchstoke community (county council plus community council but not including police authority element)
- Planning – that the planning service has been subject to audit, and that the auditors report is unfavourable highlighting a number of areas for improvement particularly that of consistency of standards. It is likely that there will be a single planning committee of 15 members to ensure consistency of decision making.

Cllr P A Rees brought Members' attention to the existence of the Powys Citizens Panel and its survey of matters that residents feel important. Copies of the survey were distributed to Members, which indicated how to volunteer for membership

Contact: email to sue.glenn@powys.gov.uk or phone 01597-826043

b) South Shropshire DC:

- No report.

15.0 Correspondence – to receive other items of general correspondence.

15.1 Powys CC – Principal Officer (Village Halls)

Re: Community and Village Hall Grants 2007-08

Council received a reply to its December enquiries as to the grant formula and variation in grants awarded to villages of similar size to Churchstoke and Hyssington. Powys CC states that the formula is based on the precept according to the number of Band D houses to take account of the precepting power of each council. This is used alongside the contribution of each council to determine the final result. It also states that the village

halls working party will review the system to see whether modifications are needed.
Noted.

15.2 Powys CC – Electoral Registration Officer

a) Re: Revised Electoral Register

Council received notice of publication of a revised register at the end of February to take account of transfer of electors, which will give rise to renumbering. Noted.

b) Re: Forthcoming Elections – Guidance for Clerks

The Clerk drew attention to the timetable for

- Nominations – 17th March to noon 4th April
- Statement of Persons Nominated – noon 8th April
- Withdrawal of candidacy – noon 9th April
- Status of elections for each community – noon 9th April
- Notice of Poll – 23rd April
- Polling Day 1st May
- Verification at Welshpool Town Hall – night of 1st May
- Count at Welshpool Town Hall – arrangements to be notified
- Existing councillors retire 5th May

Noted.

15.3 Welsh Assembly Government – Local Government Finance Division

Re: Appropriate Sum under S137 (3) of Local Government Act 1972

Council received confirmation that the Appropriate Sum S137 for 2008-2009 is £5.86 per elector – increasing in line with RPI formula (Sept'06 to Sept'07) by 3.9%. Noted

15.4 The Post Office – Head of External Relations

Re: Network Change Programme

Council received notice of consultation period commencing 11th March for central Wales, on Powys Office change programme (e.g. no change, closures, or replacement by outreach offices), and an invitation to a forum on Wednesday 19th March, 7pm, at County Hall, Llandrindod Wells. Noted.

15.5 Various correspondences, tabled:

- a) Welsh Assembly Government – arrangements of borrowing approval 2008-09, with deadline for application being 14th March 2008. Noted.
- b) POVA – notice of Powys CC consultation on Health Social Care and Well-being Strategy 2008-11, and invitation consultation meeting (Welshpool 27th Feb 6pm-8.30pm; Newtown 29th Feb 10am-12.30pm). Noted.
- c) Kidney Wales Foundation – promotional material and invitation to join the 'Walk for Life' on 8th March. Noted.
- d) Llangollen International Eisteddfod – programme for July 2008, together with an appeal of financial assistance. Noted.
- e) Chwarae dros Gymru / Play for Wales – Winter 2007 newsletter. Noted.

15.0 Chairman's Announcements & Date of Next Meeting

- a) Cllr D A Paterson – request that Hyssington notice board is on next agenda
- b) Cllr B J Davies – reported that Harry Tuffins have suggested that due to traffic congestion, the waste recycling banks are to be moved to the overflow car park.

Members asked the Clerk to write to Mr P Delves expressing CCC's gratitude for the continued support of Tuffins in hosting the banks.

Action – Clerk to process

Next meeting – Wednesday 26th March 2008, 7:30 p.m. at Churchstoke

Meeting ended 09:50 p.m.