

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

**MINUTES of Meeting on 28<sup>th</sup> January 2009**  
 at Churchstoke Community Hall at 7.30 p.m.

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

Attendance: Cllr M J Jones (Vice-Chairman), Cllr S V Griffiths, Cllr B A Rowley, Cllr J Stelmasiak, Cllr V E D Tudor.

In the absence of the Chairman, the Vice-Chairman took the Chair.

Apologies for Absence: Cllr D L Powell (Chairman), Cllr C S Fowles, Cllr L D Owen, Cllr D H Payne, Cllr P C Rigg.

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

Agenda Number	Item	Councillor	Nature of Declaration
4.4	Planning Applications	M J Jones	Personal not Prejudicial Interest as a Members of Powys CC Planning Committee
13.3	Financial Year 2009-2010 – draft budget	B A Rowley	Personal and Prejudicial Interest as Member of Churchstoke Recreation Association
13.3	Financial Year 2009-2010 – draft budget	V E D Tudor	Personal not Prejudicial Interest as Member of Hyssington Village Hall Committee appointed by CCC

**2.0 Minutes of Meetings** – to approve and sign the minutes of 17<sup>th</sup> December 2008 at Churchstoke Community Hall, as a correct record.

The minutes of the meeting 17<sup>th</sup> December 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 17<sup>th</sup> December 2008 at Churchstoke Community Hall.

**3.1 (7.0) Publication Scheme**

The Clerk distributed copies of the publication scheme to Members for posting to notice boards, and informed that it will be posted to the web site at the next update of the 'council' page.

**3.2 (10.0) Bishops Castle Biomass Plant**

The Clerk reported on a telephone call from Cllr Herd of Bishops Castle Town Council thanking CCC for informing of its December resolution on the biomass development.

**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
P20080841	The Coach House, Bacheldre	Full planning permission granted
P20081494	Haulfryn, Old Churchstoke	Full planning permission granted
P20081579	Pond House, Bacheldre	Full planning permission refused
P20081617	Bacheldre Cottage, Bacheldre	Full planning permission granted
P20081636	New House, White Grit	Full planning permission granted
P20081676	Hillington Farm, White Grit	Full planning permission granted
P20081678	Satipanya, White Grit	Full planning permission granted

4.2 Planning Specific Correspondence – to receive planning specific correspondence, including UDP Newsletter.

4.2.1 Powys County Council – LDP Newsletter (previously circulated)

Council received the first issue of Powys Local Development Plan (LDP) Newsletter informing of the progress towards production of the plan together with an update on the Unitary Development Plan (UDP). Members noted salient points as follows:

LDP

- due to delays in adoption of the UDP that the Draft Delivery Agreement is to be reviewed to revise the timetable
- a second consultation on Draft Delivery Agreement in summer 2009
- work on LDP to start 2010, and formal deposit of the plan is likely to be in 2012

UDP

- council is pursuing adoption of UDP despite delays due to directives by the Welsh Assembly Government
- intention to adopt the UDP in November 2009

4.2.2 Shropshire County Council – Local Development Framework Core Strategy

Council received information on the consultation on the Core Strategy from 26<sup>th</sup> Jan to 9<sup>th</sup> March. The full documents can be viewed on the intranet at

[www.shropshire.gov.uk/shropshire/planning.nsf](http://www.shropshire.gov.uk/shropshire/planning.nsf)

or by request by telephone 01743-2103454, or at local libraries and community information points. Members also noted that a series of public consultation meetings will be held around the county in the next few weeks. Noted.

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	Start Date
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.

P20081710	S M Knill & S Williams, 48 Callow Crescent, Minsterley	Clive House, White Grit	Erection of replacement dwelling, detached vehicle garage & installation of private treatment plant	*W
P20081724	Dr J Angell-James, Hillington Farm, White Grit	Hillington Farm, White Grit	Erection of extensions to two agricultural building and erection of field shelter	S

**\*P20081710** – CCC has recently been informed by the planning office that this application has been withdrawn, so no response is necessary.

Action – Clerk to process

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

Ref.	Site	Description
None		

#### 4.6 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
A489 opp entrance to Cae Coed	Members noted the presence of a large lorry container within the curtilage of a dwelling, and asked the Clerk to enquire with the planning office whether there are any planning requirements.  Action – Clerk to process
Buttercup House, Castle Rd, Churchstoke	Cllr S V Griffiths raised the matter of Severn Trent Water charges for connection of foul drainage. Members agreed that CCC is not well placed to deal with connection charges or financial matters of individual households and the best course of action in the first instance will be for residents to pursue the matter with the planning office.

#### 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 – Montgomeryshire Area Committee

Cllr M J Jones reported on attendance at the area meeting 13<sup>th</sup> January 7pm at Castle Caereinion. Topics of note included:

- Presentation by Wales Audit Office describing the audit procedure
- Publication Scheme
- Delivery of Community Benefits from Wind Farm Developments. The OVW delegation has raised issues similar to those raised by CCC
- Local Housing Market Assessment (Affordable Housing)

##### b) OVW – The Voice Newsletter

The Clerk reported on the newsletter, which included information on training for councillors, and on the national salary award for clerks. Members noted the recommendation of OVW that CCC allocate a small fund for Members' training which is to take place in 2009.

c) OVW – Exemplar Documents

The Clerk reported that OVW has provided exemplar documents at the request of the Clerk as follows:

- Financial Regulations
- Complaints Procedure (guidance)
- Playground Inspections (form and guidance)
- Unacceptable Actions by Individuals (policy and procedure)
- Freedom of Information (guidance)
- Data Protection (guidance)
- Records retention (guidance)

OVW advises that example Standing Orders can be purchased at £7.50.

Action – Clerk to purchase

The Clerk advised that Members with Special Responsibility for Organisation & governance will be able consider how to adapt these forms for use by CCC, and prioritise the list of work to modernise procedures.

d) SLCC – Practitioners Conference

The Clerk reported on notification of the Practitioners Conference 27<sup>th</sup>-28<sup>th</sup> February at £190. Members accepted that by way of training, practice, and keeping up to date with issues, that CCC will fund attendance by the Clerk.

Action – Clerk to attend

**6.0 Vacancy in the Office of Community Councillor** – to report that the electorate has called no election, and that the community council is 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 post notice of intent to the notice boards and website, and to notify the Clerk of names of interested parties so that co-option can take place at the February meeting.

Action – Members to seek  
& Clerk to process

**7.0 Street Lighting ‘Switch off’ Review** – to report findings of the ‘walk of area’ by Members.

The Vice-Chairman reminded members of the review of ‘switch-off’ which is being undertaken by Powys CC and that the local area walk by CCC was intended to inform the County Council review, and to locate areas and lamps where lighting may be re-instated or remain off, or changed to part-night lighting.

Cllr S V Griffiths reported on the findings and provided the list of amendments to pass into the Powys CC review. Members also agreed to add the two Hyssington lamps to the requests for part night lighting.

Action – Clerk to process

The Chairman thanked members for undertaking the walk and Cllr S V Griffiths for the written report.

**8.0 Allotments** – to report results of the ‘survey of interest’, and enquiries with neighbouring councils.

The Vice-Chairman reminded Members of the survey of interest being undertaken before CCC proceeds further. Cllr J Stemasiak reported on results of the survey in that six forms have been returned expressing interest in allotments.

The Clerk also reported that contact has been made with Bishops Castle Town Council to suggest a visit to learn from their experiences of the set up.

Members agreed that in view of the low attendance at this meeting and the possible high financial commitment, that decision whether to proceed is deferred until the February meeting. Members also agreed that the opportunity should be taken to visit Bishops Castle Town Council.

Action – Allotments group  
to progress with Clerk  
& Clerk to contact BCTC

**9.0 Village Green at Hyssington** – to make arrangements for the survey, and to report on areas of likely financial cost.

The Vice-Chairman reminded Members of the resolution to proceed to stage 1 (survey) and that arrangement for such a survey are to be made. The Clerk reported on likely costs for legal advice. Cllr V Tudor also reported on possible complications with access rights

RESOLVED      *‘to proceed, via the task group, with the survey’.*

Action – Village Green group  
to progress with Clerk

**10.0 Code of Conduct Training** – to report attendance by the Chairman, Vice-Chairman and Clerk at the Standards Committee Seminar on 26<sup>th</sup> January 2009.

The Vice-Chairman reported on attendance with the Chairman and the Clerk to a Standards Committee training seminar on Monday 26<sup>th</sup> January, 7-9pm, Neuadd Maldwyn, Welshpool.

The Vice-Chairman reminded members of the importance of understanding the code and asked the Clerk to circulate the 10 principles to supplement existing information already circulated.

Action – Clerk to process

The Vice-Chairman commended Powys CC for the excellent the training session.

### **11.0 Grounds Maintenance:**

11.1 Recreation Field aeration – to invite quotations for aeration treatment 2009-2010.

The Clerk reported that it is the time of year to seek costs and decision for aeration treatment for the recreation field, and that quotation will be sought for the March meeting.

Action – Clerk to process  
& for March agenda

11.2 Grass-cutting & Grounds Maintenance – to invite tenders for contract 2009-2010.

The Clerk reported that it is the time of year to seek tenders for the grass cutting and grounds maintenance. Notices of Tender will be distributed to notice boards and posted to the website so that the contract can be awarded at the February meeting. Members agreed that the contract shall be for maintenance of the same areas and frequency cutting as for 2008-09, and also that tenders will be invited for a 1-year and for 2-year contract.

Action – Clerk to process  
& for February agenda

**12.0 Playgrounds Inspection 2009** – to consider and resolve on inclusion in 2009 inspections round.

The Clerk reported on the invitation from Powys CC to join the round of RoSPA inspections for 2009, at £50.00 + vat per playground site, with a deadline for response of 2<sup>nd</sup> February.

RESOLVED: *‘CCC confirms that it will join the Powys CC / RoSPA round of playground inspections for 2009, for Cae Camlad Playground’.*

Action – Clerk to process

The Clerk also reported that inspection forms have been received from Powys CC and OVW, and that CCC will ask the Village Steward to conduct weekly visual inspections using standard forms.

**13.0 Financial Report:**

13.1 Clerks’ National Pay Agreement 2008-2009 – to report and to resolve on the annual settlement (previously circulated).

The Clerk reported on protracted negotiations at a national level for the 2008 national agreement and that an interim agreement has been reached until the results of arbitration are known.

RESOLVED *‘to adopt the interim settlement with effect from 1<sup>st</sup> April 2008, to pay back-pay due, and to amend the standing order’.*

Action – Clerk to process

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

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

- Kidney Wales – noted.
- Severn Hospice – noted.
- Victim Support – noted.

13.3 Financial Year 2009-2010 – to receive and resolve on the 3<sup>rd</sup> draft annual budget (previously circulated).

The Clerk reported on the final draft 2009-2010 budget, and reminded Members that the final budget return must be submitted to Powys CC by 29<sup>th</sup> January 2009.

RESOLVED: *‘CCC accepts the 2009-2010 budget as presented, and sets a precept to the value of £18.55 per Band D property’.*

Action – Clerk to process

The Vice-Chairman thanked the Clerk for the intense work during preparation of the budget.

#### 13.4 Items received since last meeting – to report.

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

Payer	Description	£
M&G	Charibond dividend Aug-Oct 2008	1.90
NatWest Bank plc	Gross interest Oct-Dec 2008	109.08
Powys County Council	3 <sup>rd</sup> installment of Precept & Recreation Grant	6,177.22

#### 13.5 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>					
479	GF & M Astley Landsc.	Grounds maint 2008	3,395.00	594.12	3,989.12
480	Mrs B A Rowley	Village st'd Oct-Dec '08	102.12	0.00	102.12
481	E J Humphreys	Admin exp. Oct-Dec '08	206.47	0.00	206.47
<i>Total to authorise</i>			<i>3,703.59</i>	<i>594.12</i>	<i>4,297.71</i>
<i>To report items previously authorised to be paid by direct debit or standing order:</i>					
SO	E J Humphreys	Clerk's salary Jan'09	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

#### 13.6 Consolidated balances at 28<sup>th</sup> Jan 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	28,648.30	313.50
Less ring-fenced funds	6,284.81	0.00
Net balances available	22,363.49	313.50

Members agreed to discuss the cemetery bequest 'ring fenced funds' at the February meeting.

Action – Clerk to process

### 14.0 Highways and Rights of Way Reports:

#### 14.1 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) 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. Powys CC states that the inspector will be asked to monitor the issue and approach relevant parties should action be deemed necessary.
- b) U2719 (Owlbury lane) – road damage by flooding near Snead mill, and deep void near the bridge. Powys CC states that following a site visit, an instruction has been issued to remedy the defect.
- c) 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. Powys CC states comments have been passed

to traffic section. Further correspondence from Traffic Section indicated that the count location should have been on the straight section by Hillview. Results show vehicles 85<sup>th</sup> percentile is 24.6mph and together with accident reports suggest that calming measures will have little benefit and that calming measures will not rank against sites where there have been recorded accidents or excessive speed. Members agreed to request a second census nearer the village hall, where traffic does appear to speed

Action – Clerk to process

- d) C2056 (Hyssington Village) – heavy lorries are being directed through the village by satellite navigation, and a sign is needed to discourage such a practice. Powys CC states that signage regulations do not allow for non standard wording, and that as the road does not have a weight restriction such a sign would also impede local traffic. The traffic census will gauge the level of the problem and a further response will be made in due course.
- e) C2009 (near Hyssington Farm development) – water flowing from the new housing development onto the C2009, and damaging the carriageway. Powys CC states that inspection reveals no damage to road surface but instructions to clear drainage has been issued along with further instruction for additional drainage.
- f) C254 south (Courthouse to The Cann) – the brook alongside the road is blocked by fallen embankment, giving rise to flooding. Powys CC states inspection revealed no blockage but that the site will be monitored. Powys advises that the adjoining landowner would be responsible for any blockage to a watercourse but that Powys would take action where flooding compromised highway safety.
- g) 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. Powys CC states that the inspector has met the occupier and agreed works. It also states that Severn Trent Water have carried out repairs and that carriageway reinstatement will be carried out at the same time as works.
- h) A489 east of Churchstoke – rising surface tarmac outside Broadway Hall. Powys CC states that this mater was identified by inspection 17<sup>th</sup> December.
- i) C2147 Hurdley Lane – drainage problems near Hurdley Farm. The drains may need jetting. Powys CC states the Inspector will issue instruction as appropriate.
- j) C2056 Hyssington to White Grit – gutters are blocked near Primrose Cottage and water is flowing onto road. Powys CC states the necessary works will be added to current ditching programme.
- k) 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. Powys CC states that the inspector has met the landowner but no agreement with regard to outfall was reached, and the inspector is to revisit the issue.
- l) 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. Powys CC states that this should have already been undertaken
- m) C2054 (north) Wernddu Lane, near south end junction with B4385 towards Courthouse – flooding at every rainfall. Powys CC states this will be investigated.

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

- a) Cllr V E D Tudor: C2056 at Hillview, Blacksmith's Bank, Hyssington – edges of carriage way showing signs of tarmac erosion and in need of resurfacing.
- b) Members commended the Powys CC workforce and contractors on the recent resurfacing undertaken on A489 in Churchstoke Village.

Action – Clerk to process

**15.0 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,
  - Full Council will meet Thursday 29<sup>th</sup> January to set the budget 2009-10, where options will be put forward in the context of savings which have to be made.
- b) South Shropshire DC:
  - No report.

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

16.1 Powys CC – elections Office

Re: Electoral Register published 1<sup>st</sup> December 2008

Council received a copy of the register published 1<sup>st</sup> December 2008. The Clerk reminded Members that CCC cannot supply a copy to any other person, or disclose information it contains, or make use of such information other than for purposes for which it is entitled to the copy. The elections office advises that if individual Members require a copy that they make an individual request.

16.2 Various other correspondences listed:

- a) Powys CC Outdoor Recreation Office – copy of RoSPA Inspections booklet along with example inspection forms. Clerk reminded Members that the forms can be used for an inspections regime.
- b) Play for Wales / Chwarae dros Gymru – Winter 2008 newsletter. Noted.

**17.0 Chairman's Announcements & Date of Next Business Meeting**

Next business meeting: Wednesday 25<sup>th</sup> February 2009, 7:30 p.m. at Churchstoke

Meeting ended 9.38 p.m.