

**CYNGOR CYMUNED YR YSTOG
CHURCHSTOKE COMMUNITY COUNCIL**

2 Rows Terrace, Plough Bank, Montgomery, Powys. SY15 6QD

**MINUTES of FULL COUNCIL ORDINARY BUSINESS MEETING
on Tuesday 26th April 2016**

at Hyssington Village Hall at 7.30 p.m.

1.0 Attendance, Apologies for Absence, Dispensations, and Declarations of Members' Interests – to record attendance and apologies for absence, receive declarations of interest from Members in accordance with Part III of the Local Government Act 2000, which established the Local Government Code of Conduct for Members, and note dispensations.

Attendance: Cllr B L Smith (Chairman), Cllr J Jones, Cllr M J Jones, Cllr K D Massey (item 5 onwards), Cllr D L Powell, Cllr Z M Powell, Cllr A Richards, Cllr P C Rigg, Cllr C P Smith, Cllr J Wakelam, Cllr D N Yapp.

The Chairman welcomed members of the public.

Apologies for absence approved by Council: None.

Other apologies for absence: Cllr J Stelmasiak.

Other Members not present: None.

In attendance: E J Humphreys (Clerk to the Council).

Dispensations: Current dispensations can be found on the council's website.

Declarations of Members' interests: Members declared personal / prejudicial interests at the start/ during the meeting as follows:

Agenda Number	Item	Councillor	Nature of Declaration
5.0	Planning Matters	M J Jones	Personal not prejudicial interest as Member of Powys CC Planning Committee
5.4	Planning Applications	M J Jones	Personal and prejudicial interest in application P/2016/0389 as neighbour of applicant
5.4	Planning Applications	J Jones	Personal not prejudicial interest in application P/2016/0389 with employer undertaking work at the site

2.0 Minutes of Meetings: To approve and sign the minutes as a correct record of the Full Council Ordinary Business Meeting 29th March 2016 at Churchstoke Community Hall (paper 2 previously circulated).

The minutes of the Full Council Ordinary Business Meeting 29th March 2016 were reviewed and approved with typographical errors corrected.

RESOLVED:

'The minutes of the Full Council Ordinary Business Meeting 29th March 2016 are approved and signed as a correct record.'

3.0 Matters Arising from Minutes for Information: To report matters arising for information, from the minutes of the Full Council Ordinary Business Meeting 29th March 2016 at Churchstoke Community Hall.

3.1 (15.0b) Defibrillator Training

The Chairman reported a well-attended defibrillator training session delivered by Welsh Ambulance Service, Tuesday 5th April, 7-9pm, at the Horse & Jockey by kind permission of Cllr D L Powell.

4.0 Electoral Matters Churchstoke Ward – following the resignation of A Smith from the office of community councillor (Declaration of Vacancy dated 24th Feb 2016) and there being no election called, to receive nominations and co-opt to the vacancy.

The Chairman reminded Members of the vacancy on the council and there being no election being called the council is required by law to fill the vacancy by co-option. Members brought forward one nomination for co-option.

RESOLVED:

'CCC unanimously co-opts Mrs Kim Massey to the council, to fill the vacancy for a Councillor for Churchstoke Ward.'

Action – Clerk to process

Mrs Massey signed the Declaration of Acceptance of Office and joined the meeting at this point.

5.0 Planning Matters:

5.1 Powys Local Development Plan (LDP) – to receive Notice of Examination of Powys Local Development Plan Exploratory Meeting, and to resolve on attendance (paper 5.1 previously circulated).

Council received Notice of Examination of the Powys Local Development Plan Inspector's Exploratory Meeting 10th May, 11am, at Llandrindod Wells and an invitation to attend as observers.

RESOLVED:

'CCC notes the invitation but does not wish to attend.'

Action – Clerk to process

5.2 Planning Specific Correspondence – to receive other planning specific correspondence (if any).

None.

5.3 Powys CC Planning Determinations – to report recent Powys C.C. planning determinations (if any).

None.

5.4 Planning Applications – to receive & resolve responses to consultations; full application(s) detail(s) at <http://www.powys.gov.uk/en/planning-building-control/search-view-and-comment-on-planning-applications/> including:

Declaration(s) of Interest(s):

- P/2016/0389 – Cllr M J Jones having declared a personal and prejudicial interest, left the meeting for this item.

RESOLVED:

'CCC responds to planning application consultations as follows:'

Ref.	Applicant	Site	Description	rec.
<i>Consultations on application(s) in Churchstoke community</i>				
<i>P/2016/0389</i>	<i>Miss Melanie Squires, Pleasant View, Pentre</i>	<i>Pleasant View, Pentre</i>	<i>Extend curtilage and change of use. Erection of wooden buildings containing dog grooming parlour plus food storage</i>	<i>O*</i>
<i>P/2016/0430</i>	<i>Mr Derek Bishop, Elmhurst, Churchstoke</i>	<i>Land adj. to Courtlands Churchstoke</i>	<i>Reserved Matters application for appearance, landscaping, layout and scale in connection with proposed bungalow</i>	<i>S</i>

*P/2015/0389 – CCC noted that this is a retrospective application though that is not stated on the documentation, and objected to this application on grounds of:

- Noise nuisance: CCC is of the view that noise from the kennels and from free ranging dogs in the exercise field is likely to create noise nuisance for neighbours, especially if dog walkers are using the nearby Right of Way at the time loose dogs are in the field
- Highways: CCC is of the view that there is likely to be increased traffic for delivery of food and other supplies, with a narrow entrance onto the highway and lack of turning space on site so that vehicles may enter and exit the site in a forward direction, is likely to create a highway danger
- Environment: CCC is of the view that the wooden fence around the field is not in keeping with the rural location and would require planning permission; the application is misleading regarding removal of a hedge which has already taken place.

Action – Clerk to process

5.5 Planning Enforcement – to report information from Powys CC planning office and on planning enforcement matters within the community.

The Clerk reported correspondence from the planning office as follows:

Ref./ Site	Description
None	

The Chairman invited Members to bring forward planning enforcement matters and Members discussed enforcement as follows:

Ref./ Site	Description
C2054, Wernddu Lane, Churchstoke	CCC notes the creation of a large access from the highway into a small field west off Wendu Lane just beyond St Nicholas House which expands an existing agricultural access, and would like to enquire the situation regarding planning permission and compliance.

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/ training/ correspondence.

6.1 To receive and resolve regarding invitation and recommendation by the Clerk to renew subscription to One Voice Wales for 2016-17 (paper 6.1 previously circulated).

Council received invitation and the recommendation of the Clerk to renew membership of One Voice Wales as the collective representative body and adviser to the local council sector in Wales.

RESOLVED:

'CCC renews membership of One Voice Wales for 2016-17.'

Action – Clerk to process

6.2 To receive other reports of AGM/ conference/ area meetings/ guidance notes/ training/ correspondence

6.2.1 One Voice Wales – Development Officer

Re: Montgomeryshire Area Committee

Council received notice and agenda for the meeting of the Montgomeryshire Area Committee, Wed 20th April 2016, 7pm at Castle Caereion. Cllr M J Jones reported that he was unable to attend. Noted.

6.2.2 One Voice Wales – Administrative Officer

Re: Training Reminders

Council received reminders of training: 'The Council as an Employer Training' 27th April 2016, Local Government Finance Advanced 27th April 2016 and Charing Skills 25th May. Noted.

6.2.3 One Voice Wales – Chief Executive

Re: Model Financial Regulations and Legal Briefing Notes

Council received new Model Financial Regulations Jan 2016 and update Feb 2015 with legal briefing notes. Noted.

6.2.4 One Voice Wales – Chief Executive

Re One Voice Wales/SLCC Joint Event – 22nd June 2016, Swansea

Council received an invitation to attend the joint event. The Chairman reminded Members of the success of the 2015 event at Llandrindod Wells and the Clerk asked Members to indicate by 20th May in order to obtain 'early-bird prices' if they wished to attend.

6.2.5 One Voice Wales – Chief Executive

Re Motions for Annual General Meeting in October 2016

Council received an invitation to submit motions for the AGM by 1st July 2016. Noted.

6.2.6 One Voice Wales – Auditor General for Wales, Wales Audit Office
Re New Audit Approach
Council received notice of consultation on new audit approach to examine the extent to which each public body in Wales has applied the sustainable development principles when setting wellbeing objectives. Responses welcomed by 16th May 2016. Noted.

6.2.7 Other reports and items of correspondence (if any) for Information:

- a) Via OVW: North Wales Community Health Council: News Release re. District Nursing Service in North Wales
- b) Via OVW: Welsh Government: notice of Launch of Public Health Outcomes Framework for Wales
- c) Via OVW: Mid and West Wales Fire and Rescue Authority: notice of publication of Strategic Plan for 2016-2021 and its Annual Improvement Plan for 2016-2017
- d) Via OVW: Wales Audit Office: Future Wellbeing of Internal Audit Shared Learning Seminar 11 May 2016 Cardiff, and 19th May Llanwrst.

Action – Clerk to circulate documents post-meeting

7.0 Cae Camlad Playground and New Play Area – to receive progress highlight report from the project team (Cllr D L Powell).

Cllr D L Powell reported the site meeting with the UK Contract Manager and providing written notes and observations on the contract management. As a consequence, the contractor has agreed to turf the entire site on 28th April (excl. grass mat areas) in order to make good, and expects to undertake a completion inspection on 29th. The Clerk agreed to purchase a padlock for the maintenance gate.

Action – Clerk to process

8.0 Grounds & Recreation Field Matters:

8.1 Field Aeration – to receive, and resolve if desired, on a quotation for recreation field aeration treatment 2016-17.

The Clerk reported that a quotation has been received from Powys CC and is within budget and therefore authority to proceed has already been granted at February meeting.

Action – Clerk to process

8.2 Allotments: to report, for information, the allocation of secondary tenancies on empty plots.

The Clerk reported allocation of secondary plots has been undertaken, with plot 2A (half plot) being allocated to Ms L Atkins.

9.0 Consultation by NHS Wales/ GIG Cymru: Application for inclusion on PtLHB Pharmaceutical List from West Midlands Co-operative Chemists Ltd for a Pharmacy at Supermarket Cross Likey, Churchstoke – to consider the application, and resolve if desired on CCC's representation in response to the consultation (paper 9a-b previously circulated).

Council received notice and details of an application for inclusion on PtLHB Pharmaceutical List from West Midlands Co-operative Chemists Ltd for a

Pharmacy at the Supermarket, Cross Likey, with representations welcomed by 6th May.

RESOLVED:

'CCC supports the application.'

Action – Clerk to process

10.0 Cemetery – to consider, and resolve if desired, regarding purchase of signs, and/or notice board, in regard to removal of wreaths, artificial flowers and other graveside artefacts in the interests of animal safety (Cllr A Richards & Chairman).

Cllr A Richards reported wire-based wreaths and artificial flowers build up on the compost heap and sometimes are blown by wind into the field, and may pose a risk to livestock. The Chairman reminded Members of CCC consideration of the matter in January 2015.

RESOLVED:

'CCC authorises purchase of a sign for the cemetery requesting visitors to secure wreaths and flowers to the graves, and when disposing of same to take to the bin provided or take home.'

Action – Clerk to process

Cllr K D Massey and Cllr C P Smith volunteered to undertake a clean-up of blown wreaths and flowers during week beginning 2nd May 2016.

11.0 Public Participation Protocol – to consider, and resolve if desired, regarding a draft protocol for public participation at meetings (paper 11 previously circulated).

The Chairman reminded Members that public attendance at meetings is restricted to the status of observers (being meetings held in public) and that some councils offer an opportunity for the public to address the meeting by standing agenda item and protocol. Council received the Clerk's report and recommended draft protocol.

RESOLVED:

'CCC adopts the practice and draft protocol for public participation at meetings for a trial period of 6 months.'

Action – Clerk to process

12.0 Financial Report:

12.1 Finance Specific Correspondence – to report finance specific correspondence, if any.

12.1.1 The Pensions Regulator

Council received information on the steps to be followed to manage the government requirement for auto-enrolment of employees in a pension scheme, the staging date for CCC being 1st May 2017.

Action – Clerk to process

12.2 Financial Year 2015-16 Audit

12.2.1 Internal Audit – to resolve the appointment of the internal auditor

The Clerk reminded Council that audit of 2015-2016 will include scrutiny of internal audit appointment, specification and arrangements. Council

received the Clerk's recommendation on appointment of internal auditor further to specification and response.

RESOLVED:

'CCC approves and appoints LRS Audit as internal auditor for year ending 31st March 2016.'

Action – Clerk to process

12.2.2 External Audit – to report the timetable and briefing received from the external auditors leading to the annual audit

The Clerk reported the timetable and briefing received from the external auditors leading to the annual audit, and that accounts will be prepared through May and June with Council approval prior to audit, then audit day and exercise of electors rights before the audit 4th July 2016.

Action – Clerk to process

12.3 Financial Year 2016-2017 – to resolve on appeals/ donations for 2016-17 (paper 12.3 previously circulated).

The Clerk reported on financial appeals for 2016-17 and referred Members to the briefing memo. Council also received an additional appeal from the campaign in Bishops Castle to protect the Sports and Arts Centre (SpArC).

RESOLVED:

'CCC has provision in the 2016-17 budget for donations totalling £140, and authorises payment of appeals from miscellaneous non-precept income as follows':

Name of Organisation	2016-17 Budget approved
Royal British Legion	70
Wales Air Ambulance	70
Total	140

Action – Clerk to process

12.4 Items Received Since Last Meeting – to report.

The Clerk reported items received since the last meetings as follows:

Payer	Description	£
NatWest Bank	Gross interest Mar 2016	2.47
L & S Bennett	Allotment rent plot 7	30.00
D Doody	Allotment rent plot 9	30.00
H Arden	Allotment rent plot 13	30.00
G H Davies & Son	Cemetery memorial fee plot 496	190.00
W Steed	Allotment rent plot 1	30.00
J Wakelam	Allotment rent plot 10	30.00
Total		342.47

12.5 Items for Payment – to resolve to approve items for payment as follows:

The Clerk reported items for payment.

RESOLVED:

'CCC. authorises payments as follows':

Chq	Payee	Description	£ex vat	£vat	£total
To authorise items for payment at this meeting:					
956	Ch'stoke Bowl Club	Allotments water	10.62	0.00	10.62
957	E J Humphreys	Admin exp. Jan-Mar (Q4)	295.74	16.60	312.34
958	And Evans L'scapes	Grounds maint 6/6	636.68	127.34	764.02
959	E J Humphreys	Purchase of projector	202.49	40.50	242.99
960	E J Humphreys	Purchase of ext'n reel	9.99	2.00	11.99
961	Severn Waste Serv	Soakaway tanks 18/03/2016	150.00	30.00	180.00
962	Phil's Tool Hire	Herras fencing Mar'16	190.00	38.00	228.00
963	AL & RA Powell	Allotm'ts fence reinforce't	537.90	107.58	645.48
964	AL & RA Powell	New fence at new play'd	1,980.00	396.00	2,376.00
965	Powys CC	Field aeration	88.54	17.71	106.25
n/a	Powys CC	Cemetery rates 2016 - 17	0.00	0.00	0.00
966	One Voice Wales	Memb sub'n 2016-17	205.00	0.00	205.00
967	Office Express UK	Projector screen	64.95	12.99	77.94
Total items to authorise for payment at this meeting			4,371.91	788.72	5,160.63
To report items previously authorised to be paid by direct debit or standing order:					
SO	E J Humphreys	Clerk grs salary Apr'16	547.40	0.00	547.40
Total previously authorised to be paid by dd/sord.			547.40	0.00	547.40
Grand total for payment at this meeting			4,919.31	788.72	5,708.03

Action – Clerk to process

12.6 Consolidated Balances – to report to date after sweep, receipts & payments.

The Clerk reported on the M&G quarterly statement for 1st Jan-31st Mar 2016:

Fund	Number of shares	Share Price (p)	Value at 31/03/2016 (£)
Charibond	100	125.82	125.82

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

Item	Current acc. £	Reserve acc. £
Gross balances	560.00	49,487.55
Less consolidated ring-fenced funds	0.00	18,847.50
Net balances available	560.00	30,640.05

13.0 Highways & Rights of Way Reports:

13.1 From Powys CC/ Shropshire Council to CCC – to report general maintenance.

- a) B4385 from Pentre to Blue Bell: verge damage caused by heavy vehicles during recent diversions. Powys CC replies that it will wait until a safety inspection, and if necessary arrange for remedial works to be carried out.

13.2 From CCC. to Powys CC/ Shropshire Council – to report general maintenance.

None

14.0 County Council Matters – to receive & discuss other general Powys CC/ Shropshire Council matters.

- a) Powys CC: Cllr M J Jones reported:
- Planning application for dwellings on land adj Buttercup House has been approved with a S106 agreement which includes provisional donation (to be confirmed) for recreation in the village to the value of approx. £40,000.
- b) Shropshire Council: no report.

15.0 Correspondence – to receive items of general correspondence for information.

15.1 Churchstoke CP School – Chair of School Governing Body

Re: Governor Representatives

Council received acknowledgement of CCC's representations (Feb 2016) confirming that no issues were withheld without due reason, and that procedures are in place to appoint teacher and staff governors.

15.2 Friends of the Green and Horsewell at Hyssington

Re: First Annual General Meeting and general progress update

Council received notice and invitation to attend the First Annual General Meeting to be held in Hyssington Village Hall on 4th May 2016, 7.30 pm, and a progress update towards registration.

15.3 Powys CC – Executive Support Manager

Re: Public Consultation on Local Delivery of Library Services

Council received notice of consultation on future library service. Details at www.powys.gov.uk/haveyoursay, and responses welcome by 3rd July 2016.

15.4 Various correspondences were tabled to be recorded in the minutes as follows:

- a) Powys Community Health Council: notice and agenda for meeting of the Montgomeryshire Local Committee Meeting on Monday 11th April 2016 in Oriel Davies Gallery, Newtown at 10.30 am
- b) Powys Citizens Advice: notice that from 1st May 2016 its "Open Door" service will be every Thursday between 10am and 3pm
- c) Groundwork: information regarding Tesco Bags of Help grant scheme encouraging schools and community groups across North Wales to apply for a grant of up to £12,000
- d) Campaign to protect our Sports and Arts Centre (SpArC): appeal for support
- e) R George AM: e-Newsletter April 2016
- f) Mid and West Wales Fire and Rescue Service: notice of publication of its Strategic Plan for 2016-2021 and its Annual Improvement Plan for 2016-2017
- g) Powys CC: details of refuse collections May and Spring bank holidays
- h) Powys Community Health Council: information that Powys Teaching Health Board is setting up Diabetes Patient and Carers Groups
- i) Welshpool Town Council: 'Flicks in the Sticks' publicity for May 2016.

Action – Clerk to circulate documents post-meeting

16.0 Chairman's Announcements, Items for Future Agenda & Date of Next Meeting:

- a) Cllr C P Smith: reminded Council that when the defibrillator is fitted, it will need a formal agreed inspection regime.
- b) Chairman: Next meetings
 - Annual Meeting Wed 25th May 2016, 7.30 p.m. at Churchstoke
 - Full Council Ordinary Business Meeting, immediately following the Annual Meeting Wed 25th May 2016, at Churchstoke.

17.0 CONFIDENTIAL SESSION EXCLUSION OF PUBLIC AND PRESS

17.1 RESOLUTION TO EXCLUDE THE PUBLIC AND PRESS.

Under the Public Bodies (Admission to Meetings) Act 1960 (2) to resolve that members of the public and press be requested to leave the meeting by reason of the confidential nature of the business about to be transacted.

RESOLVED:

'In accordance with the Public Bodies (Admission to Meetings) Act 1960 (2) the Council resolves that members of the public and press be requested to leave the meeting by reason of the confidential nature of the business about to be transacted.'

17.2 CONFIDENTIAL CORRESPONDENCE

17.2.1 To receive confidential correspondence, for information, from the Public Services Ombudsman for Wales regarding a complaint to the Ombudsman (paper 17.2.1 a-b previously circulated).

Council received correspondence from the Public Services Ombudsman for Wales enclosing a copy of his reply to a complainant about how the council dealt with planning application P/2015/0282, and a formal statement of reasons to explain his decision not to investigate the matter in accordance with s12(7) of the Public Services Ombudsman (Wales) Act 2005. Noted.

17.2.2 To receive confidential correspondence made as a complaint to the council, and to resolve actions necessary to deal with same (paper 17.2.2 previously circulated).

Council received a complaint (complaint Ref 2016-0001) regarding how it dealt with planning application P/2016/0282. The Clerk reported that initial acknowledgment has been issued and recommended a Clerk's investigation and reply. Council reviewed how it dealt with the application including how public notice of the meeting was given, how public were freely able to attend, and how a visit undertaken to the property on 29th March to view the site in question.

RESOLVED:

'CCC authorises the Clerk to collate the facts around complaint ref 2016-0001 and reply to complainant.'

Action – Clerk to process

Meeting ended – 9.28 p.m.