

**CYNGOR CYMUNED YR YSTOG  
CHURCHSTOKE COMMUNITY COUNCIL**

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

**MINUTES of FULL COUNCIL ORDINARY BUSINESS MEETING  
on Tuesday 28<sup>th</sup> March 2017**

at Churchstoke Community 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 D L Powell, Cllr C P Smith, Cllr J N Wakelam, Cllr D N Yapp.

Apologies for absence approved by Council: None.

Other apologies for absence reported to meeting: Cllr P C Rigg.

Other apologies for absence not reported to meeting: Cllr K D Massey.

Other Members not present: Cllr A Richards.

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
9.0	Grounds Maintenance & Grass Cutting	J N Wakelam	Personal not prejudicial interest as an allotment holder
10.0	Old Churchstoke Allotments	D L Powell	Personal and prejudicial interest in family member tendering

- 2.0 Public Participation:** to receive members of the public who wish to address the Council in respect of any item of business included in the agenda. Any member of the public wishing to speak must notify the Clerk to the Council no later than 15 minutes prior to the start of the meeting.  
None.
- 3.0 Minutes of Meetings:** To approve and sign the minutes as a correct record the minutes of the Full Council Ordinary Business Meeting 28<sup>th</sup> February 2017 at Churchstoke Community Hall (paper 3 previously circulated).

The minutes of the Full Council Ordinary Business Meeting 28<sup>th</sup> February 2017 at Churchstoke Community Hall were reviewed and approved with amendment to include.

**RESOLVED:**

*'The minutes of the Full Council Ordinary Business Meeting 28<sup>th</sup> February 2017 at Churchstoke Community Hall are approved and signed as a correct record with amendment to include:*

- *(13.2e) Council understands that all streetlighting in Churchstoke Village should, by now, be LED lamps and all lamps operating. However, a number of lamps appear to remain non-operational as was the case pre-LED lamps (ie switched off). Council would like to enquire what should be the correct situation.'*

**4.0 Matters Arising from Minutes for Information:** To report matters arising for information from the minutes of the Full Council Ordinary Business Meeting 28<sup>th</sup> February 2017 at Churchstoke Community Hall (inc. paper 4a previously circulated).

4.1 (5.3) Planning Application P/2017/0111

Cllr M J Jones reported that the S73 application has been referred back to the applicant as 'not valid'.

4.2 (15.1) Correspondence from Powys CC: Well-being of Future Generations (Wales) Act 2015 Draft Powys Well-being Assessment 2017

The Clerk reminded Members of their protest at the short consultation period and reported the reply from Powys CC thanking CCC for considering the Well-being Assessment and recognising its significance, and that CCC's points regarding the short consultation period are duly noted and will help shape Powys CC's future approach to consultation and engagement.

**5.0 Elections May 2017:** to receive Notice of Elections for Community Councils and Powys County Council, and the Clerk to provide a verbal briefing on the timetable and information regarding the pre-election period (papers 5a-e previously circulated).

Council received and noted the Notices of Elections for 4<sup>th</sup> May'17 together with the Clerk's reports on timetable and on council activities during the pre-election period. Council also received correspondence from Powys CC that it will not be providing Code of Conduct Training to the new (post-election) councils, and refers councils to training from One Voice Wales.

**6.0 Planning Matters:**

6.1 Planning Specific Correspondence:

6.1.1 Powys CC: Powys LDP

Council received notice that Renewable Energy Hearing Session – 15, originally scheduled to be held on 9<sup>th</sup> -10<sup>th</sup> May 2017 has been postponed pending publication of the Council's additional evidence, and is rescheduled for 27<sup>th</sup> - 28<sup>th</sup> June 2017. Consequently, the Monitoring Hearing Session – 16, has also been re-scheduled and will be held on the 29<sup>th</sup> June 2017. Noted.

6.1.2 Other Planning Correspondence: to receive, for information, other planning specific correspondence, if any.  
None.

6.2 Powys CC Planning Determinations: to report from Powys CC notifying Community and Town Councils of Planning Decisions in their area (paper 6.2a previously circulated).  
The Clerk reported notification of planning determinations by Powys CC as follows:

Ref.	Site	Powys CC Planning Decision
TREE/2017/0007	Plots to rear of The Court House Inn	Approved

6.3 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:

RESOLVED:

*'CCC responds to planning application consultations as follows:'*

Ref.	Applicant	Site	Description	rec.
<i>Consultations on application(s) in Churchstoke community</i>				
None.				

6.4 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
P/2012/0265	Plot to rear of Court House Hotel Churchstoke: erection of 2. no detached dwellings together with formation of a new vehicular access.
	<i>CCC had previously requested planning officers ensure that all conditions of consent are followed and again reported the unauthorised alteration to an entrance onto Wernddu Lane being used.</i>
	The Clerk indicated that installation of a workshop building has also been reported to the planning office, with a request that planning officers check this complies with planning permission for the construction phase.
Ref./ Site	Description
A489 Fir House Layby	Oak Tree at Layby.
	<i>CCC had previously reported the felling of a large prominent Oak Tree which may be protected and may need felling permission.'</i>
	The Clerk reported on a reply from Powys CC that the tree in question is not covered by a Tree Preservation Order (TPO) and not located in a conservation area, therefore there is no planning restriction on removing the tree. However, it may be subject to the need for a felling license unless it qualifies under the exemptions of Natural Resources Wales ( <a href="https://naturalresources.wales/forestry/tree-felling-and-other-regulations/tree-felling-licences/?lang=en">https://naturalresources.wales/forestry/tree-felling-and-other-regulations/tree-felling-licences/?lang=en</a> ).

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

Ref./ Site	Description
A489 Fir House Layby	Cllr M J Jones reported that despite rumours to the contrary, that the lay-by is not for sale by Powys CC.

**7.0 One Voice Wales/ Society of Local Council Clerks, Guidance Notes:** to receive other reports of AGM/ conference/ area meetings/ guidance notes/ training/ correspondence.

The Clerk indicated correspondence will be circulated electronically post meeting where electronic copies are available, and set out in appendix 1.

Action – Clerk to circulate documents post-meeting

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

Cllr D L Powell indicated that this is nothing to report at present.

**9.0 Grounds Maintenance & Grass cutting:** to receive and resolve tenders for Grounds Maintenance & Grass cutting 2017-18 & 2018-19.

The Clerk reported that two tenders have been received. The tenders were opened and it was,

RESOLVED:

*'CCC accepts the tender of Greenfingers Landscape Limited for schedule 4, subject to contract to the value of £4,050 pa, and to request a first cut prior to Easter break if that is possible.'*

Action – Clerk to process

**10.0 Old Churchstoke Allotments:** to resolve, if desired, a statement of objectives and letting regarding income and/or multiple tenure, then to receive and resolve tenders for 2-year fixed term business tenancies from 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2019 for 4x 1-acre allotments plots at Old Churchstoke.

Declarations of Members' Interests:

- Cllr D L Powell having declared a personal and prejudicial with mother and father as submitting a tender left the meeting for this item.

The Clerk reminded Members that the tenancies on the four one-acre allotments at Old Churchstoke end on 31<sup>st</sup> March and that as council has expressed no desire in the last 12 months to change the current practice, new tenders have been invited on existing terms.

The Clerk advised Members to make a 'statement of objectives' regarding multiple holdings before opening tenders.

RESOLVED:

*'CCC's statement of objectives is firstly to seek to maximise the spread of tenure to several tenants, and secondly to maximise income.'*

Tenders were opened and it was,

RESOLVED:

*'CCC accepts the tenders for two year lets as follows:*

- *Allotment 1 B P H Llewellyn*
- *Allotment 2 B P H Llewellyn*
- *Allotment 3 A L & R A Powell*
- *Allotment 4 B Vicary'*

Action – Clerk to process

- 11.0 Green Grants 2017:** to review, and resolve amendments if desired, the adopted terms of reference, and to invite applications for Green Grants 2017 (paper 11 previously circulated).

The Clerk reminded Members that Green Grants applications will begin in April and recommended that CCC review Terms of Reference before inviting applications, and before reviewing applications in June or July.

RESOLVED:

*'CCC amends the Terms of Reference to permit grants for the set up of new groups without a constitution, accounts and bank statements, and invites applications for Green Grants 2017.'*

Action – Clerk to process

- 12.0 Website:** to confirm the completion of 'go-live' of the new site, and to resolve closure of the development project (Cllr K Massey).

The Clerk reported for Cllr K D Massey on the 'go-live' of the new website and recommended that CCC close the development project, moving to operational day to day maintenance through the Clerk. Members were also reminded to supply photographs for their contacts page.

RESOLVED:

*'CCC notes the go-live of the new website as arranged and closes the development project, moving to operational day to day maintenance through the Clerk.'*

Council expressed its thanks to Cllr K D Massey and the Clerk for the considerable work on the project, and the successful go-live.

- 13.0 Hyssington Village Green:** to report research and conclusions and to authorise Cllr D L Powell and the Clerk to proceed towards ownership and registration of the village green, seeking planning, tree-works and other permissions as may be necessary.

Cllr D L Powell and the Clerk reported on the considerable, thorough and significant work undertaken by Mr Griffin for the Friends of the Green and Horsewell (FOTGAH) demonstrating the evidence and a solid case that CCC is owner. Members were recommended to authorise the Clerk with Cllr D L Powell to pursue ownership then voluntary registration as village green, and authorise FOTGAH, as partner in the registration project, to begin

improvement and clearance works in order to take advantage of landscape partnership scheme funding.

**RESOLVED:**

*'CCC authorises the Clerk with Cllr D L Powell to pursue registered ownership of the village green at Hyssington then voluntary registration as Registered Village Green, and authorises FOTGAH, as partner in the registration project, to begin improvement and clearance works in order to take advantage of landscape partnership scheme funding.'*

Action – Clerk to process

Council expressed its thanks to Mr Griffin for the considerable work on the project to date.

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Cllr D L Powell left the meeting at this point.

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**14.0 Independent Remuneration Panel for Wales Annual Report 2017-18:** to receive the final report and recommendations of the Independent Remuneration Panel for Wales, and to resolve allowances for 2017-18. Full details at <http://gov.wales/irpwsb/home/publication-reports/58592459/?lang=en> (papers 14a-b previously circulated; Members are referred especially to Chapters 1, 13, 14, Annex 2 parts 5-6, Annex 4). The Clerk referred Members to the Independent Remuneration Panel for Wales Annual Report 2017-18, indicating the permissive powers to pay various allowances, and to pay expenses for approved duties within and outside the community area at the set levels.

**RESOLVED:**

*'CCC notes the permissive power and recommended levels of allowances set out in the Independent Remuneration Panel for Wales Annual Report 2017-18 and adopts to pay allowances and expenses as follows:*

- *To pay allowances of £30, towards costs of office expenses such as printer consumables and stationery (unless Members chose to opt out by written notice to the Clerk)*
- *To continue to pay expenses incurred (claimed with receipt) for approved duties outside the community area.'*

**15.0 Consultation by Welsh Government: Local Government Reform:** to consider the consultation, receive the recommendations from the task group and resolve, if desired, the Council response. Details at <https://consultations.gov.wales/consultations/reforming-local-government-resilient-and-renewed> (papers 15a-d previously circulated; Members are referred especially to Chapters 1, 6, and Annex 1). The Chairman referred Members to the consultation papers and CCC's previous resolution to authorise the Clerk, taking guidance from the Chairman, to bring forward recommendations for a response to the March meeting. Responses are welcomed by 11<sup>th</sup> Apr'17. The Clerk summarised the recommended draft response.

**RESOLVED:**

*'CCC thanks the Clerk and Chairman for their work on the consultation and the recommendations, and authorises that CCC responds as outlined in the recommended draft response.'*

Action – Clerk to process

**16.0 Consultation by Local Democracy & Boundary Commission for Wales (LDBCW): Review if Electoral Arrangements for the County of Powys:**

to receive the consultation, verbal report from the briefing 8<sup>th</sup> Mar'17 and resolve, if desired, a delegation of Member(s) to work with the Clerk to meet and formulate a recommendation to Council at the April meeting. Details at <http://ldbc.gov.wales/reviews/electoralreviews/?lang=en> (papers 16a-b previously circulated).

The Chairman referred Members to the consultation documents and reported from on attendance with the Clerk at the LDBCW briefing 8<sup>th</sup> March at which the terms of the review were outlined, along with possible implications for Churchstoke community. Responses are welcomed by 31<sup>st</sup> May'17.

**RESOLVED:**

*'CCC does not wish to respond to the review at this stage, but may do so when proposals are published'*

**17.0 Financial Report:**

17.1 Finance Specific Correspondence: to receive finance specific correspondence, if any.  
None.

17.2 Financial Year 2016-17: to report, for information, the timetable to audit. The Clerk reported the timetable from the external auditors leading to the annual audit, and that accounts will be prepared in May and June, through internal audit, Council approval prior to audit, the period for exercise of electors rights, and the audit day 3<sup>rd</sup> July 2017.

Action – Clerk to process

17.3 Items Received Since Last Meeting – to report.

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

Payer	Description	£
NatWest Bank	Gross interest Feb 2017	0.30
Powys CC	Waste recycling proceeds Q3 Oct-Dec'16	322.98
E J Humphreys	PAYE Q4 Jan-Mar'17	290.80
Total		614.08

17.4 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:					
1030	Churchstoke Bowling Club	Allotments water 173 days 25 Aug'16-13 Feb'17	13.88	0.00	13.88
1031	HM Revenue & Customs	PAYE Q4 Jan-Mar'17	290.80	0.00	290.80
1032	Powys CC	Playground inspect'n 2017	60.00	12.00	72.00
1033	E J Humphreys	Trade refuse bags (cem'y)	114.46	0.00	114.46
1034	Cllr B L Smith	Allowance 2016-17 inst. 2	10.00	0.00	10.00
1035	Cllr C P Smith	Allowance 2016-17 inst. 2	10.00	0.00	10.00
Total to authorise for payment this meeting			499.14	12.00	511.14
To report items previously authorised to be paid by direct debit or standing order:					
SO	E J Humphreys	Clerk gross salary Mar'17	552.86	0.00	552.86
Total previously authorised paid by dd/sord.			552.86	0.00	552.86
Grand total for payment at this meeting			1,052.00	12.00	1,064.00

Action – Clerk to process

- 17.5 Consolidated Balances – to report to date after sweep, receipts & payments. The Clerk reported on gross, ring-fenced funds & net available bank balances as follows:

Item	Current acc. £	Reserve acc. £
Gross balances	500.00	38,053.75
Less consolidated ring-fenced funds	0.00	15,482.61
Net balances available	500.00	22,571.14

### 18.0 Highways & Rights of Way Reports:

- 18.1 From Powys CC/ Shropshire Council to CCC: to report general maintenance (inc. papers 18.1a-b previously circulated)
- A489 east near Broadway House: potholes continue to develop. Powys CC replies that potholes have been repaired.
  - A489 south near Brickyard: pothole. Powys CC replies that the pothole is repaired.
  - B4385 between Mellington Lodge and Courthouse Farm: potholes (especially between RVW Pugh and Courthouse Farm). Powys CC replies that potholes are schedule for repair w/b 13<sup>th</sup> March.
  - C2055 Hall Bank north of Chaseley Fields: drain grids not draining away the surface water. Powys CC replies that the drainage is now cleared.
  - Streetlamps Churchstoke Village: Powys CC provides a list of 'off lights' and asks that any lights that are off and not on the list can be reported as faulty.

- 18.2 From CCC. to Powys CC/ Shropshire Council – to report general maintenance:
- a) Village Green at North Walk: the surface of the village green has been disturbed for laying of water pipes to the development to rear of The Court House Hotel. Council asked the Clerk to write to G F Grigg to point out that it is a criminal offence to undertake any act which causes injury to a registered village green (Section 12 of the Inclosure Act 1857).
- Action – Clerk to process

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

- a) Powys CC: Cllr M J Jones reported:
  - Nothing further to report at present.
- b) Shropshire Council: no report.

**20.0 Correspondence** – to receive items of general correspondence for information.

- 20.1 Ms S Attwell for Mr G D Delves MBE: Family Music Festival: to receive confirmation that the proposed festival is deferred until 2018. Council received correspondence that Mr Delves thanks CCC for its support for a festival but that the organisers feel they need more time to get things organised so are postponing to 2018.

- 20.2 An Allotment Holder: Allotment/ Bowling Club Fence  
Council received correspondence from an allotment holder that following start of works to improve the bowling green (removal of hedge) the fence between the bowling green and the allotments is now exposed, in a bad state of repair, and an eyesore. Members agreed to take the matter as an agenda item at the next meeting, and in the meantime seek costs for post and wire fence.
- Action – for April agenda

- 20.3 To receive, for information, items of general correspondence which may be brought to the attention of the council:  
The Clerk indicated correspondence will be circulated electronically post meeting where electronic copies are available, and set out in appendix 2.
- Action – Clerk to circulate documents post-meeting

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

- a) Cllr C P Smith: Pottery Notice Board: reminded councillors of the poor condition of the notice board. Cllr D N Yap volunteered to inspect to ascertain whether repair is possible
- b) Cllr D N Yapp: Recreation Field: areas of poor drainage, and reported that Churchstoke FC is willing to dig and inspect at end of season. Members had no objection if it would lead to improvement of the condition of the field
- c) Cllr D N Yapp: Recreation Field: mole damage to the field. The Clerk indicated that pest control is in budget and will be commissioned

Action – Clerk to process

- d) Cllr J Jones: pavement alongside A489 at Brook Cottage: Ivy encroaching onto the pavement causing difficulties for pedestrians
- e) Chairman: Next meeting, Full Council Ordinary Business Meeting 25<sup>th</sup> April 2017, 7.30pm, at Hyssington.

## **22.0 CONFIDENTIAL SESSION EXCLUSION OF PUBLIC AND PRESS**

### **22.1 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 [specified] 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 [specified] confidential nature of the business about to be transacted.'*

- 22.2 Confidential Matters and Correspondence [confidential reason data protection of individuals]: To receive, and resolve if desired, such business or correspondence of a confidential nature as will be brought before the council by the Clerk.  
None.

Meeting ended – 9.27pm.

## Appendix 1: One Voice Wales/SLCC Correspondence and circulated post meeting

-  01 WGov Appointment Members Welsh Language Partnership Council advert - 150317.pdf
-  02 WGov Initial Teacher Education Accreditation Committee Chair advert - 090317.pdf
-  03 WGov Initial Teacher Education Accreditation Committee Deputy Chair advert - 090317.pdf
-  04 WGov Appointment Vice President National Library Wales - 090317.pdf
-  05 Wales CHC 07032017 One Simple Thing SMS final (E) - 070317.pdf
-  06 Energise Wales Newsletter – Mar'17 - 130317.pdf

## Appendix 2: General Correspondence received and circulated post meeting

-  01 - Sallie Attwell Family music festival - 030317 REDACTED.pdf
-  02 - Bowling Club Allotments Fence REDACTED - 240317.pdf
-  03a - PCC Elections Training 2017-03 Letter to TCCs - 240317.pdf
-  03b - PCC Monday waste collections to be binned - 030317.pdf
-  03c - PCC New opening days Household Waste Recycling Centres Apr'17 - 130317.pdf
-  03d - PCC Census Is Montgomeryshire ready for a test - 210317.pdf
-  03e - R George Broadband Summit postponed - 060317.pdf
-  03f - R George AM March e-Newsletter - 160317.pdf
-  03g - Powys CHC Agenda full CHC 14 Mar'17 - 070317.pdf
-  03h-i - Powys CHC Dementia One Simple Thing - email 020317.pdf
-  03h-ii - Powys CHC Dementia Letter to Third Sector - E.pdf
-  03h-iii - Powys CHC Dementia Press Release final (E).pdf
-  03i - Powys CAB awarded £25,000 through Martin Lewis Fund - 210317.pdf
-  03i-i - BCW - 2018 Review of Parliamentary Constituencies - email to Cllrs 050317.pdf
-  03i-ii - BCW Review of Parliamentary Constituencies 2nd consultation - 020317.pdf
-  03j - WGov Town and Community Councils Survey - 210317.pdf
-  03k - Montgomery Tennis Club 2017 tennis camp - 210317.pdf

End of appendices