

**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 29th March 2016
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 A Richards, Cllr P C Rigg, Cllr C P Smith, Cllr J Stelmasiak, Cllr D N Yapp.

The Chairman welcomed members of the public.

Apologies for absence approved by Council: none.

Other apologies for absence: Cllr Z M Powell, Cllr J Wakelam.

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
5.3	Planning Applications	M J Jones	Personal and prejudicial interest in application P/2016/0282 as neighbour of applicant
5.3	Planning Applications	J Jones	Personal not prejudicial interest in application P/2016/0282 with employer undertaking work at the site
5.4	Applications for Tree Works	C P Smith	Personal not prejudicial interest in application TREE/2016/0007 as ex-employee of applicant

2.0 Minutes of Meetings: To approve and sign the minutes as a correct record of the Full Council Ordinary Business Meeting 23rd February 2016 at Churchstoke Community Hall (paper 2 previously circulated).

The minutes of the Full Council Ordinary Business Meeting 23rd February 2016 were reviewed and approved with typographical errors corrected.

RESOLVED:

'The minutes of the Full Council Ordinary Business Meeting 23rd February 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 23rd February 2016 at Churchstoke Community Hall.

None.

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) to receive information from the Elections Office that no election has been called, and the council is required by law to give notice and Co-opt to the vacancy.

The Clerk reported on notification from the office of the Returning Officer that no request for an election to fill this vacancy has been received from ten electors of the ward. Therefore, in accordance with the Local Elections (Parishes and Communities) Rules (1986), CCC is now required to fill the vacancy by co-option, and that the Local Government (Wales) Measure 2011 requires CCC to give public notice where vacancies are to be filled by co-option.

RESOLVED:

'CCC gives notice of Co-Option, will publish notice of intent to co-opt, seeks interested members of the public and will notify the Clerk of names of interested parties, and the Clerk to distribute notices of co-option for notice boards and to post the notice to the website.'

Action – Members to seek
& Clerk to process

5.0 Planning Matters:

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

5.1.1 Powys CC Principal Planning Officer

Re: P/2015/0340 for Residential development of up to 40 dwellings (including access) at Land adj to Buttercup House, Church Stoke:
Council received notice that the planning application is to be considered at the Planning, Taxi Licensing and Rights of Way Committee on 31/03/2016 commencing at 10am at Neuadd Maldwyn, Welshpool, at which CCC has a right to address the Committee. The Clerk reminded Members that the application was considered by Community Council 28th April 2015, when Council objected to the application with the following comment 'whilst generally welcoming housing development within the village of Churchstoke, the community council objects to this application on the grounds that it is outside the village boundary as defined in the current UDP and is therefore contrary to agreed policy'.

RESOLVED:

'CCC does not wish to attend and address Planning, Taxi Licensing and Rights of Way Committee on the matter.'

5.1.2 The Planning Inspectorate – Head of Service

Re: Developments of National Significance (DNS)

Council received information that the Planning Wales Act 2015 introduced a new type of development – Developments of National Significance (DNS) – on which decisions will be taken by the Welsh Government not by the local planning authority, and that developers of DNS will be required to consult community & town councils before an application is made to the Minister. Noted.

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

None.

5.3 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:Declaration(s) of Interest(s):

- P/2016/0282 – Cllr MJ Jones having declared a personal and prejudicial interest, left the meeting for this item.

RESOLVED:

'CCC responds to planning application consultations as follows:'

<i>Ref.</i>	<i>Applicant</i>	<i>Site</i>	<i>Description</i>	<i>rec.</i>
<i>Consultations on application(s) in Churchstoke community</i>				
<i>VAR/2016/0008</i>	<i>Mr & Mrs Philpott, The Meadow White Grit</i>	<i>The Meadow White Grit</i>	<i>Application to discharge a Section 106 legal agreement attached to planning permission M25732 (occupancy restriction)</i>	<i>N</i>
<i>P/2016/0282 (paper 5.3b and others previously circulated)</i>	<i>Miss Melanie Squires, Pleasant View, Pentre</i>	<i>Pleasant View, Pentre</i>	<i>Change of use to extend domestic curtilage and the erection of two wooden building to use for dog kennels and dog grooming parlour (part retrospective)</i>	<i>O*</i>

*P/2016/0282 – CCC objected to this application on grounds of:

- a) Change of Use: the application indicates that the adjoining field marked within the submitted plans will be used as exercise area. CCC is of the view that this requires change of use for the field, which is missing from the application
- b) Noise nuisance: CCC is of the view that noise from 9 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

- c) Highways: CCC is of the view that there is likely to be increased traffic for delivery of food and other supplies, and the 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
- d) 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; use of a wormery for treatment of faeces is unlikely to eradicate dog-worms which would be spread and likely to remain on the field
- e) Application: the application states that consultation with neighbours has taken place. CCC is of the view that this may not be an accurate statement.

Action – Clerk to process

5.4 Applications for Works to Trees Subject to Tree Preservation Order – to receive & resolve responses to consultations including:

Ref.	Applicant	Site	Description	rec.
TREE/2016/0007	Mr Simon Currin, Pinfold, Hyssington	Pinfold, Hyssington	Removal of two trees within a conservation area due to close proximity to structures	S

Action – Clerk to process

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

The Clerk reported correspondence from the planning office as follows:

Ref./ Site	Description
Pleasant View, Pentre	CCC has previously brought the attention of planning enforcement officers to the development and the dog grooming business operating at Pleasant View, Pentre, and asked planners ensure that planning conditions have been met. The Planning Office replies that it is in the process of investigating CCC's concerns and will inform the council of the outcome of its investigations in due course.

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

Ref./ Site	Description
None	

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 One Voice Wales: Welsh Government Local Government Democracy Division Re: Local Government Ethical Framework from 1st April 2016 Council received notice and information on changes to the Framework and Model Code of Conduct with effect from 1st April 2016. Noted.

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

- a) Via OVW: Welsh Government notice of publication of the Community Asset Transfer Best Practice Guide – Revised Edition

- b) Via OVW: Welsh Audit Office – examples of Asset Transfers
- c) Via OVW: Welsh Government Planning Directorate – Notice of consultation on changes to Planning Policy Wales Chapter 6, setting out national planning policy for consideration of the historic environment through the planning system
- d) Via OVW: Welsh Government Finance Committee report – Consideration of the consultation on the Draft Public Services Ombudsman (Wales) Bill
- e) Via OVW: Boundary Commission for Wales – information on its parliamentary constituencies review with proposals to reduce number of constituencies in Wales from 40 to 29
- f) Via OVW: Natural Resources Wales – Bulletin Issue 5 March 2016
- g) Via OVW: Cynnal Cymru/ Sustain Wales – February Newsletter
- h) Via OVW: Consumer Council for Water Wales Committee – Thirtieth Meeting in Public on 22nd March 2016, Welshpool
- i) Via OVW: British Council – Vacancy for Chair, Wales Advisory Committee
- j) Via OVW: The Great British Fish and Chip Supper Friday 20th May 2016 in support of Spinal Injuries Association

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 continued difficulties pursuing restart of works and concerns at part-works safety issues on site which have now been escalated to the supplier's UK Contracts Manger and Managing Director. Council also considered operational signs to be installed at the playground.

RESOLVED:

'CCC authorises the Clerk to purchase signs for the site for 'pick up litter', 'no dogs', 'no ball games'.'

Action – Clerk to process

8.0 Grounds & Recreation Field Matters: 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 not yet been received from Powys CC.

9.0 Green Grants 2016 – to review the adopted terms of reference, and to invite applications for Green Grants 2016 (paper 9 previously circulated).

The Clerk reminded Members that Green Grants applications round normally begins in April and reminded Members that the scheme was suspended for 2015 in order to allocate funds to community benefit in the playground project.

RESOLVED:

'CCC invites applications for Green Grants 2016.'

Action – Clerk to process

10.0 Independent Remuneration Panel for Wales Annual Report 2016-17 – to consider the report and resolve on the Panel's recommended levels of councillor allowances for 2016-17. Members are referred in particular to Chapter 10 allowances, Chapter 12 compliance, and Publicity Requirements (papers 10a-c previously circulated.).

The Clerk referred Members to the Independent Remuneration Panel for Wales Annual Report 2016-17, 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 2016-17 and adopts to pay allowances and expenses as follows:

- *To pay allowances of £20, 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.'*

11.0 Financial Report:

11.1 Finance Specific Correspondence – to report finance specific correspondence, if any.
None.

11.2 Financial Year 2015-16 – to resolve the disposal of fixed assets (obsolete computer and printer) (paper 11.2 previously circulated).
The Clerk referred Members to the fixed asset register and the request for authorisation of disposal of assets.

RESOLVED:

'CCC authorised the Clerk to dispose of obsolete fixed assets at nil value as follows:

<i>Date of purchase</i>	<i>Item</i>	<i>Asset value £</i>
<i>19/02/2002</i>	<i>computer hardware & software</i>	<i>1,189.00</i>
<i>28/03/2006</i>	<i>computer software (paintshop pro)</i>	<i>51.06</i>

11.3 Financial Year 2015-16: 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. The Clerk reported that a specification has been issued to the existing internal auditor and response is awaited.

11.4 Financial Year 2016-17: Annual Investment Strategy 2016-2017 – to receive & adopt the strategy (paper 11.4 previously circulated).
The Clerk presented the Annual Investment Strategy 2016-2017, prepared according to Welsh Assembly statutory guidance.

RESOLVED:

'CCC accepts and adopts the Annual Investment Strategy 2016-2017 as presented'.

11.5 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 2016	3.11
M&G	Charibond dividend Nov'15-Jan'16	1.15
G Jones	Allotment rent due Mar 2016 (plot 6)	30.00
SLCC	Training bursary 2015-16 (ref: pract conf)	100.00
E J Humphreys	PAYE Q4 Jan-Mar 2016	74.00
Total		208.26

11.6 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:					
945	Ch'stoke Rec Assoc	Com hall grant '15-16	1,928.82	0.00	1,928.82
946	Hyss'ton Village Inst	Vill hall grant '15-16	750.72	0.00	750.72
947	E J Humphreys	Admin exp Q3 Oct-Dec	167.53	12.94	180.47
948	NALC	LCR sub'n 1 st Apr 2016	17.00	0.00	17.00
949	B L Smith	Cllr Allowance Oct-Mar	10.00	0.00	10.00
950	C P Smith	Cllr Allowance Oct-Mar	10.00	0.00	10.00
951	Soc Loc Coun Clerks	Subs SLCC/ILCM 2016	43.23	0.00	43.23
952	Gillian Handel	Mole control rec/ cem	40.00	0.00	40.00
953	E J Humphreys	New lock for allotments	10.83	2.16	12.99
954	Phil's Tool Hire	Herras fencing Feb'16	149.50	29.90	179.40
955	HMRC	PAYE Q4 Jan-Mar'15	74.00	0.00	74.00
Total items to authorise for payment at this meeting			3,201.63	45.00	3,246.63
To report items previously authorised to be paid by direct debit or standing order:					
SO	E J Humphreys	Clerk sal. Mar'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			3,749.03	45.00	3,794.03

Action – Clerk to process

11.7 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	Reserve acc. £	Current acc. £
Gross balances	54,783.05	500.00
Less consolidated ring-fenced funds	18,611.15	0.00
Net balances available	36,171.90	500.00

12.0 Highways & Rights of Way Reports:

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

- a) A490 to Chirbury: roadside edges breaking up. Shropshire Council replies that the whole road from Chirbury to the Powys boundary is due to be resurfaced this summer.
- b) A489 with junction of C2147 for Hurdley: pothole. Powys CC replies that the pothole has been identified as part of the highway safety inspection regime and has been programmed for repair.
- c) A489 at Zebra Crossing: defective streetlamps and belisha beacon floodlight. Powys CC replies that the report has been forwarded to the street lighting supervisor for attention and remedial action.
- d) A490 at Churchstoke Bank: 3 defective streetlamps between the bridge and the Horse & Jockey public house. Powys CC replies that the report has been forwarded to the street lighting supervisor for attention and remedial action.

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

- a) B4385 from Pentre to Blue Bell: verge damage caused by heavy vehicles during recent diversions.

Action – Clerk to process

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

- a) Powys CC: Cllr M J Jones reported:
 - Budget and Precept 2016-17:
 - Budget has been set, at a 4.25% increase in Powys CC precept.
- b) Shropshire Council: no report.

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

14.1 Welsh Government – Minister for Natural Resources

Re: Shared Purpose Shared Future Statutory Guidance on the Well-being of Future Generations (Wales) Act 2015
Council received the Statutory Guidance including SPSF4 regarding community & town councils. Noted.

14.2 Powys CC – Strategic Commissioning Manager

Re: Joint Commissioning Strategy for Older People Consultation
Council received notice of the consultation with responses welcomed by 10th April 2016.

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

- a) Powys CC: The Regenerator Newsletter Spring 2016
- b) Powys CC: details of Easter recycling and refuse collections
- c) Powys CC: notice that refuse & recycling collections on bank holiday will take place as normal over the forthcoming bank holidays in May and August
- d) R George AM: e-Newsletter Mar 2016
- e) R George AM: Newtown By-pass news
- f) Stiperstones & Corndon LPS: Spring 2016 Newsletter
- g) Play Montgomeryshire: survey on play provision
- h) Play for Wales/ Chawrae dros Gymru: Issue 46 Spring'16 newsletter

- i) Kidney Wales Foundation: publicity and information for the sponsored 'Walk for Life 2016' event
- j) Welshpool Town Council: 'Flicks in the Sticks' publicity for April 2016.
Action – Clerk to circulate documents post-meeting

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

- a) Chairman: invited Members to consider implementing a protocol for a public participation section to meetings.
Action – for April agenda
- b) Clerk: reminded Members that defibrillator training (ref CCC's defibrillator to be installed at St Nicholas House) will be held Tuesday 5th April from 7-9pm at the Horse & Jockey by kind permission of Cllr D L Powell.
- c) Clerk: reminded Members that year end accounts and audit will be a focus of work over the next few weeks.
- d) Clerk: reported that CCC has been contacted by the tenant of 20 Cae Camlad regarding flooding in the garden of the property, and that Powys CC may contact CCC on the matter in due course.
- e) Chairman: Next meeting: Full Council Ordinary Business Meeting, Tuesday 26th April 2016, 7.30pm, at Hyssington.

Meeting ended – 9.15 p.m.