



**CYNGOR CYMUNED YR YSTOG
CHURCHSTOKE COMMUNITY COUNCIL**

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

Clerc i'r Cyngor | Clerk to the Council: E J Humphreys MA Oxf, CiLCA, FSLCC

**MINUTES of COUNCIL ORDINARY BUSINESS MEETING
on Tuesday 27th October at 7.30pm
held remotely on Zoom-Pro platform.**

- 1.0 Welcome, Attendance, Remote Meeting Etiquette and Apologies for Absence:** to record attendance, to recap on the remote meeting etiquette, to receive and resolve if desired to approve absence(s) (paper 1 previously circulated).

Attendance: Cllr B L Smith (Chairman), Cllr G Frost (Vice-Chairman), Cllr J Jones, Cllr M J Jones, Cllr R K McLintock, Cllr D L Powell, Cllr A Richards, Cllr C P Smith, Cllr J N Wakelam, Cllr D N Yapp.

The Chairman welcomed Councillors and Clerk to the council's remote live-streamed ordinary business meeting and reminded Members of the remote meeting etiquette.

Apologies for absence approved by Council: None.

Apologies for absence received: None.

Other Members Absent: Cllr J Boundy, Cllr G Jameson.

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

- 2.0 Declarations of Members' Interests and Dispensations:** to 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 to note Members' dispensations. Members are asked to submit any declaration forms to the Clerk (papers 2a-b previously circulated).

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

Agenda Number	Item	Councillor	Nature of Declaration
5.5	Planning Applications	M J Jones	Personal & prejudicial interest as a member of Powys CC Planning, Taxi Licensing & Rights of Way Committee
5.6	Applications for Works to Trees Subject to Tree	M J Jones	Personal & prejudicial interest as a member of Powys CC Planning, Taxi Licensing &

	Preservation Order or in a Conservation Area		Rights of Way Committee
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3.0 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.

4.0 Minutes of Previous Meetings

4.1 To approve & sign the minutes as a correct record of the remote Ordinary Business Meeting 29th September 2020 (paper 4.1 previously circulated).
The minutes of the remote Ordinary Business Meeting 29th September 2020 were reviewed.

RESOLVED

The minutes of the remote Ordinary Business Meeting 29th September 2020 are approved and signed as a correct record.

4.2 To report, for information purposes only, matters arising from the minutes of the remote Ordinary Business Meeting 29th September 2020.

4.2.1 (9.0) Fingerpost Restoration Project

The Clerk reported that first coat of paint has been applied to the unpainted collar bolts and further coats will be applied as weather permits.

4.2.2 (12.2) Montgomery Waters: Permanent Water Abstraction License

The Clerk reported on information from Natural Resources Wales that Montgomery Waters Ltd has applied for an abstraction licence under the transitional regulations process and all such applications must be determined by 31st Dec'22, and it is likely to be advertised for representations to be made.

5.0 Planning & Building Control

5.1 Planning & Building Control Specific Correspondence: to receive and circulate for information such correspondence, if any, as will be brought to the attention of the council by the Clerk.

5.1.1 Consultation: Welsh Government: Change to planning policy and guidance on use of compulsory purchase powers: to receive the consultation (closing 19th Jan'21) and to resolve a working party to recommend a response for the December meeting (papers 5.1.1a-b previously circulated).

The Chairman referred Members to the consultation papers.

RESOLVED

CCC does not wish to respond to the application.

5.1.2 Other Planning Correspondence: to receive and circulate for information such correspondence, if any, as will be brought to the

attention of the council by the Clerk (inc. paper 5.1.2 previously circulated).

- a) Planning Aid Wales: Council received details for online training 'Introduction to Planning Enforcement, 9th Nov'20, 6pm to 8pm, at £30 per person. The Clerk asked Members to inform him if they wished to attend.

5.2 Powys CC Planning Determinations: to report from Powys CC notifying the community council of planning decisions in the community council area, if any. Council received notice of Powys CC planning determinations as follows:

Ref.	Site	Powys CC Decision
None.		

5.3 Planning Inspectorate Appeals: Notice(s) of Appeal: to receive & resolve responses to Notices of Planning Appeal including but not limited to those listed below. Later Notices may be considered at the discretion of the Chair.

Ref.	Appellant	Site	Description
None.			

5.4 Pre-application Consultations by Developers: to receive & resolve responses to pre-application consultations by developers including but not limited to those listed below. Later applications may be considered at the discretion of the Chair.

Ref.	Applicant	Site	Description	rec.
None.				

5.5 Planning Applications: to receive & resolve responses to consultations; full application(s) detail(s) at <http://pa.powys.gov.uk/online-applications/?lang=EN> including but not limited to those listed below. Later applications may be considered at the discretion of the Chair.

Declarations of Members' Interests:

- Cllr M J Jones having declared a personal and prejudicial interest left the meeting for this item.

RESOLVED

CCC responds to consultations on planning applications as follows:

Ref.	Applicant	Site	Description	rec.
20/1592/RES	Mr Hayden, 60 Hayes Lane, Lye, Stourbridge	Land at The Firs, Churchstoke	Application for reserved matters following the approval of P/2017/0654 for the erection of 3 dwellings, garages and associated works	S*
20/1653/FUL	Mr Paul & Roy Delves, Defin Investments, The Exchange, Temple St, Llandrindod Wells	Montgomery Natural Spring Water, Crosslikey Supermarket, Churchstoke	Erection of a storage building (part retrospective)	O*

20/1663/HH	Mr Lawrence Priestley, Bachelde Malt House, Bachelde	Trydar Barn, Churchstoke	installation of a handrail above the car port to create a balcony	S
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***20/1592/RES:** CCC supports the application and wishes to add the following comments

- a) Access to, and egress from, the dwellings is from a public layby, so access and egress may be blocked if vehicles in the layby were to be parked across the entrances, and this conflicts with the loss of public amenity if entrances had to be kept clear
- b) There seems to be a loss of vehicle turning space compared to outline planning permission
- c) Plot 3 has greater amount of living accommodation than plots 1 and 2, which implies greater occupancy so the community council asks planners to consider whether greater parking space would be needed.

***20/1653/FUL:** CCC objects to the proposal on the following grounds and with the following comments

- a) The community council believes that applicant does not have a water abstraction licence for the business, so the community council objects to the application until an abstraction licence is obtained
- b) The development appears to be in close proximity to a mobile telephone mast
- c) The development is believed to be over a water course
- d) The building has already started without planning permission and this was in progress in February – well before this application.

Action – Clerk to process

5.6 Applications for Works to Trees Subject to Tree Preservation Order or in a Conservation Area – to receive & resolve responses to consultations including but not limited to those listed below. Later applications may be considered at the discretion of the Chair.

Declarations of Members' Interests:

- Cllr M J Jones having declared a personal and prejudicial interest left the meeting for this item.

RESOLVED

CCC responds to consultations on planning applications as follows:

Ref.	Applicant	Site	Description	rec.
20/1661/TPO (papers 5.6a-o previously circulated)	Mr David Gregory, The Stilt House, Hall Bank, Churchstoke	The Stilt House, Hall Bank, Churchstoke	Application for works to trees subject to a Tree Preservation Order	S

Action – Clerk to process

5.7 Planning Enforcement:

- 5.7.1 From other bodies to CCC: to report for information, planning enforcement matters within the community (papers 5.8.1a previously circulated).
None.
- 5.7.2 From CCC to Powys CC: to report planning enforcement matters within the community.
- (i) At Hyssington: to receive information, and resolve if desired, regarding lengths of hedgerow removal in Hyssington Ward, and to receive further information on the historical record of Maypole Bank (papers 5.7.2(i) a-b previously circulated).
Council received a pictorial illustration of lengths of hedgerow removed at Hyssington as reported by several residents to the county council, and of drainage works which appears to lack permission under Land Drainage Act 1991.

RESOLVED

CCC will write to the county council and Natural Resources Wales to ask that remedial or preventative action can be taken on hedgerow removal and drainage works.

Action – Clerk to process

Council also received further information regarding the historical significance of previous agricultural practice of ridge and furrow agriculture at Maypole Bank and expressed dissatisfaction as lack of action to protect the conservation area by the planning authority.

RESOLVED

CCC is appalled that the Planning Authority appears to have taken no action, or even replied to CCC's reports, regarding damage to the conservation area at Maypole Bank walls, trees and hedges, and will complain to the Public Services Ombudsman for Wales on grounds of county council maladministration.

Action – Clerk to process

- (ii) To report other planning enforcement matters within the community.
The Chairman invited Members to bring forward planning enforcement matters within the community for the attention of the planning authority.
Council noted that deliveries of construction materials to the development adjacent to Buttercup Cottage are taking place from the highways and pedestrian footway causing hazard and obstruction to pedestrians and passing vehicles. The Clerk recommended that this is brought to the attention of the highways authority (see item 11.2).

6.0 Recreation

- 6.1 Village Green at Hyssington: to report, and resolve if desired, from the Friends of the Green and Horsewell (FOTGAH) (Cllr R K McLintock).
Cllr R K McLintock reported further progress; kerbing work has been completed and new trees and shrubs have been planted to replace the diseased and dying old Cherry Tree. Evidence gathering continues for registration as village green.
- 6.2 Recreation Field Dog Waste/ Refuse Bins: to receive a verbal update report from the Clerk regarding the commercial contract with the county council for a bin and emptying service.
The Clerk reported the new bin funded by the community council has been installed at the recreation field and the contract agreed with the county council for fortnightly collection.
- 7.0 Self-Build Wales and Powys County Council:** to recall the presentation by the Self-Build Housing Enabler at the September meeting, and to consider and resolve whether and how CCC can lawfully support or assist the scheme in Churchstoke (papers 7a-f previously circulated).
The Chairman reminded Members of the presentation to the September meeting and their wish to discuss the matter further.

RESOLVED

CCC will provide information to the community regarding the scheme through website and via Members, and asks to be kept informed by Self-Build Wales and Powys County Council.

Action – Clerk to process

- 8.0 Coronavirus Covid-19 Recovery Funding Opportunities:** to receive a response from the county council whether Covid-19 Recovery Funding can be applied to the community hall or recreation field, and to discuss, and resolve if desired on further application(s) (paper 8a-b previously circulated).
The Chairman reminded Members of the clarification sought whether funding could be applied to the community hall or the recreation field. Council received clarification from the county council that these are not eligible, though other funds may be available for the hall for which details were circulated.

9.0 Consultation

- 9.1 The Independent Remuneration Panel for Wales (IRPW): Draft Annual Report 2021-22: to receive, and resolve a response if desired, the consultation, closing 23rd Nov'20. Members are referred especially to Section 13 which relates specifically to Community and Town (papers 9.1a-b previously circulated).
The Chairman referred Members to the consultation documents.

RESOLVED

CCC does not wish to respond to the consultation

- 9.2 Dyfed-Powys Police and Crime Panel: CCTV Survey: to receive and resolve a response if desired, the consultation closing 1st Dec'20 (papers 9.2a-b previously circulated).
The Chairman referred Members to the CCTV survey.

RESOLVED

CCC does not wish to respond to the survey.

- 9.3 Mid and West Wales Fire And Rescue Authority (MWWFRS): Draft Corporate Plan 2021 – 2026: to receive the consultation, closing 4th Dec'20, and to resolve a working party to recommend a response for the November meeting (papers 9.3a-b previously circulated).

The Chairman referred Members to the consultation documents.

RESOLVED

CCC does not wish to respond to the consultation.

- 9.4 Welsh Government: Regulations to establish Corporate Joint Committees: to receive the consultation, closing 4th Jan'21, and to resolve if desired, a working party to recommend a response for the December meeting (papers 9.4a-c).

The Chairman referred Members to the consultation documents. The Clerk referred to the potential strategic significance of a Corporate Joint Committee.

RESOLVED

CCC does not wish to respond to the consultation.

10.0 Finance and Assets

- 10.1 BT Kiosk at Old Churchstoke: to receive conclusion of transfer with maintenance guidance from BT, and a verbal update from the Clerk usage and arrangements for the Kiosk with local residents. (paper 10.1a-c previously circulated).

The Chairman reminded Members of the transfer of the Kiosk at Old Churchstoke from BT to CCC under the BT Adopt-a-Kiosk Scheme with the vocal support of some of the residents of the area.

RESOLVED

CCC is content with no specified usage for the kiosk other than as an item of highway furniture for the time being and is agreeable to a Memorandum of Understanding with one (or several) named residents for its maintenance and cleaning. The Clerk will inform its insurance company of the new asset and of the arrangement.

Action – Clerk to process

- 10.2 Finance Specific Correspondence: to receive and circulate for information such correspondence, if any, as will be brought to the attention of the council by the Clerk).

- 10.2.1 Wales Audit (WA): Future Audit Arrangements for Community and Town Councils in Wales.

Council received the WA report following its recent consultation on future audit arrangements for town and community councils. The Clerk indicated that the report sets out the audit arrangements for the audit of the 2020-21 accounts onwards which includes a three-year audit programme. The Clerk drew Members' attention to the free webinar and asked Members to inform him if they wished to attend.

10.3 Financial Year 2019-20: to resolve to receive external audit report and opinion, if available, for conclusion of audit (paper 10.3 if available from the external auditor).

The Clerk reported that the external audit report and opinion has not yet been received.

10.4 Items Received Since Last Meeting: to report

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

Payer	Description	£
Powys CC	Waste recycling proceeds Apr-Jun'20	52.10
NatWest Bank	Gross interest Sep'20	0.26
Western Power Distribution	Wayleaves 2020	64.29
I Bruntnell	Allotment rent plot 7 Oct'20-Feb'21	12.50
Leach & Son	Burial fee (plot 492)	190.00
Total		319.15

10.5 Items for Payment: to resolve to approve items for payment as follows:

The Clerk reported on urgent items paid by the Clerk since the last meeting.

RESOLVED:

CCC endorses urgent items paid by the Clerk since the last meeting as follows:

Chq	Payee	Description	£ex vat	£vat	£total
1307	HM Revenue & Customs	PAYE Jul-Sep'20	68.20	0.00	68.20
<i>Total urgent items paid</i>			68.20	0.00	68.20

The Chairman referred Members to the items listed for payment.

RESOLVED:

CCC authorises payments as follows:

Chq	Payee	Description	£ex vat	£vat	£total
1308	Andrew Evans Landscapes Ltd	Grounds maint Sep'20	919.71	183.94	1,103.65
1309	E J Humphreys	Zoom Pro Oct'20	11.99	2.40	14.39
<i>Total for authorisation this meeting</i>			931.70	186.34	1,118.04

To report items previously authorised

1310	E J Humphreys	Clerk net salary Oct'20	<i>As employment contract</i>		
Action – Clerk to process					

10.6 Financial Balances: Consolidated Bank Balances: to report consolidated balances to date after transfers, receipts & payments.

The Clerk reported the M&G Investments Charibond quarterly statement for 1st Jul'20 to 30th Sep'20 as follows:

Fund	Number of shares	Share Price (p)	Value at 30/09/2020 (£)
Charibond	100	125.21	125.21

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

Item	Current acc. £	Reserve acc. £
Gross balances	1,000.00	20,470.19
Less consolidated ring-fenced funds	0.00	10,341.77
Net balances available	1,000.00	10,128.42

11.0 Highways & Rights of Way

11.1 From Powys CC/ Shropshire Council to CCC: to report for information general maintenance matters.

None.

11.2 From CCC to Powys CC/ Shropshire Council: to report and resolve if desired, general maintenance matters, if any.

RESOLVED

CCC reports highways matters to Powys CC/ Shropshire Council as follows:

- a) *A489 near Buttercup Cottage: deliveries of construction materials to the development adjacent to Buttercup Cottage are taking place from the highway and pedestrian footway, causing hazard and obstruction to pedestrians and passing vehicles.*

Action – Clerk to process

12.0 County Councillor & County Council Report:

12.1 To receive a report, for information, from the county councillor & to discuss general Powys CC/ Shropshire Council matters.

- a) Powys CC: no report
b) Shropshire Council: no report.

12.2 To receive a verbal report from the Clerk on the Powys CC/ Community & Town Councils liaison meeting held on Thu 15th Oct'20

The Clerk reported verbally on attendance at the Powys CC/ Community & Town Councils liaison meeting held on Thu 15th Oct'20 at which topics discussed were:

- Covid-19 Response and Recovery
- Transformation Programmes Update (inc Mid Wales growth Deal and Transforming Education)
- Powys CC Financial Update
- Town Centre Regeneration Fund.

13.0 Correspondence

13.1 One Voice Wales/ Society of Local Council Clerks

13.1.1 Training: to receive details of online and free training 2020-21 and amended schedule of training sessions for Oct'20 and to resolve, if desired, on attendance (paper 13.1.1a-b previously circulated). Council received details of remote training for October circulated earlier in the month. The Clerk had previously asked Members to inform him if they wished to attend.

13.1.2 For Circulation: to receive and circulate for information other OVW/ SLCC items of correspondence, brought to the attention of the council by the Clerk.

The Clerk reported correspondence, highlighting certain items, which will be circulated electronically post meeting where electronic copies are available, and set out in appendix 1.

Action – Clerk to process

13.2 Other General Correspondence: to receive and circulate for information other general correspondence as will be brought to the attention of the council by the Clerk.

The Clerk reported correspondence, highlighting certain items, which will be circulated electronically post meeting where electronic copies are available, and set out in appendix 2.

Action – Clerk to process

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

14.1 Chairman's announcements: to receive for information announcements from Chairman and Members.

a) Clerk: The Clerk reminded Council that the budget preparation panel; will meet to present a first draft budget 2021-22 to the November meeting.

14.2 Items for future agenda: to bring forward for information items for consideration for future agenda.

None.

14.3 Date of next meeting for information: Tue 24th Nov'20, 7.30pm, to be held remotely.

15.0 Confidential Session

15.1 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

Under the Public Bodies (Admission to Meetings) Act 1960 (2) CCC 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.

15.2 Recreation: Tree Works: [confidential reason: commercial quotations]: to receive and resolve quotations for Tree Works (paper 15.2a and confidential papers 15.2b-c previously circulated).

The Chairman reminded Members of the specification and the public invitation to quote for works. The Clerk reported on two quotations received from professional arborists.

RESOLVED

CCC accepts the quotation 1 unless quotation 2 includes a VAT element which could be reclaimed, in which case CCC accepts quotation 2.





















Action – Clerk to process

15.3 Confidential Correspondence [confidential reason: data protection of individuals]: to receive, and resolve if desired, such other business or correspondence of a confidential nature as will be brought to the attention of the council by the Clerk.
















None.

Meeting ended – 9.30pm.

Appendix 1: One Voice Wales/SLCC correspondence circulated post meeting

-  01a - OVW - TRAINING WEBINAR PROGRAMME 2020-21 - 071020.pdf
-  01b - OVW - Remote Training Sessions for October - 071020.pdf
-  02 - OVW - IMPORTANT UPDATE COVID Guidance Use of Multi-use Community Centres - 231020.pdf
-  03a - WGov - Welsh Government update - Remembrance - 261020.pdf
-  03b - WGov - Remembrance 2020 FAQs.pdf
-  04 - WGov - Consultation Regulations to establish Corporate Joint Committees - 121020.pdf
-  05 - WGov - Consultation Establishing Town & Country Planning (Strategic Dev Plan) (Wales) Regs 2021 - 121020.pdf
-  06 - WGov - National Strategy for Flood & Coastal Erosion Risk Mgmt - 211020.pdf
-  07a - WGov - Ministerial Advisory Forum Ageing (MAFA) BAME Helpline Wales - 081020.pdf
-  07b - WGov - BAME Helpline.PNG
-  08 - WGov - Workforce (two-tier) code of practice - 131020.pdf
-  09 - WGov - Coronavirus COVID-19 News 23102020 - 191020.pdf
-  10 - WA - Future Audit Arrangements Community & Town Councils Wales - 221020.pdf
-  11 - IRPW - Draft Annual Report Consultation Feb'21 - 061020.pdf
-  12a - OPCW - Older People's Commissioner for Wales Newsletter Sep'20 - 061020.pdf
-  12b - OPCW - September 2020.pdf
-  13a - WLGA - Coronavirus email update 30.09.2020 - 011020.pdf
-  13b - WLGA - Coronavirus email update 02.10.2020 - 051020.pdf
-  13c - WLGA - Coronavirus email update 14.10.2020 - 151020.pdf
-  14 - Sign Solutions - Wales Editorial Content4 - 071020.pdf

Appendix 2: General correspondence received circulated post meeting

-  01a - R George MS - News Oct'20 - 081020.pdf
-  01b - R George MS - Posters Booklet letter - 201020.pdf
-  02 - Daisy Bank Caravan Park - closing for lockdown - 201020.pdf
-  03 - SpArC - SpArC's FIRST MONTH AFTER REOPENING - 141020.pdf
-  04a - PTHB - Annual General Meeting - 051020.pdf
-  04b - PTHB - AGM-Invitation 22 Oct'20.pdf
-  05a - Powys CHC - Newsletter Issue 3 - 011020.pdf
-  05b - Powys CHC - Executive Committee Agenda 03.11.20 - 261020.pdf
-  06a - Powys CC - North Powys Wellbeing Programme business case - 231020.pdf
-  06b - Powys CC - What could be done to make cycling & walking in your town easier - 071020.pdf
-  06c Powys CC - Agenda 15.10.20 PCC and Town and Community Council Meeting.pdf
-  07 - Powys Dyslexia Support Group - News letter - 121020.pdf
-  08 - WLGA - Coronavirus email update 09.10.2020 - 120920.pdf
-  09a - Play Wales - October's e-bulletin - 011009.pdf
-  09b - Play Wales - Children's lockdown play experiences - 231020.pdf