

**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 27th September 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 Z M Powell, Cllr A Richards, Cllr C P Smith, Cllr J N Wakelam, Cllr D N Yapp.

Apologies for absence approved by Council: None.

Other apologies for absence: Cllr K D Massey, Cllr D L Powell, Cllr P C Rigg, 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
5.5	Planning Applications	M J Jones	Personal and prejudicial interest in application P/2016/0842 as family relative
5.5	Planning Applications	J N Wakelam	Personal non prejudicial interest in application P/2016/0842 working for applicant's accountant

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:

3.1 To approve and sign the minutes as a correct record the minutes of the Green Grants Committee Meeting 27th July 2016 at Hyssington Village Hall (paper 3.1 previously circulated).

The minutes of the Green Grants Committee Meeting 27th July 2016 were reviewed and approved.

RESOLVED:

'The minutes of the Green Grants Committee Meeting 27th July 2016 are approved and signed as a correct record.'

3.2 To approve and sign the minutes as a correct record the minutes of the Full Council Ordinary Business Meeting 31st August 2016 at Churchstoke Community Hall (paper 3.2 previously circulated).

The minutes of the Full Council Ordinary Business Meeting 31st August 2016 were reviewed and approved.

RESOLVED:

'The minutes of the Full Council Ordinary Business Meeting 31st August 2016 are approved and signed as a correct record.'

4.0 Matters Arising from Minutes for Information:

4.1 To report matters arising for information from the minutes of the Green Grants Committee Meeting 27th July 2016 at Hyssington Village Hall

4.1.1 (6.0) Timetable of next actions

The Chairman reported on a successful grants presentation evening at Hyssington on 16th September 2016, where all recipient organisations were represented, and several councillors attended. Council thanked the Chairman for providing the refreshments.

4.2 To report matters arising for information from the minutes of the Full Council Ordinary Business Meeting 31st August 2016 at Churchstoke Community Hall.

4.2.1 (7.1.3) Dyfed Powys Police and Crime Commissioner

Cllr C P Smith and the Chairman reported that due to unforeseen circumstances they were unable to attend the business breakfast consultation event Tues 6th Sept, 8-10am at Dolfor.

5.0 Planning Matters:

5.1 Planning Specific Correspondence:

5.1.1 Powys Local Development Plan (LDP):

a) To receive progress updates on the Examination (paper 5.1.1 previously circulated).

Council received notice that agenda has been published for the Progress Meeting between the Inspector and the County Council, 11:00 am Thursday 15th Sep, Llandrindod Wells, Powys. The purpose of the meeting is for the county council to provide the Inspector with an update on the work undertaken to date during the suspension period. The meeting will be open for members of the public to attend as observers. Noted.

b) Public Consultation.

Council received advance notice of a public consultation on the schedule of further focused changes from Monday 10th October to Monday 21st November 2016.

Action – for October meeting

5.1.2 Other Planning Correspondence: to receive, for information, other planning specific correspondence, if any.

a) Planning Aid Wales

Re: Training

Council received information on training provided by Planning Aid Wales, the nearest to Churchstoke being 'How to respond effectively to planning applications' 23rd Jan 2017 at Newtown. Cllr C P Smith committed to attend.

Action – Clerk to process
Cllr C P Smith to attend

b) Department of Business, Energy & Industrial Strategy

Re: Re-determination of Wind Turbine Generating Stations

Council received notice that representations received by Secretary of State during July are now available on the GOV website

<https://www.gov.uk/guidance/consents-and-planning-applications-for-national-energy-infrastructure-projects> for comment by 4th October 2016. Noted.

5.2 Consultation by Law Commission: Scoping paper on Planning Law in Wales: to receive, and resolve a response if desired, the consultation with comments welcomed by 30 Sep'16 (papers 5.2a-c previously circulated). The Chairman reminded Members of the consultation and referred to the consultation papers on consolidation of planning law in Wales.

RESOLVED:

'CCC welcomes the scope outlined in the scoping document, and adds that it is of the view that the output documents and legislation should be written in plain language terms suitable for the non-expert so that the planning system is more easily available to the lay person.'

Action – Clerk to process

5.3 Consultation by Welsh Government: to receive, and resolve a response if desired, the consultation on new planning advice for the historic environment contained in a draft Technical Advice Note (TAN) 24 with comments welcomed by 3rd Oct'16 (papers 5.3a-d previously circulated).

The Chairman reminded Members of the consultation and referred to the consultation papers on new planning advice for the historic environment.

RESOLVED:

'CCC does not wish to respond to the consultation.'

5.4 Powys CC Planning Determinations: to report from the new process at Powys CC notifying Community and Town Councils of Planning Decisions in their area (papers 5.4a-b previously circulated).

The Clerk reported notification of planning determinations by Powys CC as follows:

Ref.	Site	Powys CC Planning Decision
P/2016/0389	Pleasant View, Pentre	Refused
P/2016/0707	Broadway House, Churchstoke	Referred to CADW

5.5 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>				
P/2016/0721	Ms Lisa Contestabile, Engineering Design, Powys County Hall, Llandrindod Wells	Plot adjacent to Fir House, Churchstoke	AMENDED PROPOSALS: Outline (some matters reserved) Development of up to 45 dwellings and associated works to include demolition of existing building	S*
P/2016/0778	Rev Carol Whittock. The Vicarage, Churchstoke	St Nicholas Church, Churchstoke	Creation of footpaths and installation of a handrail	S
P/2016/0842	Mr & Mrs Jones, Moat Farm, Bishops Moat	Moat Farm, Bishops Moat	Erection of extensions and alterations to dwelling, to include demolition of porch, garage and pump house	S
P/2016/0891	N C Wilkins & P E Dix, Ael-y-Bryn, Hyssington	Land adjacent to Ael-y-Bryn, Hyssington	Outline application for the erection of a dwelling, construction of vehicular access and installation of sewage treatment plan with some matters reserved	O*

***P/2016/0721:** CCC supports the application with additional comment as follows:

- It has reservations in that the number of dwellings on the drawing (30) does not match the number declared on the application (45), and that clarity is sought from the applicant so that permission, if granted, is based on accurate proposals
- It asks that access onto the highway A489 is co-ordinated design with access for the permission for 40 dwellings opposite on land adj Buttercup Cottage (P/2015/0340)
- It welcomes a commitment to make 'community gain' contribution
- It welcomes the inclusion in the amended proposals of a new footway on the south side of A489.

***P/2016/0891:** CCC objects to the application on the grounds

- a) *CCC notes the potential for increased traffic which is likely to be generated by the accommodation, and has concerns for safety at the junction the with the highway C2056*
- b) *CCC requests that protection afforded to the mature trees at, and around, the proposed development site.'*

Action – Clerk to process

5.6 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
None	

6.0 One Voice Wales/ Society of Local Council Clerks, Guidance Notes: to receive other reports of AGM/ conference/ area meetings/ guidance notes/ training/ correspondence (inc paper 6a-b previously circulated).

6.1 Training: to receive, for information, details of councillor training available from One Voice Wales Sep-Dec'16 (paper 6.1a-c).

Council received information on councillors training courses for Sep-Dec 2016. The Clerk recommended attendance, highlighted courses nearby and asked Members who wish to attend to notify the Clerk.

6.2 Advice to Community & Town Councils on Working with Young People: to receive, and resolve of desired, guidance information on '*Youth Representation, Creating a Successful Youth Council and Young Persons Initiatives*' following the Local Government (Wales) Measure 2011.

Council received information on Youth Council and Young Persons Initiatives. Noted.

6.3 To receive other correspondence from OVW/ SLCC, for information, as will be brought before the council by the Clerk (if any).

The Clerk indicated other 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

7.0 Local Government Ethical Framework Code of Conduct: to adopt the amended Code of Conduct according to The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016, and to authorise advertisement of adoption of the amended Code (paper 7a-c previously circulated). Council received notification from the Welsh Government that following a technical consultation undertaken between 30 November, 2015 and 10 January, 2016, the Minister for Public Services signed the following statutory instruments on 27 January, 2016:

- The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 (No. 2016/84)
- The Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 (No. 2016/85)

Members were informed the Model Code of Conduct Order 2016 amends the Local Authorities (Model Code of Conduct) (Wales) Order 2008, and the Council was now required to adopt a revised code of conduct.

RESOLVED:

'CCC adopts the revised Code of Conduct made under The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 (No. 2016/84) with immediate effect.'

'CCC authorises the Clerk to share advertisement of adoption of the code with other councils.'

8.0 Cae Camlad Playground and New Play Area: to receive progress highlight report from the project team (Cllr D L Powell) and to discuss and resolve if desired on bins refuse collection, playground inspection checklist, closure of old Cae Camlad playground (Cllr CP Smith).

The Chairman reported in the absence of Cllr D L Powell on the status of the project, and Cllr C P Smith reminded Members that she is emptying the playground bins for the time being, and that an inspection regime is needed. The Clerk reported that a reply is awaited from the Community Hall Management Committee whether it will be prepared to deal with playground bins on a paid basis, and that a bill of sale, lock and notice board are needed for the old Cae Camlad playground. The Clerk also indicated he would endeavour to obtain a standard playground inspection checklist.

RESOLVED:

'CCC confirms that it seeks agreement with the community hall for emptying of the playground bins, from half the commercial rate.'

9.0 Grounds Maintenance and Grass cutting contract: to resolve to authorise work and content for new specification for April 2017 (Cllr J Wakelam). Cllr J Wakelam reminded councillors that the 2-year contract is due to expire at the end of March 2017 and that this is the opportunity to begin early to rework the specification ready for a tender process in Jan-Feb 2017.

RESOLVED

'CCC asks the members with Special Responsibility for Recreation and Allotments to begin re-specification ready for an invitation to tender in Jan-Feb 2017.'

Action – Members with special responsibility
for Recreation and Allotments

10.0 Defibrillator: to make arrangements for signage and regular inspection (Cllr C P Smith).

Cllr C P Smith reminded councillors that the defibrillator is in place with electrical supply, and that she has been inspecting weekly, but that it needs signage and a formal inspection regime. Cllr D N Yapp agreed to seek certificate of electrical installation from the electrical contractor.

Action – Cllr D N Yapp

RESOLVED:

'CCC will commission defibrillator signage for the community hall and for St Nicholas House (with permission), and establish an appropriate regular inspection regime.'

Action – Clerk to process

11.0 Consultation by Dyfed Powys Police & Crime Commissioner: Four Year Police and Crime Plan: to resolve a response to the consultation (paper 9 previously circulated).

The Chairman reminded Members of the consultation and referred to the consultation papers on policing priorities for the four year police and crime plan, with comments welcomed by 30th Sep'16.

The Clerk reported that CCC last considered policing priorities in October 2012 for 2013-14.

RESOLVED:

'Churchstoke Community Council submits its priorities for the four year police and crime plan as follows:

- *Accessibility and visibility of police*
- *To see police working in the rural areas between settlements as well as in the main villages.'*

Action – Clerk to process

12.0 Financial Report:

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

12.2 Items Received Since Last Meeting – to report.

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

Payer	Description	£
AL & RA Powell	Field allotment rent 2016-17 plot 3	110.00
NatWest Bank	Gross interest Aug 2016	1.54
Powys CC	2 nd instalment precept & recreation grant	6,807.00
M & G	Charibond dividend May-Jul'16	1.15
Powys CC	Waste recycling proceeds Q1 Apr-Jun'16	466.95
E J Humphreys	PAYE Q2 Jul-Sep 2016	152.60
	Total	7,539.24

12.3 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:					
998	Gloversure Ltd	Website hosting due 11 th Sep 2016	95.00	19.00	114.00
999	Churchstoke Bowling Club	Allotment water supply 8 th Feb-25 th Aug 2016	46.87	0.00	46.87
1000	E J Humphreys	Clerk back pay Apr-Sep	32.76	0.00	32.76
1001	B L Smith	Chairman's Allow'ce (catering Green Grants presentations)	33.40	0.00	33.40
1002	H M Revenue & Custom	PAYE Q2 Jul-Sep'16	152.60	0.00	152.60
1003	Churchstoke Rec Assoc	Room hire May-Aug'16	36.00	0.00	36.00
Total to authorise for payment this meeting			396.63	19.00	415.63
To report items previously authorised to be paid by direct debit or standing order:					
SO	E J Humphreys	Clerk gross salary Sep'16	547.40	0.00	547.40
Total previously authorised paid by dd/sord.			547.40	0.00	547.40
Grand total for payment at this meeting			944.03	19.00	963.03

Action – Clerk to process

- 12.4 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	37,582.58
Less consolidated ring-fenced funds	0.00	13,475.34
Net balances available	500.00	24,107.24

13.0 Highways & Rights of Way Reports:

13.1 Churchstoke Bridge Repairs (A489) (Cllr B L Smith)

The Chairman reminded Members of the recent repair work to Churchstoke Bridge undertaken by contractors for Powys CC, indicating new stonework and a crack in the bridge on the upstream south side.

RESOLVED:

'CCC notes the repairs and asks Powys CC to check the impact of the crack on the upstream south side of the bridge.'

Action – Clerk to process

13.2 Road Closure A490 Churchstoke to Chirbury (Cllr B L Smith)

The Chairman reminded Members that the A490 works continue, with night-time closure of the highway, and that CCC hadn't been informed or consulted by Shropshire Council or Powys CC before works began.

RESOLVED:

'CCC will write to Shropshire Council and Powys CC expressing its displeasure how the closure was managed.'

Action – Clerk to process

- 13.3 Correspondence from a member of the public (paper 13.3 previously circulated).
Council revived correspondence from a member of the public regarding several highways matters including:
- Blocked gullies and debris against kerbing
 - Streetlamp CH90 defective
 - Hedge cutting needed at The Firs.

RESOLVED:

'CCC thanks the member of the public for the observations and will write to Powys CC asking for remedial works.'

Action – Clerk to process

- 13.4 From Powys CC/ Shropshire Council to CCC – to report general maintenance.
- a) U2715 Runnis Lane, Fishpool: Council had requested a sign at the Powys end of the lane prohibiting large lorry traffic. Powys CC replies that the matter has also recently been brought to attention by a local resident, and it is in discussions with the traffic engineer at Shropshire Council to determine the best way to resolve the problem.
 - b) C2146 at Upper Gwarthlow: Council received notice of closure of the C2146 Short Term Road Closure, Upper Gwarthlow, Montgomery – 9th Dec 2016.

- 13.5 From CCC. to Powys CC/ Shropshire Council – to report general maintenance.
Members reported various highways matters.

RESOLVED:

'CCC reports highways matters as follows:

- a) *A489 near Churchstoke Bridge: growth at The Willows is blocking sightline along the highway.'*

Action – Clerk to process

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

- a) Powys CC: Cllr M J Jones reported:
 - Continuing financial difficulties with a £5m overspend only 6 months into the financial year.
- b) Shropshire Council: no report.

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

- 15.1 Boundary Commission for Wales: to receive notice of consultation of the 2018 Review of Parliamentary Constituencies (paper 15.1 previously circulated).
Council received notice of consultation, with responses welcomed by 5th December 2016.

Action – for Nov meeting

- 15.2 Powys CC: to receive notice of consultation on Review of Day Time Activities for Older People (including Day Centres) (paper 15.2 previously circulated). Council received notice of consultation with responses welcomed by 5pm on 9th November 2016.

Action – for Oct meeting

- 15.3 Other correspondence to be circulated:
The Clerk indicated other 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

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

- a) Chairman: reported meeting officers from Powys CC and the tenant at 20 Cae Camlad to investigate feasibility of anti-flooding work
- b) Cllr D N Yapp: reported the sign for the recreation field, paid for by the football club, is in preparation
- c) Cllr M J Jones: reported that some residents of Old Churchstoke have been approached by BT regarding removal of the telephone kiosk, and that they have approached the Heritage Officer at Powys CC on the matter
- d) Cllr M J Jones: reported that some residents of Old Churchstoke enquire whether a place sign for Old Churchstoke could be provided
- e) Cllr J N Wakelam: reported works at North Walk have disturbed the surface of the registered village green.

Action – Clerk to inform Powys CC

- f) Chairman: Next meeting: Full Council Ordinary Business Meeting 25th October 2016, 7.30pm, 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 [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.’

- 17.2 National Pay Settlement 2016-17 and 2017-18 [confidential reason employment matters]: to receive details of the joint national pay settlement, and to resolve on the two-year agreement as determined by NJC of employers and employees (paper 17.2a-b previously circulated).

Members received the Clerk's report of the NJC national pay settlement for 2016-17 and 2017-18 illustrating the effects of the 2-year agreement to 31st March 2018.

RESOLVED:

'CCC adopts the national settlement with effect from 1st April 2016 to 31st March 2018, amends the monthly payment of the Clerk accordingly, and will pay the back-pay due.'

Action – Clerk to process

- 17.3 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.

Re: Complaint Regarding a Councillor.

Council received correspondence from a resident of the community, and from a resident of a neighbouring community, regarding a conversation with a councillor during a social occasion. The Clerk indicated that an initial acknowledgement has been provided, and that the proper course of action is being researched before responding more fully to the complainants.

Meeting ended – 9.40 p.m.

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

-  03a - Assets of Community Value Questionnaire email cover note - 150916.pdf
-  03b - CAT-Assets of Community Value-Questionnaire-English (use).pdf
-  04a - Public Appointments Opportunities email cover note - 140916.pdf
-  04b - CyMAL - Sponsorship - Public Appointments - 2016 - Trustees & Vice President - Sift - Full Advert - NLW - 15-Aug-2016 alias.pdf
-  04c - CyMAL - Sponsorship - Public Appointments - 2016 - Full Advert - AC-NMW - English -03-Aug-16 alias.pdf
-  05a - Public Appointments Opportunities email cover note - 210916.pdf
-  05b - Royal Commission on the Ancient and Historical Monuments of Wales - Advertisement (English).pdf
-  05c - Valuation Tribunal Council for Wales - advert - English.pdf
-  06a - Response to the proposal on mergers of Local Justice Areas in Wales - 190916.pdf
-  06b - Bilingual Letter to consultees - resp 1509.pdf
-  06c - Eng - Wales LJA Response FV4 1509.pdf
-  07a - From the Future Generations Commissioner 080816.pdf
-  07b - 160718-Letter-and-Annexe-to-FM-1 - 080816.pdf
-  07c - 160608-Letter-to-Minister-Ken-Skates-re-M4-v2 - 080816.pdf
-  08 - Natural Resources Wales Bulletin - Issue 8 - August 2016 - 010916.pdf
-  09 - Older People's Commissioner Newsletter Aug 2016 - 090816 .pdf
-  09a - Ombudsman Casebook Issue 25 - 080816 email.pdf
-  09b - Ombudsman Casebook Issue 25 - 080816.pdf
-  10a - Response to the proposal on mergers of Local Justice Areas in Wales - 140916.pdf
-  10b - LJA Bilingual Letter to consultees - resp - 140916.pdf
-  10c - Wales LJA Response Fv ENG 1409 - 140916.pdf

Appendix 2 – General Correspondence received and circulated post meeting

-  03a - CAB E news August 16.pdf
-  03b - Citizens Advice Powys Annual Review 2015-16.pdf
-  04a - R George AM eNewsletter Aug'16 - 170816.pdf
-  04b - R George AM e-Newsletter Sep'16 - 140916.pdf
-  05 - Eluned Morgan AM introduction and survey - 170916.pdf
-  06a - CHC Public Meeting Schedule 2016 - 17 updated Aug - 120816.pdf
-  06b - Powys CHC meeting 21 Sep 2016 - 190916.pdf
-  06c - NOTICE OF MEETING Sept.pdf
-  06d - Agenda Full CHC September 2016.pdf
-  06e - Agenda item 4 unconfirmed minutes FC June 2016.pdf
-  07 - MWA Annual Report - 090816.pdf
-  08 - W Gov Flood and Coastal Erosion consultation - 220816.pdf
-  09 - CPRW Best Kept Village Award.pdf

End of appendices