

Minutes

of a Parish Council meeting

held at 7 pm on Thursday 24 November 2022 at Trefonen Village Hall

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**Present:**

Cllr. Martin Jones (Chairman), Cllr. Martin Bennett, Cllr. Iain Campbell, Cllr. Roger Jones, Cllr. Bob Kimber, Cllr. Peter Richardson, Cllr. Jas Singh, Cllr. Steve Watts, Cllr. Mike Weston, Chris Woods,

**Clerk to the Council:**

Kathryn Lloyd

**In attendance:**

Approximately seven members of the public  
PCSO Charlie Iremonger and colleague

**1533 Chairman's Welcome**

The Chairman welcomed everyone to the meeting.

**1534 Apologies for Absence**

Apologies were received from Cllr John Davies (Leave), Cllr Peter Davies (work commitments), Cllr Paul Milner Davies (work commitments)

**1535 Police Report**

The following verbal report was received from PC Charlie Ironmonger on behalf of the Oswestry Rural South Safer Neighbourhood Team.

- There has been two separate road traffic collisions at Mile End.
- There was a report of an alarm going off at a compound on the industrial estate which was attend by the police.
- There has been an anti-Social Behaviour incident in Morda. This related to a young person's party which was ended by the police
- There have been a number of land rover discoveries / defender thefts. Stolen vehicles have been taken to an overnight location and taken the following day if there was no tracker.
- Farm machinery / equipment theft including quad bikes
- Reports of a black Volkswagen driving past slowly

The police encourage the use of CCTV and smart water and for residents to have a general awareness. A notice has been placed on the Parish website asking residents to report unusual / suspicious activity or behaviour.

**1536 Declarations and Bias Disposition**

Cllr Martin Jones reminded members of their obligations to declare bias dispositions or pecuniary interests (not just financial gain). There have been issues in the past and appears it may be creeping back in. He provided an example and stated the Parish Council must be operating properly and not hiding anything from other members and the wide public. Members are here to represent their wards and the Parish Council and not their own self interests.

Cllr Martin Jones advised members that a co-option form had been received from a resident living in Morda. He asked with if the applicant, Ms Baines was present. He advised there is no obligation to appoint under co-option. Members agreed for the applicant to be invited to the next Parish Council meeting where Councillors could ask questions.

Cllr Jones advised members that to give time for the Clerk to complete the minutes and issue papers for the next meeting, where possible, members should defer items until January 2023. The Clerk advised the last day for agenda items would be 7 December 2022.

#### **1537 Shropshire Council Report**

Cllr Martin Jones read an email provided by Joyce Barrow in respect of the Offa Community Support group request for support of a community orchard.

Cllr Barrow wished to make members aware that she had been privy to emails regarding this matter and that all feedback from the Council, Steve Law, head of estates team, Philip Mullineux, the principal planning officer, and tree officer had been very supportive of the orchard. The Council is supportive of such projects. As it is 'open public space' the legal officer said, that as stakeholders, The Parish Council should be consulted which is why the Offa Community Support Group has asked for the Parish Council's support. A group of young men from the village have offered to maintain the orchard. All trees will be low lying and fruit bearing, and free for anyone to pick fruit. The tree officer will advise on appropriate species. All aspects have been considered.

Cllr Martin Jones advised this matter had been placed as an agenda item and would be considered under item 27a.

#### **1538 Public Participation**

A member of the public advised he was the family farmer from Buckley Farm, Maesbury and had submitted an outline planning application for a farm worker dwelling. This would use the existing farm entrance drive and be within a hundred metres of the main farm buildings. The family is succession planning with his son being brought into the business as a partner. With 1100 ewes / rearing of young stock, the farmer needs to be on site 24 hrs/ 365 days of the year for the welfare of the animals and health and safety requirements. He commented there was not a lot of affordable housing within in the area.

Cllr Iain Campbell advised members that having read the agent preamble, this would always be tied in as affordable housing with a section 106 condition applied.

**Refer to Minutes 1542 planning**

#### **1539 Minutes**

The minutes of a Parish Council meeting held on 27 October 2022 were considered for approval.

**It was PROPOSED, SECONDED and RESOLVED that the minutes be APPROVED and ADOPTED as a true record.**

#### **1540 Disclosure of Pecuniary Interests**

In accordance with Section 29 of the Localism Act 2011 Members were informed they are personally responsible for deciding whether they should disclose an interest at this meeting. Members were also reminded they should not make decisions with a closed mind and must declare a bias and not vote on matters where their decision could be pre-determined.

Cllr Roger Jones made a declaration of interest in Trefarclawdd Farm.

#### **1541 Dispensations**

None requested.

#### **1542 Declarations of Acceptance of Gifts and Hospitality**

None Declared

## 1543 Planning Matters

### a) Planning Decisions

The following planning decisions were **NOTED**:

| Planning Application Details   | Planning Proposals  |
|--|---|
| 22/04163/FUL (validated: 09/09/2022)<br>Morda Methodist Church,<br>Trefonen Road, Morda,<br>Shropshire | Conversion of chapel into a single dwelling, replacement of existing outbuilding and formation of a dropped kerb for vehicle access<br><br>Decision: Grant Permission                       |
| 22/01878/FUL<br>Proposed Residential<br>Development Land at,<br>Maesbury Marsh, Shropshire             | Erection of 1No dwelling and garage (Plot 2) which forms part of a wider development of 4 dwellings granted outline planning approval (ref: 14/02643/OUT)<br><br>Decision: Grant Permission |

### b) Planning Applications

The following planning applications were considered for comment:

| Planning Application Details  | Planning Proposals   |
|---|--|
| 22/04975/FUL<br>Benarth, Maesbury Marsh,<br>Oswestry, Shropshire, SY10<br>8IA | Erection of single storey extension to dwelling with internal alterations<br><br>Cllr Peter Richardson advised Councillors he had reviewed the plans. This was clearly alterations for a disabled person. In the reviewing the external elevations, there was no impact, it is on a large plot and well back for the road.<br><br><b>It was PROPOSED, SECONDED and AGREED to support this application.</b> |

**NOTE:** Planning applications not listed above that are received after the issue of this agenda and included on Shropshire Council's website will also be considered to meet response timeframes.

| Planning Application Details  | Planning Proposals  |
|---|---|
| Buckley Farm, Maesbury<br>Road, Maesbury, Oswestry,<br>Shropshire, SY10 8HB           | Outline application (all matters reserved) for the erection of an agricultural workers dwelling and all associated works.<br><br>Cllr Martin Bennett advised members he had checked the policies against the agent's comments and the application met local / national policies. Any grant of application will have a residency condition attached. The application meets Control Policy Framework and Core Strategy for Shropshire. As a rural application 100 square metres meets the needs of six persons.<br><br><b>It was PROPOSED, SECONDED and AGREED to support this application</b>      |
| 22/04920/FUL<br>Morton Methodist Church,<br>Morton, Oswestry,<br>Shropshire, SY10 8BE | Renovation and conversion of the redundant chapel into holiday accommodation including removal of the existing front porch and the erection of a front canopy over the original west facing doorway, addition of mezzanine deck, removal of a portion of brick wall and railings to enable vehicle access and installation of cess pit.<br><br>Cllr Bob Kimber advised members that he had reviewed this application and alterations would only make a slight change to the appearance. Members noted the chapel had been closed for a long time.<br><br><b>Members agreed to make no comment</b> |

#### 1544 Clerk's Report

Members reviewed the Clerk's report on action taken following decisions made at previous council meetings. Cllr Jas Singh advised Councillors her insurance company had advised it would not be permitting a claim for the repair of the noticeboard outside Morda Village Shop. The damage to the noticeboard had been caused prior to the accident.

Cllr Roger Jones questioned whether or not a letter had been sent to the Leader of Shropshire Council to question the increase of fees at the leisure centre. Cllr Martin Jones confirmed this had been actioned by the Clerk as detailed in minute 1532. The Clerk confirmed she would forward a copy of the letter to Cllr Jones.

#### NOTED

#### 1545 Financial Matters

##### a) Income and Expenditure

Members considered for approval income and expenditure to 31 October 2022.

**It was PROPOSED, SECONDED and AGREED that income received to date of £45,849.93 and gross expenditure to date of £29,969.67 be APPROVED.**

##### b) Bank Reconciliations

Members considered for approval bank reconciliation at 16 November 2022

**It was PROPOSED, SECONDED and AGREED that the bank reconciliations at 16 November 2022 be APPROVED.**

##### c) Payments for November 2022

Members considered for approval payments for November 2022.

**It was PROPOSED, SECONDED and AGREED that the following payments for November 2022 be APPROVED.**

| Date         | Supplier                     | Details  | Gross £          |
|--------------|------------------------------|--|------------------|
| 15/11/2022   | EE                           | WiFi Mini mobile broadband   | 16.39            |
| 17/11/2022   | EE                           | Monthly Mobile Charge November 2022  | 12.00            |
| 21/11/2022   | HSBC                         | Bank charges 30 September to 31 October 2022                                     | 8.00             |
| 30/11/2022   | A G Royce                    | Grounds maintenance  | 797.50           |
| 30/11/2022   | Mark Evans                   | Bus shelter cleaning   | 60.00            |
| 30/11/2022   | Colin Turner                 | Bus shelter cleaning   | 25.00            |
| 30/11/2022   | Highline Electrical Ltd      | Bellan Lane, Opp Sundown, Dayburn – 2-part cells and labour                      | 67.20            |
| 30/11/2022   | Kathryn Lloyd                | Clerk's Pay and expenses – November 2022   | 1390.89          |
| 30/11/2022   | HMRC                         | PAYE/NI – November 2022  | 228.34           |
| 28/11/2022   | E P Eccleston Civil Engineer | Cemetery Fencing   | 1,552.34         |
| 30/11/2022   | TEEC Ltd                     | Webhosting   | 73.61            |
| 30/11/2022   | K L Lloyd (The Clerk)        | Reimbursement – Cartridge Save.co.uk Two Xerox Black Toner                       | 104.14           |
| 30/11/2022   | K L Lloyd (The Clerk)        | Reimbursement – Royal British Legion Poppy wooden crosses and wreath             | 93.24            |
| 30/11/2022   | SALC                         | Biodiversity and net gain training event   | 60.00            |
| 30/11/2022   | Broseley Memorials           | Maesbury War Memorial  | 5995.00          |
| 30/11/2022   | Colin Turner                 | Repair of Morton Post-box and post   | 540.00           |
| 30/11/2022   | Colin Turner                 | Repainting of Parish noticeboards  | 400.00           |
| 30/11/2022   | K L Lloyd (The Clerk)        | Reimbursement for postage (November hard copies agenda and supporting documents) | 19.50            |
| <b>Total</b> |                              |  | <b>12,010.82</b> |

**d)** Members noted the receipt for the invoice from Morda Football Club as part of the grant requirement.

#### **1546 Reserve Allocation**

Members considered the allocation of reserves as part of the recommendation from the External Auditors report on the AGAR 2021/22. Members agreed to defer this matter to the Finance Committee.

**It was PROPOSED, SECONDED and AGREED to defer the allocation of reserves to the Finance Committee**

#### **1547 Finance Committee**

Members considered the appointment of a Finance Committee with approval to determine Terms of Reference. Members agreed to the formation of the Finance Committee and the following members were appointed:

Cllr Peter Richardson, Cllr Bob Kimber, Cllr John Davies, Cllr Martin Bennett and The Clerk, Kathryn Lloyd.

**It was PROPOSED, SECONDED and AGREED for the above-named members and The Clerk to be appointed to the Finance Committee with approval to determine Terms of Reference.**

#### **1548 Oswestry Leisure Centre**

Cllr Martin Jones read an email from Cllr John Davies which stated he was keen to pursue the idea of Parish Council financed, free, family fitness sessions and had received positive responses for a venue at Morda Village Hall and potentially a professional fitness instructor. He understood Trefonen Village Hall committee was still considering his proposal and hoped to be able to firm up the details to present at the December meeting.

Cllr Davies is considering a trial period of 10 weeks with a potential out lay of £220 halls hire, plus £1,500 instructor's fees ie £1,720 based on 1.5 hours at each hall. He will seek further local feedback about likely support.

Cllr Bob Kimber advised the booking clerk for Trefonen Village Hall had been approached about weekend block bookings. However, the Village Hall do not take weekend block bookings. Cllr Martin Bennett wished to know the level of demand given the potential funding involved. Cllr Bob Kimber advised members that a new fitness class being held on Mondays at the village hall had collapsed due to a lack of interest.

#### **1549 Neighbourhood WhatsApp Group**

Cllr Roger Jones advised members that there now twenty participants in the Neighbourhood Whatsapp Group. He asked whether Cllr Joyce Barrow could be included. The group is purely for the reporting of any suspicious behaviour and is working well. There are plans for this to be Parish wide and Cllr Jones would be happy to take this forward. Cllr Peter Richardson commented there was a Maesbury Group which usually reported matters such as power cuts. Cllr Martin Bennet expressed a view this may be more difficult in Morda and Sweeney and a newsletter was issued to report issues. However, he felt that anything which supported the community was good. It was agreed for the Whatsapp to be displays on the website stating this is not a chat group but specifically a media to report suspicious behaviour.

#### **1550 Trefarclawwd Farm**

##### **a) Northern Planning Committee (NAPC)**

Cllr Roger Jones provided members with an update advising he had attended the Northern Area Planning Committee meeting (NAPC). Since then, he has written to Mr Molyneux stating he was disappointed with the management of it and felt he had misled Councillors to make a decision which is in his opinion unlawful. He has also copied in Helen Morgan MP and Tracy Darke and wants a proper and correct response to all the questions asked.

Cllr Martin Bennett advised members that the Parish Council has no right to object to a planning application which has been granted and only an applicant can appeal where permission has been refused. He suggested the Parish Council considers approaching the Local Government Ombudsman (LGO) over the process. He advised that if the LGO were to uphold the complaint, it cannot reverse a planning decision. A complaint can only be considered after the outcome is known and only after the Parish Council has been through Shropshire Council's complaints process.

It can only be considered purely on the process in the way the application has been managed and the decisions of the plans. It was noted there is still an enforcement notice out, a screen request still not completed, and a previous application which has been refused.

Members **AGREED** for a letter to be sent to Shropshire Council raising concerns and issues following the outcome of the planning application for Trefarclawdd Farm.

**b)**

Cllr Roger Jones advised members he had a meeting with Helen Morgan MP regarding Trefarclawdd Farm on the failings of the Local Planning Authority and it failing to comply with legislation and their own planning policies. The MP was pleased with the discussion, being aware of similar complaints in the area. She will take advice and write to the Chief Executive of Shropshire Council and respond back to Cllr Jones. There was a discussion to consider a Judicial Review (estimated costs £30k) and to contact the Local Government Ombudsman.

Cllr Martin Jones advised the Judicial Review should not be dismissed as there are wider implications. The incumbent MP for Shropshire has not been involved in planning matter, whilst Helen Morgan has taken an interest and expressed that the process has not been in accordance with planning rules. Cllr Peter Richardson felt the new MP had done more in such a short period of time whilst Cllr Roger Jones stated she was very proactive and helpful.

Cllr Martin Bennett advised members he had attended the meeting as the representative of the Parish Council and to deliver that statement. He formed the impression from the NAPC of a lack of interest in what was being said. He explained the confusion Mr Molyneux appeared to have with the traffic flow under condition 8 of the Highways assessment and advised members he had already written to Mr Molyneux suggesting he was not fully aware of the facts or the implications of the Highways Assessment. Cllr Bennett has drafted a letter regarding the 850 HGV movement predicated in the location of the school and suggested this was sent to Oswestry Town Council.

**It was PROPOSED, SECONDED and AGREED to write a letter to Oswestry Town Council.**

Cllr Iain Campbell stated that the planners, regardless of the principle of business had almost a predetermined decision. He has had some experience with LGO and was personally in favour of a Judicial Review.

Members thought that if the transport planning process is a historic problem, this will only continue. The Parish Council has the finance and funds available to take advice. Cllr Martin Bennett advised members that West Felton Parish Council had been grieved by developments which have commenced without planning permission and members of NAPC had not grasped their own policies.

The Clerk will review the Community Infrastructure Funding (CIL), so Councillors are aware of funds available.

IT was **AGREED** for the Clerk to contact other clerks within the Oswestry area including Knockin and West Felton to ascertain their experiences of and issues with planners and particularly regard to rules and process.

#### **1551 Road Safety Group**

Cllr Martin Bennett advised members that the Clerk has circulated the report. The cabinet member was noticeable by his absence and sent his apologies. He is happy to meet with the Road Safety Group. Cllr Bennett has requested dates and is waiting his response.

Cllr Bennett commented that existing issues will be taken forward at a new meeting. In relation to the HGV signage, he recommended:

- a) ORPC write to the Cabinet member for Shropshire Council to restate the issue and the request is for signage and not engineering works

With regard to joint workings with Llandyblodwell this is going well and recommended:

- i) A joint letter be sent to Shropshire Council Cabinet Member asking for a survey of traffic movements, to include peak times of the day morning and evening when traffic to and from the Tanat Valley as the first stages towards a reduction.

- ii) A joint letter to include the suggestion of area monitoring rather than 'hot spot' monitoring, to gain understanding of the need for reduction of the 60mph limit on an area basis which it was hoped would be more efficient and reduce costs.
- iii) A letter be sent to the North Shropshire MP pointing out the complexity and costs of trying to get action to reduce an inappropriate national limit on unsuitable rural roads.

**It was PROPOSED, SECONDED and AGREED for the letters in the recommendations above, items a, i,ii and iii be issued.**

In relation to Morda road issues, Cllr Bennett recommended:

- i) A letter be sent to Shropshire Council highlighting the issues from the report and requesting that the matter of traffic calming, and parking be reviewed.
- ii) A letter be sent to the school to request their consideration of ways of alleviating the risks caused as parents delivered or collected their children

Members **AGREED** for the letters to be sent.

#### **b) Agriculture Vehicles**

Cllr Martin Bennett advised members that a resident had raised safety concerns with agriculture vehicles. There is an Agricultural Reference Group (ARG) chaired by Councillor Joyce Barrow. Cllr Bob Kimber advised members that he had spoken with a local farmer who was furious that larger agricultural vehicles are overloaded, over the speed limit and being driven by people who should not. Cllr Bennett suggested raising this issue with the ARG

Members **AGREED** for a letter to be sent to the ARG raising the issues.

#### **1552 Morda and Sweeney Village Hall**

Cllr Martin Bennett advised members there was no further update. The Clerk has written to the Chairman of Morda and Sweeney Village Hall Committee advising the Council has appointed a member to represent the Parish Council on the Committee, requested the past three financial years accounts and details of the next Committee meeting. Cllr Martin Jones believes the committee has appointed a new member as a trustee. Cllr Bennett suggested if no response has been received by the next meeting a complaint should be raised with the Charity's Commission.

#### **1553 Environmental Working Group**

Cllr Roger Jones advised members the report had been sent out. Two residents who met with Helen Morgan MP and later met with Cllr Jones, asked if they could join the Environmental Working Group and members were asked if this was acceptable to members. Members stated they wanted community participation and were welcomed to join.

#### **1554 Cemetery Working Group**

Cllr Mike Weston advised members that he had not received a response to the invitation to a meeting with Mr Corbett regarding restrictive covenants. He confirmed that the fencing was now in situ. He has started the process of planning applications and wished to draw the Parish Council's attention to the cost associated with planning applications including professional plans. Costs would likely to be in the region of £1,000.

**It was PROPOSED, SECONDED and AGREED to allocate £1,000 for the planning applications and professional plans.**

#### **1555 HGV Licenses**

Cllr Martin Jones advised members emails had been sent issued. The Clerk confirmed Cllr Martin Bennett had provided drafted letters, one sent to Helen Morgan MP and the other to Cllr Wickson, Chair of Shropshire Association of Local Councils (SALC) to lobby Central Government. Acknowledgments have been received from both. Cllr Bennett advised members that in order to lobby the National Association of Local Councils (NALC), SALC requires a resolution and having prepared a letter recommends:

- a) The Oswestry Rural Parish Council requests that the Shropshire Association raise this issue with the National Association with a view to having the legislation amended so that Parish Councils shall be notified of any application for an HGV Operator's Licence within their area, and that they be included as consultees being able to make a response either supporting or opposing such an application.

**It was PROPOSED, SECONDED and AGREED for a letter with the resolution be sent to SALC.**

#### **1556 Cemetery Training**

Members considered Cemetery training for The Clerk.

**IT was PROPOSED, SECONDED and AGREED for The Clerk to attend a cemetery training course.**

#### **1557 Communication**

Cllr Roger Jones advised members he wished to defer parish newsletters until January 2023 to allow members the opportunity to consider how the Parish Council can communicate on a regular basis with residents.

**IT was PROPOSED, SECONDED and AGREED for this matter to be deferred until January 2023.**

Cllr Martin Jones advised members on the proposal by the Clerk to only issue agenda and associated papers electronically from January 2023 and to cease postal copies. Members discussed this and **AGREED** for the practice of issuing agenda and associated papers electronically and by post.

#### **1558 Councillor Vacancy – Co-option Morda & Sweeney Ward**

Councillor Martin Bennett suggested deferring this matter to allow the standard practice of interviewing the applicant. Councillor Peter Richardson suggested inviting the applicant to the December meeting to give an introduction and receive questions from members. There was a suggestion of referring this to the personnel committee, however, it was confirmed this committee is only for staffing matters. Cllr Martin Jones asked members to consider questions to avoid doubling up.

Members **AGREED** for the applicant to be invited to the December meeting for introduction and Councillors questions.

#### **1559 Consultations**

Councillors **NOTED** the following

- a) Shropshire Council Draft Tenancy Strategy
- b) Constituency Boundary Changes – Final Public Consultation. The Clerk has already displayed details on the Parish website

Councillor Martin Jones encouraged members to review the documents in relation to the boundary changes. Councillor Martin Bennett commented on the changes with 7,500 electors from North Shropshire to Wrekin and a large number from Shrewsbury into Ludlow.

#### **1560 Correspondence**

##### **a) Offa Community Group – Proposed Orchard**

Councillor Martin Jones advised members he had received some correspondence which was not in support of the location suggested. One of the reasons for reminding members about declarations of interest/ pecuniary interest was due to Cllr John Davies failing to disclose to Council until two days earlier that he was the Chair of Offa Community Group. This should have been declared at the time.

Reference was made to past issues with Morda Village Hall and the lack of evidence to support funding from Shropshire Council. Cllr Mike Weston proposed this item be deferred until January to give time to consult with other groups. Cllr Martin Jones advised with over one thousand residents, a letter / mail drop to determine the level of interest was needed. Members commented that a proper consultation should have been undertaken before approaching the Parish Council with the proposal.

**It was PROPOSED, SECONDED and AGREED to defer this item until the January 2023 meeting.**

##### **b) Resident from Rhydycroesau - Two replacement salt bins and replacement salt**

Members supported the request from the resident for replacement salt bins and replacement salt.



**c)The Canal & River Trust support “Restoring the Montgomery Canal – Making Ripples” project**

Members considered the request by The Canal & River Trust’s to support the project. Members **AGREED** to support this and send a letter.

**1561 Date for Next Meeting**

Councillors **NOTED** that the next meeting will place on Thursday 15 December 2022 at Trefonen Village Hall.

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**PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960**

Pursuant to Section 1(2) of the above Act and due to the confidential nature of the following business to be transacted it will be **PROPOSED, SECONDED** and **RESOLVED** that the public and press should not be present

**1562 Planning Enforcement**

There were no planning enforcements to report.

The Chairman thanked everyone for their attendance and sterling work which is appreciated. He reminded members to send any items for the agenda to the Clerk as early as possible. The meeting closed at 8.42 pm

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Chairman