

Minutes

of a Parish Council meeting

held at 7 pm on Thursday 26 January 2023 at Trefonen Village Hall

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**Present:**

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

**Clerk to the Council:**

Kathryn Lloyd

**In attendance:**

Four members of the public

**1585 Chairman's Welcome**

The Chairman welcomed everyone to the meeting. He advised that item 20. Cemetery Working Group be moved above item 14. Finance Committee

**1586 Apologies for Absence**

Apologies were received from Cllr Peter Davies (illness). It was noted that Cllr P Milner would be 20 minutes late due to work commitments.

Apologies were also received for Shropshire Councillor Joyce Barrow who was annual leave.

**1587 Police Report**

There was no Police Report from the Oswestry Rural Safer Neighbourhood Team at the time of the meeting.

**1588 Shropshire Council Report**

There was no report from Cllr Joyce Barrow due to being on annual leave.

**1589 Public Participation**

A resident advised she had spoken with several members of the Parish Council regarding a Christmas Tree in Trefonen, but this could also be to commemorate the coronation of the King. Various groups have offered support including the Trefonen Football club with funding, the local shop having a collection point, the Public House offering an electricity supply, the resident and husband helping to decorate the tree and support with the planting of the tree and flowering bulbs. The resident suggested the school could be involved with various events.

Cllr Chris Woods has been looking into source a tree.

A resident advised members that the Morda ward Councillors had sent out a newsletter a few months ago. The resident thought this was a great idea and thanked the members concerned. He welcomed the Parish Councils thoughts / suggestions with a newsletter as a way of communicating with the community.

A resident thanked the Clerk for publishing a calendar on the website. However, the resident could not find the agenda or associated documents which should be available three days before the meeting. Cllr Martin Jones advised that the details had been published and were also on the local noticeboard. HE suggested that where the resident could not locate the documents to contact his local Councillors or the Clerk for support.

The Clerk confirmed the agenda and associated documents had ensured these had been published on the website the Thursday before the meeting. The Clerk received an email enquiry from a resident concerning the agenda and the Clerk provided a link so the documents.

#### **1590 Minutes**

The minutes of a Parish Council meeting held on 15 December 2022 were considered for approval.

**It was PROPOSED, SECONDED and RESOLVED that the minutes be APPROVED and ADOPTED as a true record.** Cllr Peter Richardson abstained having not been present at the meeting.

#### **1591 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 Iain Campbell made a declaration of interest in planning number 23/00153/FUL Lower Hendre.

#### **1592 Dispensations**

None requested.

#### **1593 Declarations of Acceptance of Gifts and Hospitality**

None Declared

#### **1594 Planning Matters**

##### **a) Planning Decisions**

The following planning decisions were **NOTED**:

<b>Planning Application Details</b>	<b>Planning Proposals</b>
22/04082/FUL 25 The Terraces, Morda, Oswestry, Shropshire, SY10 9NB	Erection of single storey rear extension  Permission: GRANTED
22/04143/FUL Holiday Camp At, Weston Cotton Farm, Weston, Oswestry, Shropshire, SY10 9ER	Siting of 2No holiday log cabins (re-submission)  Permission GRANTED
22/04975/FUL Benarth, Maesbury Marsh, Oswestry, Shropshire, SY10 8JA	Erection of single storey extension to dwelling with internal alteration.  Permission GRANTED

##### **b) Planning Applications**

The following planning applications were considered for comment:

Planning Application Details	Planning Proposals
<p>22/05547/FUL Schoolhouse Bridge Cottage, Crickheath, Oswestry, Shropshire, SY10 8BT</p>	<p>Erection of a double garage with office/storage above timber frame construction with larch cladding/render to exterior Link attached to existing cottage (resubmission)</p> <p>Members noted this was a resubmission on which The Council had previously agreed not to comment. A member advised the Canal Trust had made a request whereby should planning permission be granted a condition is imposed. This is a construction method statement.</p> <p><b>It was PROPOSED, SECONDED and AGREED to support the application provided the Construction method statement requested by the Canal Trust is imposed on any permission.</b></p>
<p>22/05582/CPL Pleasant View, Weston Road, Morda, Oswestry, Shropshire</p>	<p>Application for a Lawful Development Certificate for the proposed erection of a single storey extension.</p> <p>Cllr Martin Bennett provided members with an explanation on permitted development rights under the Lawful Development Certificate.</p> <p>Cllr Martin Bennett advised that the bungalow is set in significant area of grounds with the planned extension at the rear of the property.</p> <p><b>It was PROPOSED, SECONDED and AGREED no objection.</b> Refer to Clerk's report</p>
<p>22/05608/FUL Morton Farm, Morton, Oswestry, Shropshire, SY10 8BE</p>	<p>Erection of agricultural building</p> <p>Several members commented on the light pollution.</p> <p><b>It was PROPOSED, SECONDED and AGREED no objection provided there is no light pollution, or it is limited.</b> Refer to Clerk's report</p>
<p>22/05619/FUL Waverley, Trefonen Road, Morda, Oswestry, Shropshire</p>	<p>Erection of extension to front elevation and detached garage.</p> <p>Cllr Martin Bennett advised members that this was a minor alteration and only required planning permission due to the garage. The building is set back from the road and unlikely to impact on neighbours.</p> <p><b>It was PROPOSED, SECONDED and AGREED not to comment.</b></p>

<p>23/00074/EIA Morton Ley Farm, Morton, Oswestry, Shropshire, SY10 8BG.</p>	<p>An extension to an intensive poultry unit including silos and all associated works. <b>Members discussed this and raised a number of concerns. It was PROPOSED, SECONDED and AGREED to object on the grounds that the EIA statement:</b></p> <p><b>Fails to comply with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 UK Statutory Instruments 2017 No. 571 PART 5 Regulation 18 (5)</b></p> <p><b>In order to ensure the completeness and quality of the environmental statement—</b></p> <p><b>(a) the developer must ensure that the environmental statement is prepared by competent experts; and (b) the environmental statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts.</b></p> <p><b>And further objects in respect of road safety.</b></p> <p><b>The Council notes that traffic to and from the proposed development will be directed along the B4396 to the Llynclys Crossroads (junction of the main road A483 - trans European route - A495 and B4396). This junction has been the site of many accidents, due to the already high volume of traffic using the A483. Additional HGV traffic to and from the proposed development will increase the risk of accidents, given the restricted visibility to the crossroads from the Oswestry direction and other factors which the Highways Department and Highways England will be aware of. This increased risk is not addressed in the EIA but should be considered for reasons of public safety.</b></p>
<p>23/00153/FUL Lower Hendre, Maesbury Marsh, Oswestry, Shropshire, SY10 8JG.</p>	<p>Change of use of land for the siting of 3 tourist glamping pods plus associated access, parking, landscaping and services</p> <p>Members noted with was a resubmission and had not object to the original application. Members thought the newt situation had been addressed but light pollution continued to be an issue. Parking and the passing bays was an issued which needed to be addressed. <b>It was PROPOSED , SECONDED and AGREED to no objection. However, the parking issues on passing bays should be addressed by Shropshire Council</b></p>

Cllr Iain Campbell left the room before members discussed application 23/00153/FUL. Part way through the discussion Cllr Paul Milner joined the meeting.

**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.*

Cllr Iain Campbell was invited back into room to continue the meeting.

<p>6B Mile Oak Industrial Estate, Oswestry, Shropshire, SY10 8GA</p>	<p>Change of use of existing building for B2 purposes for maintenance and repair of motor vehicles including MOT testing</p> <p>Decision: Grant Permission</p>
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#### 1595 Clerk's Report

Members **NOTED** a written report from the Clerk on action taken following decisions made at previous council meetings.

## 1596 Financial Matters

### a) Income and Expenditure

Members considered for approval income and expenditure to 31 December 2022 and financial outturn position.

**It was PROPOSED, SECONDED and AGREED that income received to date of £47,818.24 and gross expenditure to date of £47,588.39 be APPROVED. Members NOTED the outturn position for 2022/23**

### b) Bank Reconciliations

Members considered for approval the bank reconciliation at 31 December 2022.

**It was PROPOSED, SECONDED and AGREED that the bank reconciliation statement to the end of December 2022 be APPROVED**

### c) Payments for November 2022

Members considered for approval provisional payments for January 2023

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

PAYEE	DESCRIPTION	AMOUNT £
EE	WiFi Mini mobile broadband 7 January -6 February 2023	16.39
EE	Monthly Mobile Charge 11 January - 10 February 2023	13.46
HSBC	Bank charges 30 November to 29 December 2022	8.00
Scottish Power	Electricity Charges 30 September - 31 December 2023	438.21
A G Royce	Grounds maintenance	370.00
Mark Evans	Bus shelter cleaning	60.00
Colin Turner	Bus shelter cleaning	25.00
Kathryn Lloyd (The Clerk)	Clerk's Pay and Expenses - January 2023	1,358.99
HMRC	PAYE/NI - January 2023	275.49
Kathryn Lloyd (The Clerk)	Reimbursement for printer cartridge	75.90
Kathryn Lloyd (The Clerk)	A4 Copier Paper	4.49
Kathryn Lloyd (The Clerk)	Postage for January Papers and agendas	26.35
TOTAL		2,672.28

d) Members agreed to move this item to closed session.

**It was PROPOSED, SECONDED and AGREED this item be moved to closed session.**

e) Members reviewed the quote received from Malcolm Lainsbury to replace the noticeboard at Morda.

**Members considered It was PROPOSED, SECONDED and APPROVED for the quote to be accepted and works undertaken.**

f) Members considered retrospective approval for the payment of an invoice to Colin Turner which were paid in December 2022 following approval from the Finance Committee. The Clerk had made this request due to the length of time between receipt of the invoice and the next Council meeting.

**It was PROPOSED, SECONDED and AGREED to retrospective approval of the invoice.**

g) Members considered the request from the Clerk to transfer funds from account ending 3924 to Unity Bank to bring the balance to £15,000.

**It was PROPOSED, SECONDED and AGREED for funds to be transferred to bring the balance held at Unity Bank to £15,000.**

Members **NOTED**:

a) The transfer of £5,000 from account ending 3924 to the current account in December 2022 which had been approved by The Finance Committee.

#### **1597 Grants**

Members considered for approval a grant application from Rhydycroesau Village Hall to maintain the defibrillator (AED). Cllr Martin Jones advised members that £100 had been set aside for Village Hall AED's. Members agreed to award the grant on this occasion. Members agreed to consider the potential expenditure which would be incurred to maintain all the AED's in the Parish.

**It was PROPOSED, SECONDED and AGREED that a grant of £179.99 be awarded to Rhydycroesau Village Hall on an exceptional basis.**

Members **NOTED**

a) The advertisement of grant applications had been published on the Parish Council website

b) The Shropshire Council Environment Grant applications should be submitted by 31 May 2023.

#### **1598 Cemetery Working Group**

Cllr Mike Weston provided an update to members advising that the group had met the previous week. In the last month there has been two major courses of action.

The group had discussions with Yareal on various situations including the newly installed fence line , plans for the new piece of land and use of land current laid fallow which could be used for allotments. Verbal agreements have been given but no confirmation in writing received.

Cllr Woods has undertaken work to take forward plans for the cemetery land . The estimates of costs are higher than originally anticipated. Funds are required to cover the cost of ground water survey, topographical survey in addition to professional and planning fees. Noted the Parish Council should receive a discount for planning applications.

Cllr Martin Bennett asked the working group to provide some form of budget for this.

Members **CONSIDERED** the Cemetery Group request to increase the original budget to £6,000 for associated work to obtain planning permissions.

**It was PROPOSED, SECONDED and AGREED to increase the budget to £6,000 subject to a detailed costings / budget.**

#### **1599 Finance Committee**

Cllr John Davies advised members that the Finance Committee had held its first meeting on 25 January 2023 . He proposed a thank you to the Clerk for the amount of undertaken to produce the figures. Members considered variances and agreed these would be monitored on a quarterly basis. The Finance Committee has discussed various ideas for expenditure including several traffic calming measures to be funded from existing reserves and made the recommendation to Full Council to support this. The Finance Committee recommended to accept the precept request calculated by The Clerk. This is a slightly higher precept from the previous year but had zero impact on the actual charge to residents.

**It was PROPOSED, SECONDED and AGREED to accept the recommendations of the Finance Committee.**

#### **1600 Draft Budget and Precept 2023/24**

a) Member considered the Draft Budget for 2023/24. The Clerk advised several changes had been made to a number of expenditure budgets including election costs and King Coronation gifts. The Clerk confirmed the expenditure budget had been shown Gross with Income budget streams including the Precept, Neighbourhood Funding and other income resulting in a net expenditure budget of nil.

Members considered the precept requirement for 2023/24 in line with the budget setting process

**It was PROPOSED, SECONDED and AGREED to accept the draft budget for 2023/24 and the precept request of £34,522.**

b) Members considered the allocation of reverses for 2023/24. The Clerk advised that members may wish to review those reserves previously earmarked for projects which may no longer be relevant.

**It was PROPOSED, SECONDED and AGREED to accept the allocation of reserves.**

#### **1601 Cemetery Fees 2023/23**

Members reviewed the current cemetery fees and AGREED not make any increases or amendments.

**It was PROPOSED, SECONDED and AGREED not make any increases to the current cemetery fees.**

#### **1602 Leisure Centre Charges**

Members **NOTED** the response from Peter Davis, Leisure Services Manager in respect of Leisure Centre charges. Cllr Martin Bennett advised the concessions referred to in the letter did not apply to fees paid by Direct Debit customers. Cllr Roger Jones has written to SERCO to question the inconsistency in yearly fees. An email response stated that two sites in Shrewsbury did not have the same facilities and no parking. There is the Pay as you go for pricing for those over 60 in receipt of benefits. Cllr Jones advised that The Quarry now only has two pools open following a roof collapse. **It was PROPOSED, SECONDED and AGREED to wait for a response to Cllr Roger Jones' follow up on over 60's pricing and to place this on the agenda of next month.**

#### **1603 Road Safety Working Group**

Cllr Martin Bennett asked members to note the Road Safety Working Group report and the current issues. For Nantmawr, the Council has allocated funding to address the issues of speeding and community concerns. In respect of the Depth Marker, the Council will contact Shropshire Council to request its urgent replacement. Owners of vehicles damaged due to flooding at the marker site should forward details of repair costs to the Parish Council which will pass on to Shropshire Council. Cllr Martin Jones commended Cllr Martin Bennett for his time and efforts with his work on Road Safety. Cllr John Davies advised the VAS at Treflach was in place and fully operational. Cllr Peter Richardson advised of the issue with the VAS for Maesbury. A new sign survey will have to be undertaken when the new pole has been fitted.

Cllr Martin Jones advised members that the B4396 has a three day road closure to complete resurfacing of the road through Moreton

#### **1604 Environmental Working Group**

Cllr Roger Jones advised members that due to commitments he would now be focusing on Trefarclawdd. He has discussed this with Cllr Iain Campbell who has agreed to take forward the remainder of the work of the EWG. Cllr Iain Campbell advised members he had spent the last few weeks looking into water testing due to increased factory farming and water course pollution. He felt it would be worthwhile to have reports on the quality of water passing through Morda and other brooks. He has spoken with various people involved with water testing and this is work in progress. He would like to have monthly water reports to minute and measure results. He is aware of some volunteers and equipment will be required. He hopes to members with an update next month.

#### **1605 Trefarclawdd Farm**

Cllr Roger Jones advised members he had issued a draft letter to the Clerk to send to Richard Corbett. This related to correspondence from Cllr Joyce on grass verges. There was the suggestion of communication between Yareal and the community. Cllr Roger Jones has pulled together a pack for the Ombudsman and this has also been forwarded to the Clerk. To ensure the correct approach and interpretation, the Council requires legal advice. Members felt that the legal advice would serve other applications and would be value for money. The Parish Council requires legal advice from a specialist in Environmental law in order to demonstrate to Shropshire Council that their interpretation of what is required is incorrect and the firms producing the EIAs are not qualified by experience to produce an authoritative document. Funds have already been set for this.

**It was PROPOSED, SECONDED and AGREED for the Clerk to approach Lanyon Bowdler Solicitors to be advised of a legal advisor in respect of EIA's**

#### **1606 Communication**

Councillor Roger Jones advised members he received the Morda newsletters. He felt a newsletter published on the Parish website would be the best option rather than individual ones. The Parish Council has previously considered a newsletter with the suggestion of biannual / quarterly letter drop. A member suggested approaching Oswestry Life to make deliver for a charge. Members **AGREED** to send their individual views on this to The Clerk who will forward to Cllr Martin Bennett to produce a report. The proposals will be brought to the next meeting.

### **1607 Consultation**

Members CONSIDERED the following consultations / Strategy proposals:

a) Shropshire Council's Budget Consultation and savings proposals 2023/24.

Cllr Martin Bennett provided Members with information on the number of Officers in senior positions and the amount of expenditure incurred in respect of allowances. Members noted the proposal to charge for the collection of green waste under item 12. Members believed that if introduced this would lead to fly tipping.

**It was PROPOSED, SECONDED and AGREED to object to the introduction of a charge for green waste on the grounds it would not result in savings but increase fly tipping.**

b) Shropshire Council's consultation on the introduction of charges for temporary road closures for events.

A member advised that the paper for this consultation had been pulled by cabinet on the 18 January 2023.

**It was PROPOSED, SECONDED and AGREED to object to any charges for temporary road closure for events, given it was difficult to define an event and to collect income.**

c) Shropshire Council's draft Sustainable Affordable Warmth Strategy

Cllr Martin Bennett advised members he had received this and noted a duplication of one of the paragraphs. There was no criteria to measure the success of the actions.

Members **NOTED**

d) Shropshire Council's Unsafe Walking Routes Assessment Policy.

Cllr Martin Bennett advised members he had sent a report. Councillor Martin Jones read the first few paragraphs of the policy. Members felt the Policy was vague. Members noted the six Road Safety Policy objectives some of which were not reflected in Assessment Policy.

**It was PROPOSED, SECONDED and AGREED for Cllr Martin Bennett's report be submitted to Shropshire Council.**

Members **NOTED**

- a) Shropshire Council WARP (Waste Action Refuse Platform) online tool and sign-up offer
- b) Shropshire Council's new Subsidised Tree Scheme 2022/23

### **1608 Cost of Fuel in Oswestry**

Members **NOTED** the response from Oswestry Town Council and its proposal to support ORPC bid and to take this matter forward with Helen Morgan MP.

Cllr Martin Jones advised members that Apple Green had recently taken over the Shell garage and prices had reduced. He felt that the Parish Council should continue to pressure Morrisons on the price of fuel. All members **AGREED**.

### **1609 Permanent Christmas Trees – Trefonen**

Cllr Chris Woods advised members he supported the request from a resident for a permanent Christmas Tree in Trefonen Village and had obtained a quote from Dingles for £200. Members discussed the request for a tree on Chapel Green and the two available spaces approved by Street scene. It was **AGREED** for Cllr Chris Wood, Cllr Bob Kimber and the resident raising the request work together for a suitable location, contact the relevant authority from Shropshire Council and provide a response to the Clerk.

At this point in the meeting, **It was PROPOSED, SECONDED and AGREED to suspend Standing Order number 3x to enable the meeting to exceed more than 2 hours**

### **1610 Date for Next Meeting**

Councillors **NOTED** that the next meeting will take place on Thursday 23 February 2023 at Trefonen Village Hall subject to weather conditions.

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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 was **PROPOSED, SECONDED and RESOLVED** that the public and press should not be present

**1611 Quote for replacement gate post Trefonen Cemetery**

Members considered the quote from Colin Turner to replace the existing gate post at Trefonen Cemetery at a cost of £880 and a further £280 if both posts needed to be replaced.

It was **PROPOSED, SECONDED and AGREED to obtain further quotes.**

**1612 Morda & Sweeney Village Hall**

CLlr Martin Bennett provided an update to members regarding the response(s) from the Trustees in respect of Custodian nomination and request for finance information. Members were also advised of the formal letter of complaint. He advised members of the three key deeds and that the Parish Council needed to understand its obligations and responsibilities as Custodian Trustees. The Parish Council does not wish to interfere with the management of the Trustee.

IT was **PROPOSED, SECONDED and AGREED to:**

1. **To support the Council to answer the letters for the Trustees, and the complaint raised against the Council, the whole matter of the Morda Village Hall, including the exact relationship of the Council with managing Trustees as defined by the Trust Deed in the deed of appointment, and other documents and its role as Landlord as defined in those documents, be placed in the hands of a solicitor with a request for urgent attention to the issues.**
2. **No further correspondence to be entered into with the Trustees until the issues they complain about have been resolved to allow a formal response to be made.**
3. **No documents to be released to any other party until legal advice has been received and considered by the Council so that a decision based on a clear understanding of the legal position can be made.**

**1613 Planning Enforcement**

Members **NOTED** two planning enforcement case.

The Chairman thanked everyone for their attendance and wished everyone a safe journey home. The meeting closed at 21.20 pm.

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

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