

Oswestry Rural Parish Council

Minutes of a virtual Parish Council meeting
held at 7 pm on Tuesday 30 June 2020
by Zoom online video conference

Present:

Chairman: Cllr. Peter Richardson, Cllr. Janet Barlow, Cllr. Pam Broomby, Cllr. John Davies, Cllr. Peter Davies, Cllr. Martin Jones, Cllr. Bob Kimber, Cllr. Les Maguire, Cllr. Claire Mahoney, Cllr. Paul Milner, Cllr Tony Milner, Cllr. Robert Milton, Cllr. Elliot Roberts Jones.

Clerk to the Council:

Sharon Clayton

In attendance:

Shropshire Councillor Joyce Barrow
Approximately 20 members of the public.

705/20 Chairman's Welcome

The chairman welcomed everyone and gave a short briefing on how Zoom video works and how those wanting to speak should raise their hands and keep their microphones muted unless speaking.

706/20 Apologies for Absence

The following apologies were received:

COUNCILLOR	REASON
Phil May	No technical equipment to participate.

This apology was AGREED and ACCEPTED as APPROVED absence.

707/20 Shropshire Councillor Report

Cllr. Joyce Barrow gave the following update:

- Alan Morgan had been appointed to the post of Head of Highways and formally commences in post on 1 July 2020.
- The Local Plan Pre-Submission Draft Plan due to be considered by Cabinet on 24 June had been deferred to take place on 20 July 2020. The short delay would provide additional time for meaningful consultation arrangements to be put in place and make documents available for public inspection in accordance with national regulations and in compliance with COVID-19 rules. Consultation would commence in late July and continue for 8 weeks and details would be published on Shropshire Council's website.
- In partnership with the Future Oswestry Group Shropshire Council had been successful in being awarded £700,000 in funding from Historic England to become a High Streets Heritage Action Zone. The total collaborative funding pot of £1.25m would be used to tackle empty properties and rejuvenate the town centre.

708/20 Police Report

A written report from the local policing read as follows:

- Speeding along the Maesbury Road.
- 2 road traffic accidents on the Old Racecourse – no injuries.
- Thefts in Morda and Weston.
- Large gathering of people at Rowland's Close and in Morda not observing COVID-19 rules.
- 3 males acting suspiciously in Morda.

NOTED.

709/20 Public Participation

One member of the public said he had sent questions to the Parish Council via the Clerk concerning speeding in Coed y Go, development plans at Trefarclwdd Farm, and the Parish Council's processes and procedures. He had asked these questions to be forwarded to Councillors for a response either at this meeting or in writing after the meeting and for these questions to be included on the agenda at the next meeting.

One member of the public referred to the last Parish Council meeting in May 2020 when the Council agreed to earmark £92,000 towards the re-development of Morda Village Hall which he thought was made without sufficient information and without public consultation.

Paul Wiseman of Paul Wiseman Investigations explained that following the last Parish Council meeting in May 2020 a concerned member of the public asked him to carry out an investigation concerning the Council's commitment of £92,000 towards the redevelopment of Morda Village Hall. Concerns were based around the limited information provided by Cllr. Robert Milton when he gave his verbal report. As part of his enquiries, Mr Wiseman had submitted a Freedom of Information (FOI) request to the Clerk and the information received led him to contact the Chairman, Cllr. Peter Richardson, in which he raised a complaint against Cllr. Robert Milton, Cllr. Paul Milner and Cllr. John Davies alleging they had not registered an interest as legally obliged to do. Mr. Wiseman said that Cllrs. Milton and Milner had not declared an interest as trustees of Morda with Sweeney Village Hall Charitable Trust and Cllr. Davies had not declared an interest as a director and shareholder of an investment and mortgage provider. The Chairman, Cllr. Peter Richardson had informed Mr. Wiseman that he would conduct an investigation in response to these allegations. Mr. Wiseman referred to an email from Cllr. Milton to the Clerk in which Cllr. Milton referred to the development of 5 affordable homes as part of the redevelopment of the village hall which had not been provided to the Parish Council in May when it made the decision to commit £92,000. Mr. Wiseman suggested that, should the village hall be demolished, it may lead to the extension of the Kingfisher Way housing development. He ended by saying that if all of this information had been available at the May meeting there may have been a very different outcome to the decision made.

710/20 Minutes

- a) The minutes of a Parish Council meeting held on 26 May 2020 were considered for approval. **It was PROPOSED, SECONDED and RESOLVED that the minutes be signed and ADOPTED as a true record.**

- b) The minutes from a Personnel Committee meeting held on 26 March 2019 were **NOTED and ADOPTED.**

711/20 Disclosure of Pecuniary Interests

Members were reminded that they are required to leave the room during the discussion and voting on matters in which they have a disclosable pecuniary interest, whether or not the interest is entered in the Register of Members' Interests maintained by the Monitoring Officer.

The following declarations were made:

COUNCILLOR	INTEREST
Paul Milner	Non- pecuniary, substitute on Shropshire Council's Northern Area Planning Committee and trustee of Morda with Sweeney Village Hall Trust
Robert Milton	Trustee and Chairman of Morda with Sweeney Village Hall Trust
Elliot Roberts Jones	All matters concerning Trefarclwdd Farm

712/20 Dispensations

None requested.

713/20 Declaration of Acceptance of Gifts and Hospitality

None declared.

a) Planning Decisions

The following planning decisions were **NOTED**.

20/00333/FUL Stonehouse Brewery, Adjacent to Stone House, Weston, Oswestry	Erection of single storey extension for Use Class A4 (drinking establishments); Application under Section 73A of the Town & Country Planning Act 1995 for the use of existing reception for Use Class A4 (drinking establishments); erection of single storey building for Use Class A4; formation of car park area; formation of outdoor seating area; internal alterations to form first floor commercial kitchen Permission GRANTED 29 May 2020 <i>The Parish Council supported this application subject to the means of access not being detrimental to local residents.</i>
20/00841/FUL Trefarclawdd Farm Tref-Ar-Clawdd, Oswestry	Erection of a covered holding yard and all associated works Permission REFUSED 9 June 2020 <i>The Parish Council objected due to concerns of the planning officer and local residents, an environmental impact assessment had not been carried out, there were no details of the disposal of slurry and waste from the site, and concerns about the size and scale of intended and present activities on the site.</i>
20/01363/FUL Trefarclawdd Farm, Tref-Ar-Clawdd, Oswestry	Erection of single storey side extensions and front porch following demolition of existing single storey side extension and front porch, new render finish to replace existing render currently only on the front (south west) and side (north west) elevations and associated works Permission GRANTED 16 June 2020 <i>The Parish Council objected due to the proposed layout as it implied a change of use and asked for clarification as to whether the building would remain as an agricultural farmers building.</i>
20/01643/FUL Proposed agricultural workers dwelling north of Tramway Farm, Crickheath	Erection of an agricultural workers dwelling and detached garage WITHDRAWN 17 June 2020 <i>The Parish Council had no objection but was curious to know whether a 4-bedroomed dwelling is justified as an agricultural dwelling and hopes it will be subject to a S106 agreement.</i>
20/01665/FUL Nature reserves at Aston Locks, Queens Head, Shropshire	Construction of bird hide with associated access path, reed screened viewing platform, dipping platform and 'dragonfly' sculpture. Permission GRANTED 19 June 2020 <i>The Parish Council supported this application.</i>

b) Planning Applications

The following planning applications were considered:

20/01780/FUL Summerhill, Trefonen	Erection of 3-bay two storey building to be used as open fronted garage, hay/feed store, first floor office/store with external staircase and dormer windows. It was PROPOSED, SECONDED and AGREED to support.
20/02402/FUL Land adjacent to Vine Cottage, Middleton Road, Middleton, Oswestry	Erection of an agricultural storage shed. It was PROPOSED, SECONDED and AGREED to support.

It was also **NOTED** that an appeal had been made for the Change of Use of land from agricultural to tourism use at Coedygaer, Llansilin (19/04787/FUL).

c) Footpath Diversion

The following footpath diversion was considered:

Diversion of Footpath 31C (part), under the provision of the Highways Act s119	Footpath 31C runs through land belonging to Pear Tree Cottage in Treflach. The walked line of Footpath 31C runs on the edge of woodland, adjacent to the garden of Pear Tree Cottage and the applicants wish to divert the footpath away from the garden to the boundary of their land in the interests of privacy. It was PROPOSED, SECONDED and AGREED to object to the diversion of the footpath which should remain unchanged.
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715/20 Clerk's Report

Members received a written report from the Clerk on action taken following decisions made at the last Parish Council meeting.

The Clerk also informed Members that, following the resignation of Shirley Jones, the deadline for an election to be called had passed. However, due to the lockdown no-one had been in the office at Shropshire Council to open the post and confirmation was expected on 1 July 2020.

It was PROPOSED, SECONDED and unanimously AGREED that the Clerk's Report be NOTED.

716/20 Financial Matters

a) Income and expenditure and bank reconciliations

Members considered for approval income and expenditure and bank reconciliations up to 31 May 2020.

It was PROPOSED, SECONDED and unanimously AGREED that the income and expenditure and bank reconciliations to 31 May 2020 be APPROVED.

b) Payments for June 2020

Members considered for approval payments for June 2020.

It was PROPOSED, SECONDED and unanimously AGREED that the following payments for the month of June 2020 be APPROVED.

PAYEE	DESCRIPTION	AMOUNT £
Mark Evans	Bus shelter cleaning	54.00
HMRC	PAYE/NI	157.62
Viking	Stamps	26.86
Silver Marbles	Routine website maintenance	36.00
Royce Landscapes	Grounds maintenance	540.00
Sharon Clayton	Salary/expenses/reimbursements	920.13
	TOTAL	1734.61

717/20 Annual Governance and Accountability Return 2019/2020

a) The internal audit report for the financial year 1 April 2019 – 31 March 2020.

Members considered for approval the internal audit report for the financial year 1 April 2019 to 31 March 2020.

It was PROPOSED, SECONDED and unanimously AGREED that the internal audit for 2019/2020 had been carried out in accordance with the Parish Council's needs and planned coverage and that the report be APPROVED.

b) The Annual Governance Statement 2019/2020

Members considered its responsibilities for having a sound system of internal control,

It was PROPOSED, SECONDED and unanimously AGREED that the Parish Council has a sound system of internal control, including arrangements for the preparation of the Accounting Statements and that the Annual Governance Statement for 2019/2020 financial year be APPROVED.

c) The Accounting Statement for 2019/2020.

Members considered for approval the Accounting Statement 2019/2020.

It was PROPOSED, SECONDED and AGREED that the Parish Council has ensured that its financial management is adequate and effective and has a sound system of internal control and the Annual Governance and Accountability Return had been completed in accordance with Proper Practices.

718/20 Cemetery Management Plan

Members considered for approval a draft Cemetery Management Plan.

It was PROPOSED, SECONDED and unanimously AGREED that the Cemetery Management Plan be APPROVED.

719/20 Land Registry

Members considered for approval a response to information from Lanyon Bowdler concerning the registration of land and the Parish Council was asked:

- Whether it wished to pursue registration of Crickheath Water Pump.

It was PROPOSED, SECONDED and AGREED not to pursue the registration as it was already registered to the adjacent property holder.

- Whether the Parish Council was still involved with Morton Playing Field or whether ownership and responsibility had been given back to the Freeholder.

It was PROPOSED, SECONDED and AGREED that the Parish Council had given back ownership and responsibility to the freeholder, the rural parish church.

- Whether the Parish Council was still responsible for Morda playing and sports field.

It was PROPOSED, SECONDED and AGREED that it is the responsibility of Shropshire Council.

- What contact details should be provided to Land Registry.

It was PROPOSED, SECONDED and AGREED that contact details should be updated to that of the present Clerk.

- Whether the Deed of Appointment of 1997 for Trefonen Village Hall should be registered to the Parish Council.

It was PROPOSED, SECONDED and AGREED that the land is leased from Shropshire Council until 2041 and the Parish Council is the Custodian Trustee of the Trefonen Village Hall.

- Whether Morda and Sweeney Village Hall should be registered to the Parish Council and, if so, an approximate value of the land would be required.

It was PROPOSED, SECONDED and unanimously AGREED:

- a) **That this should be considered further at agenda item no. 20 when Morda Village Hall was discussed.**
- b) **A list of all Parish Council land registered should be compiled and presented to Members.**

720/20 Speeding Through Coed y Go

Members considered concerns raised by residents at Coed y Go who had asked for the speed limit to be reduced from 60mph to 30mph. It was proposed to discuss this with Shropshire Council and look at what traffic calming measures could be put in place, and that councillors should work with local residents to discuss options.

It was PROPOSED, SECONDED and unanimously AGREED that:

- a) **Cllr. Joyce Barrow would find out whether Coed y Go was classed as a village.**
- b) **The Parish Council should continue to lobby Shropshire Council to reduce the speed limit based on increased traffic along the road especially the large agricultural machinery.**
- c) **A Working Group should be established to work with local residents to try to find a solution to reduce the speed limit at Coed y Go to 30mph. Working Group Members would be Cllr. Pam Broomby, Cllr. John Davies, Cllr. Bob Kimber, Cllr. Les Maguire, Cllr. Claire Mahoney, Cllr. Paul Milner, and Cllr. Robert Milton.**

721/20 Speeding at Weston Road

Members considered concerns raised by a resident at Weston who had complained that, in spite of the 30mph limit, vehicles were still speeding along Weston Road. There is no public footpath and the road is used by runners.

It was PROPOSED, SECONDED and unanimously AGREED that the Working Group appointed at minute no. 720/20 above should look into this issue.

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

722/20 Update on VAS

Cllr. John Davies informed Members that funding had been received for the installation of VAS in Trefonen and confirmation of their installation was awaited from Shropshire Council.

NOTED.

723/20 Urban Tree Challenge

It was **AGREED** to defer this to the next meeting.

724/20 Morda Village Hall

In accordance with Standing Orders the Chairman varied the order of business so that agenda item no 37 would be considered during this part of the meeting and not in closed session.

The Chairman advised that a FOI request had been received concerning the decision made at a Parish Council meeting held on 26 May 2020 at which the Council voted to earmark £92,000 towards the re-development of Morda Village Hall. The information provided for the request had turned into a complaint in which allegations of misconduct in public office were made concerning some Parish Councillor's Declarations of Pecuniary Interests (DPI), and these allegations were subject to an ongoing investigation. The Chairman had taken legal advice as the complainant had suggested that the allegations should be forwarded to the police for investigation. The Chairman reported the complaint to the police who advised that it should be passed to Shropshire Council's Monitoring Officer. However, information on Shropshire Council's website advises that the Monitoring Officer does not deal with concerns about DPIs and if it is not a Code of Conduct complaint it should be referred to the police. The Chairman informed the police about this information who then advised that they would deal with the complaint.

NOTED.

Cllr. Robert Milton provided two written reports concerning the redevelopment of Morda Village Hall and had nothing further to add verbally.

NOTED.

A discussion ensued about whether the Parish Council, at its last meeting, had made the correct decision to earmark £92,000 for the redevelopment of the village hall, even though this decision was subject to ownership of the village hall being determined.

Cllr. Martin Jones asked whether the decision could be rescinded.

The Clerk advised that, in accordance with Standing Orders, a decision could not be rescinded within 6 months without written notice from 3 councillors being presented to the Clerk and included on the agenda for consideration by full Council.

It was PROPOSED, SECONDED and unanimously AGREED that the Council's support for the redevelopment of Morda Village Hall, and its ownership, should be considered further at the next meeting.

725/20 CIL Funds

Members received a written report concerning CIL funding available to be spent within the parish. Shropshire Council had advised that the total Neighbourhood Funds collected and allocated to Oswestry Rural was £131,869.11. The total CIL collected was £881,447.42 and was to be used mainly for infrastructure in the Oswestry area as identified in the Oswestry Place Plan and the Parish Council could apply for some of these funds if needed.

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the allocation of CIL funds be considered further at the next meeting.

726/20 Affordable Housing

Members received information from Shropshire Council explaining the definition of affordable housing. It was **PROPOSED, SECONDED** and **AGREED** that this should be considered further at the next meeting.

727/20 Policies and Procedures

Members considered for approval and adoption the following:

- a) Data Breach Policy (reviewed).

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the reviewed policy be **APPROVED**.

- b) Email Policy (reviewed).

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the reviewed policy be **APPROVED**.

- c) Disclosable Pecuniary Interest Dispensation Procedure (reviewed).

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the reviewed Procedure be **APPROVED**.

728/20 Annual Report

Members considered for approval a draft Annual Report for 2019/2020.

It was **PROPOSED, SECONDED** and **AGREED** that the Annual Report 2019/2020 be **APPROVED**.

729/20 Grant Applications

Members considered for approval a closing date for this year's grant applications.

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the closing date for applications for grants from the Parish Council should be extended to 30 September 2020 and publicised widely.

730/20 The Tony Cheetham Community Service Award

Member considered for approval a closing date for this year's Tony Cheetham Community Service Award.

It was **PROPOSED, SECONDED** and unanimously **AGREED** that the closing date for nominations for the Tony Cheetham Community Service Award should be 30 September 2020.

731/20 Notice Board at Sweeney

It was **AGREED** that a suitable site for the installation of a new notice board at Sweeney should be agreed at the next meeting.

732/20 Local Plan Review

It was **AGREED** that a response to the Local Plan Review should be considered at the next meeting.

733/20 Maesbury Bone Works

Cllr. Tony Milner informed Members of his adversity to any development in front of the Bone Works and that the area should be preserved without development.

It was **AGREED** to consider this further at the next meeting.

734/20 Consultation

It was **AGREED** that a response to the Local Government Association consultation on a new Member Code of Conduct should be considered at the next meeting.

735/20 Correspondence

Members received the following:

- a) SALC information bulletin and NALC information.
- b) Information concerning the coronavirus.
- c) Invitation to attend the launch of the Marches Community Led Housing.
- d) Thank you for new notice boards.
- e) Notification of temporary footpath closure at Mile End.

NOTED.

736/21 Agenda Items for Next Meeting

It was **AGREED** that the following matters should be discussed at the next Parish Council meeting:

- The Bone Works (Cllr. Tony Milner)
- The donkey storage sheds (Cllr. Les Maguire)
- Notice Boards Nantmawr and Trefonen (Cllr. Pam Broomby)

737/20 Date of Next Meeting

It was **NOTED** that the next meeting would take place on Tuesday 28 July 2020

Public Bodies (Admission to Meetings) Act 1960

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

738/20 Staffing Matters

- a) Members considered for approval a recommendation from the Personnel Committee to agree the Clerk's satisfactory performance since the last performance review.

It was PROPOSED, SECONDED and unanimously AGREED that the Clerk's performance had been satisfactory.

- b) Members considered for approval a recommendation from the Personnel Committee that the Clerk's salary for 2020/2021 be increased to LC2 SCP 24 effective from 1 April 2020.

It was PROPOSED, SECONDED and unanimously AGREED that the Clerk's salary be increased to LC2 SCP 24 effective from 1 April 2020.

739/20 Hand Pump at Aston Square

Members considered for approval the refurbishment of the hand pump at Aston Square. The wood was rotten and not in sufficient condition for varnishing.

It was PROPOSED, SECONDED and unanimously AGREED that quotes should be sought to refurbish the hand pump.

740/20 Planning Enforcement

There were no planning enforcement notifications.

741/20 Complaint

There was no discussion as the complaint was revealed during the public session and its implications discussed and recorded at minute number 724/20.

The meeting closed at 21:59.

Signed: _____
Chairman

Date: _____