

Minutes

of a Parish Council meeting

held at 7 pm on Thursday 23 February 2023 at Trefonen Village Hall

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**Present:**

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

**Clerk to the Council:**

Kathryn Lloyd

**In attendance:**

One member of the public  
Cllr Joyce Barrow

**1614 Chairman's Welcome**

The Chairman welcomed everyone to the meeting. He reminded members of being summoned to attend monthly meetings. Whilst volunteering to represent the community, members are expected to attend each month. Where a member has difficulty with this, then he / she should discuss with the Clerk or Chairman so alternative arrangements can be considered.

The Chair reminded members that they have all been provided with a Parish Council email facility. Only ORPC email accounts should be used for Council business. Should any member have difficulty in accessing their account, he / she should contact the Clerk for support to resolve the issue.

**1615 Apologies for Absence**

Apologies were received from Cllr Paul Milner (Work Commitments), Cllr Jas Singh, Cllr John Davies (Annual Leave), Cllr Roger Jones (family commitment)

**1616 Police Report**

- a) There was no Police Report from the Oswestry Rural Safer Neighbourhood Team at the time of the meeting.
- b) Cllr Martin Jones provided members with a summary of a meeting arranged by Oswestry Town Council and attended by Police Crimes Commissioner Mark Campion, Superintendent Stuart Bill and Helen Morgan MP (North Shropshire). This was to allow residents to express their concerns about policing and crime in Oswestry. The major concerns related to road safety, domestic abuse, drug misuse and anti-social behaviour and a lack of visible policing. Despite the issues being similar to those facing local Parish Councils, no representatives from local Parish Council had been invited.

Cllr Martin Jones has spoken with Secondary Schools and representatives of the ward and suggested holding a similar event for Parish Council surrounding Oswestry.

Cllr Martin Bennett advised members of the Neighbourhood Matters scheme, a messaging system enabling people to keep in touch with local policing teams and receive updates on crimes and incidents. He also received an invitation to participate in a new scheme whereby two members of the public go out on patrol of a local area. They cannot be confrontational and have to positively engage with people/ incident. They only receive two hours of training and having no powers or equipment. Cllr Martin Bennett has raised this at the Area Committee meeting and the Chief Inspector present had not heard of this new initiative.

A Councillor raised the issue of Youth Clubs, most of which have closed. Shropshire Council has withdrawn funding of the Youth Service.

Cllr Martin Jones advised members of the West Mercia Police Charter which Parish Council are being invited to join or renew their contract with. The Parish Council will be signing up to this. Local Police are on rotation and should be attending Parish Council meetings every three months.

#### **1617 Shropshire Council Report**

Cllr Joyce Barrow provided the following update:

#### **Flooding and Pollution issue Chain Lane**

Cllr Joyce Barrow advised she had met the owner of Trefarclawdd Farm to discuss the flooding and pollution issue at Chain Lane. There have been complaints locally about the volume of flow running onto Chain Lane from Trefarclawdd Farm.

These additional flows are being produced by the farm operations and were re-directed by works undertaken by the landowner as requested by Shropshire Council. These works were requested to reinstate what was believed to be a historic line of mapped watercourse, however the receiving watercourse in third party land did not exist in reality resulting in the flooding. These works had been undertaken in good faith by all parties and Shropshire Council is now working with the owner of Trefarclawdd Farm to rectify this.

#### **Update on the existing situation:**

**Pollution:** The landowner stated that this was being caused by runoff from the yard entering the ditch system. The Environmental Agency (EA) are aware of the issue here however Cllr Barrow will be making contact with the EA to confirm that this is the case. As part of the development any runoff from the new system will be directed to the slurry lagoon, and these works are apparently imminent. We have informed the landowner that we will not undertake any works to the highway system until this is resolved.

**Drainage:** Once the polluted runoff from the farm has been removed from the system, the only inflows will be from the highway drainage network off the Oswestry Road. As a result, these flow volumes will be significantly reduced. Any remedial works will be undertaken by Shropshire Council with a view to improving the highway drainage system only.

The intention is to remove flows from the ditch on Chain Lane and reinstate the existing system on the junction with improvements to retain the flow in the network and avoid the icing issues previously experienced in this location. In order to undertake these works it will be necessary to remove a small section of hedgerow which will need to take place before the end of February to avoid bird nesting season. We will now be working with the in-house team to come up with a proposal that addresses the drainage issue and works will follow once the pollution issue has been resolved.

Cllr Joyce Barrow commented that drug issues in Oswestry is rife and a huge concern. She also advised members of free health checks available at Oswestry food bank. Drop in sessions include free blood pressure checks and the option for a heart age test. People may require a referral for food to gain access to the walk in service.

Cllr Joyce Barrow advised that following a hearing on 17 January 2023, Shropshire Council has been informed it has demonstrated its legislative duty to cooperate with neighbouring authorities. A report is available.

Section 106 / CIL Project. The Portfolio holder, Cllr Richard Marshall is aware of confusion and a lack of progress with projects. It is recognised the Council needs better ways of communicating with Parish Councils and Town Councils. He is looking at simplifying the system and having more information on the website including a section for frequently asked questions.

The road closure at Coed y Go from 27 February to 10 March. There has been a change in the diversion to make access easier.

#### **1618 Public Participation**

A resident raised concerns with Trefarclawdd Farm. He stated the ditch is full of sewage and blocked. He has sent emails to the three Councillors in Trefonen and one to the Clerk. He has received various suggestions and was advised to contact Councillor Isherwood at Shropshire Council.

He advised that they have bulldozed across the site resulting in a mound of rubbish on agricultural land. He has been advised this will be landscaped. He commented that Chain Lane is a horrible place.

The resident also stated Yareal Company is incorporated in Italy and is not a local farmer and that planning applications should have been opposed. On 8 June 2022, Shropshire Council advised it would enforce action if the farm did not comply within two weeks. No action was taken.

The resident also raised concerns with slurry and the acreage of land for the number of cows. Cllr Peter Richardson advised that in the original planning application the farm stated it had 1200 acres available and had sufficient storage to hold six months of slurry.

The resident raised the issue with Wood Hill Junction on the Trefonen/ Morda Road. There is a huge puddle with two signs advising of potential ice. He suggests the puddle be filled and the signs removed. The two drains have been filled with earth.

#### **1619 Minutes**

a) The minutes of a Parish Council meeting held on 26 January 2023 were considered for approval.

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

b) The minutes of the Finance Committee meeting held on 12 December 2022 were considered for NOTE and ADOPTION.

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

#### **1620 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.

None Declared

#### **1621 Dispensations**

None requested.

#### **1622 Declarations of Acceptance of Gifts and Hospitality**

None Declared

#### **1623 Planning Matters**

a) Planning Decisions

The following planning decisions were **NOTED**:

<b>Planning Application Details</b>	<b>Planning Proposals</b>
22/05399/FUL Blue Court Cottage, Brookside, Morda, Oswestry, Shropshire, SY10 9PG	Erection of ground floor extension  Decision: Grant Permission
22/04920/FUL Morton Methodist Church, Morton, Oswestry, 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  Decision: Withdrawn

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

The following planning applications were considered for comment:

<b>Planning Application Details</b>	<b>Planning Proposals</b>
23/00301/FUL 1 Sycamore Fields, Maesbury Marsh, Oswestry, Shropshire, SY10 8RE	Erection of a two storey side and single storey rear extensions  Cllr Peter Richardson advised members he had reviewed the application extensively. The ecology report indicated a bat survey will probably be required as it will interfere with the roof. The application will not affect the area and he wished to support the application.  Cllr Martin Bennett advised planning law and planning decisions are not made on the case for development. It is a major change to a semi-detached house and potentially breaches two parts of the planning policy , CS6 and NV2.  Cllr Martin Jones advised a similar application had been passed and did not affect the area. <b>It was PROPOSED, SECONDED and AGREED to support the application. Seven in Favour, two abstained</b>
23/00503/FUL Bwlchgywynt, Wern Y Wiel, Treflach, Oswestry, Shropshire	Demolition of a barn / storage shed to be replaced by stables and storage.  <b>It was PROPOSED, SECONDED and AGREED to support the 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.

23/00619/FUL Moorehouse Farm, Craig-llwyn, Trefonen, Oswestry, Shropshire, SY10 9BH	Proposal: Change of use of former equestrian centre, to include conversion of existing stable building to workshop, re-surfacing existing manege to outdoor vehicle store and erection of new building, to support the re-location of an existing established tractor repair enterprise, to include all associated works (re-submission)  Members commented this was a re-submission with the original application being refused on Highway grounds. Too much traffic for the roads and surrounding area.  <b>It was PROPOSED, SECONDED and AGREED to object, reiterating Highways objection as previously stated.</b>
23/00643/FUL Fronygraig, Nantmawr, Oswestry, Shropshire, SY10 9HH.	Proposal - Removal of existing porch and erection of single storey oak framed extension  <b>It was PROPOSED, SECONDED and AGREED to support this application</b>
23/00074/EIA Morton Ley Farm, Morton, Oswestry, Shropshire, SY10 8BG	Proposal: Planning application for an extension to an intensive poultry unit including silos and all associated works  Decision: Withdrawn

#### **1624 Clerk's Report**

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

#### **1625 Financial Matters**

##### **a) Income and Expenditure**

Members considered for approval income and expenditure to 31 January 2023 and financial outturn position.

It was **PROPOSED, SECONDED and AGREED** that income received to date of £48,345.45 and gross expenditure to date of £47,570.43 be **APPROVED**. Members **NOTED** the outturn position for 2022/23

The Clerk advised members that in discussion with HMRC there is a credit balance of £375.25 on the tax account 2022/23. This relates to a tax refund, two adjustments and a tax credit relating to 2021/22. It has been agreed to offset this against future liabilities in tax month 11 and 12.

**b) Bank Reconciliations**

Members considered for approval the bank reconciliation at 31 January 2023.

It was **PROPOSED, SECONDED and AGREED** that the bank reconciliation statement to the end of January 2023 be **APPROVED**

**c) Payments for February 2023**

Members considered for approval provisional payments for February 2023.

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

<b>PAYEE</b>	<b>DESCRIPTION</b>	<b>AMOUNT £</b>
EE	WiFi Mini mobile broadband 7 February – March 2023	16.39
EE	Monthly Mobile Charge 11 February - 10 March 2023	12.00
HSBC	Bank charges 30 December – 29 January 2023	8.00
TWM Traffic Control Limited	VAS installation Treflach and partial installation Maesbury	14,610.97
Mark Evans	Bus shelter cleaning	60.00
Colin Turner	Bus shelter cleaning	25.00
Kathryn Lloyd (The Clerk)	Clerk's Pay and Expenses – February 2023	1,414.34
HMRC	PAYE/NI – February 2023	223.24
Kathryn Lloyd (The Clerk)	Wooden Stakes - 2 packs (15) @ £9.99 each plus postage	28.97
Kathryn Lloyd (The Clerk)	Reimbursement for postage - February 2023 papers and agenda	21.60
Trefonen Village Hall	Hire of Hall October - December 2022	90.00
Kathryn Lloyd (The Clerk)	PAYE/NI - January 2023 adjustment EEs NI Overstated	-52.25
Kathryn Lloyd (The Clerk)	Stationery (envelopes, printing paper, marker pens)	17.35
<b>Total</b>		<b>16,475.61</b>

**d)** The Clerk advised members a change of correspondence form for the Public Sector Deposit Fund Account required approval so records can be updated.

It was **PROPOSED, SECONDED and AGREED** for the form to be approved for submission.

**1626 Grants**

Members were advised of a grant application submitted by Shropshire Union Canal Society in support of towpath improvements to the Montgomery Canal at Crickheath (request £3,276.60). Cllr Woods commented he was in support of this. Councillor Martin Jones advised the original grant budget was £3,020 with funding already provided to Morda Football Club, remembrance poppies (Section 137) and defibrillator at Rhydygroesau. This request is more than the Parish Council can award. Cllr Martin Bennett advised the request was outside of the limit for grants and not in accordance with the grant policy.

Members agreed for the term of reference of the grant to be reviewed with a recommendation to be brought to Full Council. Grant application will be considered at the March meeting.

**1627 Finance Committee**

The Clerk advised members that Cllr John Davies had requested that the Terms of Reference for the Finance Committee be deferred until the March meeting. However, Councillor Peter Richardson, Vice Chairman of the Finance Committee, recommended approving the Term of Reference. Councillor Martin Bennett and Bob Kimber as members of the Finance Committee supported this.

**It was PROPOSED, SECONDED and AGREED to approve the Terms of Reference of the Finance Committee.**

#### **1628 Leisure Centre Charges**

In Cllr Roger Jones' absences, members agreed to defer this item until the March meeting.

#### **1627 Road Safety Working Group**

Cllr Martin Bennett asked members to accept his report on behalf of the Road Safety Working Group and to agree the following recommendations:

1. Note that the Coed-y-Go speed reduction scheme may not be concluded in the current financial year and the Clerk/RFO make any necessary adjustments in the budgeting to allow for this.
2. Write to Shropshire Council to again ask for discretionary speed limit at Weston and signage in respect of Aston to direct HGV traffic to the Oswestry Industrial Estate.
3. Write to the PCC asking for details of grant funding for small scale road safety schemes.

Cllr Martin Bennett advised members that Shropshire Council were unable to allocate a cost centre for the Coed Y Go speed reduction scheme until a budget / funding had been received. The Clerk proposed a schedule of works and payments which is allowed under the Council's Financial Regulations.

**It was PROPOSED, SECONDED and AGREED for a schedule of works and payments be agreed with Shropshire Council to allow the scheme to progress.**

Members considered recommendations 2 and 3. **It was PROPOSED, SECONDED and AGREED to approve recommendations 2 & 3.**

#### **1628 Environmental Working Group**

Cllr Ian Campbell referred members to a document providing an update on a number of environmental issues including light pollution at Trefarclawdd Farm, damage to grass verges and water pollution. He stated local people needed to write independently to Shropshire Council to raise their own concerns. He asked Cllr Joyce Barrow to outline the work that she Chairs on river waters and plans to improve quality. She advised she is the Chair of the Overview / Scrutiny Committee. Shrewsbury Councillors are concerned with pollution. However, the officer servicing the committee had given notice. Building Developments and River Pollution are on the radar and changes to the Scrutiny Committee are in line with the Shropshire Plan. Cllr Iain Campbell has had a meeting with people concerned with water pollution and discussed water testing, monitoring and the recording of results at monthly Parish Council meetings. He hopes to be in position to present a proposal to members in March.

Cllr Iain felt it would be worthwhile to have reports on the quality of water passing through Morda and other brooks and was concerned with sewage pollution entering the River Seven. A Judicial Review is being undertaken against Cardiff City Council on EIA grounds. It maybe possible to receive help from the Parish Council responsible for this.

Members were advised that Wales online had announced a Light free Pollution Zone in Anglesey.

#### **1629 Cemetery Working Group**

Cllr Mike Weston provided an update to members advising there were two areas of activity. He has been pursuing Richard Corbett for written confirmation of verbal agreements made in December 2022. Despite numerous requests, he has not received any response.

Cllr Mike Weston advised two separate quotes for support with details and the process for the installation of a memorial garden and car park to the west of the cemetery have been received. The group is struggling to obtain a third. The Clerk advised where services are unique or there is difficulty in obtain quotes this can be noted. Two quotes will be presented for consideration at the March meeting.

#### **1630 Trefarclawdd Farm**

a) Members considered the response received from Tracy Darke, Assistant Director Economy and Place following a letter sent to Shropshire Council on 19 December 2022 addressed to Cllr Lesley Picton, Leader of the Council. Members agreed this response was not acceptable and actually raised further issues in regard of planning conditions, recommendations, and traffic management.

**It was PROPOSED, SECONDED and AGREED to send a letter via the Clerk to the Leader of the Shropshire Council.**

b) Members agreed to discuss the latest position with Trefarclawdd Farm in closed session.

c) Cllr Martin Jones advised a draft letter had been shared with Councillors regarding damages to grass verges. It was agreed to defer this to next month's meeting.

Cllr Mike Weston advised that Roger Parry had recently moved premises to Beatrice Street.

d) Cllr Bob Kimber advised members the lighting plan approved by Shropshire Council for Trefarclawdd Farm was not being adhered. There is array of lights and no external cladding, and the Council should enforce.

Coed y Go residents need to complain via the planning portal. There is some support for this on the planning portal however, no reference is made to where the people live.

#### **1631 Communication**

Cllr Martin Bennett asked members to note his report which had been issued. He advised only two responses had been received and it would be helpful if all members could respond as there are a number of issues to consider. He has made enquires with RM distribution regarding the issuing of newsletters on a Parish Ward basis. However, no decision can be made.

**It was PROPOSED, SECONDED and AGREED to NOTE the report.**

#### **1632 Consultation**

None

#### **1633 Correspondence**

Cllr Martin Jones advised members that several residents had raised concerns on a potential unlawful development at Croeswyn Lane. The Clerk advised she had contacted Janet Davies, a planning officer at Shropshire Council who confirm there was no evidence of an application on the portal. The Clerk has raised this with the Enforcement team and is waiting for a response.

#### **1634 Permanent Christmas Trees – Trefonen**

Cllr Chris Woods advised members that agreement had been reached for a permanent Christmas Tree to be planted on Chapel Green at Trefonen. The Trees of Trefonen group had allocated one of two available plots. Villagers are sponsoring the tree.

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**

#### **1636 Date for Next Meeting**

Councillors **NOTED** that the next meeting will take place on Thursday 30 March 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**

#### **1638 Staffing**

Cllr Peter Richardson advised members the Personnel Committee had met with the Clerk on 13 February 2023. This is part of the three monthly review meeting to ensure the Clerk is supported. The Committee discussed additional hours, toil and attending the cemetery for burials. Several options presented including additional payments, time off in lieu. The Committee also discussed the CILCA qualification and agreed for this to be deferred until the Annual Return (AGAR) for 2022/23 had been completed.

#### **1639 Morda and Sweeney Village Hall**

Cllr Martin Bennett advised members that the Clerk had received notification from the Trustees advising the Village Hall, its buildings and its associated land had been vested with HM Official Custodian, (Charity Commission), and ORPC is no longer the Custodian Trustee.

The Clerk advised members of the discussions with the Council Solicitors Lanyon Bowdler and being advised that they did not have the in-house expertise to deal with this matter nor the EIA's or the potential Judicial Review. Members agreed that they should seek legal advice as to the validity of the transfer and seek another solicitor to assess the validity of the EIA in respect of planning.

**It was PROPOSED, SECONDED and AGREED to search for a new of firm of Solicitors outside of Oswestry to be appointed as the Solicitors for the Parish Council.**

**1639 Formal Complaint – Personal Data Breach**

a) The Clerk provided members with the background to a Personal Date Breach which happened in September 2022. In discussions with Information Commissioner Office (ICO), it was agreed only a limited amount of personal data had been disclosed. This fell short of threshold for reporting, as the risk to the rights and freedoms of the data subject was low. The Clerk advised the required step relating to the breach had been taken and measures were in progress to prevent this from happening in the future.

b) Members considered the draft complaint response prepared by the Clerk. A minor spell check error was noted.

**It was PROPOSED, SECONDED and AGREED for the draft letter to be amended and sent to the complainant.**

**1640 Possible Land Transfer**

Cllr Martin Bennett asked members to consider the feasibility of land transfers in the Parish to assist Shropshire Council with their budgetary pressures. This included a strip of land in front of Morda & Sweeney Village Hall, fields and play area. Members noted this may increase insurance liability.

**It was PROPOSED, SECONDED and AGREED to enter into negotiations without prejudice for land transfers. Cllr Bob Kimber and Cllr Chris Ward abstained from the vote.**

**1637 Quote for replacement gate post Trefonen Cemetery**

The Clerk advised members that three quotes had been sought to replace the existing gate post at Trefonen Cemetery. Only two quotes had been received as a supplier failed to attend two agreed meets. Members considered both quotes, however, these were not on a like for like basis. Members requested one quote be updated to include the cost for the replacement of two posts. Members will reconsider these at the March meeting.

**1641 Kings Commemorative Gifts**

Members agreed to defer this item until March 2023. Further quotes will be sought.

**1642 Planning Enforcement**

Members **NOTED** two planning enforcement cases.

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

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

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