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- 11 Clerk's Report to January 2023
- 12a Balances to date & Forecasted Outturn Position 2022/23
- 12b Bank Reconciliation Statement to 31 January 2023
- 14. Terms of Reference – The Finance Committee
- 16. Road Safety Working Group Report
- 18a. Trefarclawdd Farm – Tracy Darke response
- 19. Communication / newsletter Report



"Not for self"

# Oswestry Rural Parish Council

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**NOTICE IS HEREBY GIVEN** that a meeting of Oswestry Rural Parish Council will be held at Trefonen Village Hall commencing at 7 pm on **Thursday 23 February 2023** and Members are hereby summoned to attend for the purpose of transacting the following business.

Join Zoom Meeting

[Zoom link](#)

K L Lloyd

Signed:

Kathryn Lloyd CPFA

Clerk

Date of issue: 16 February 2023

## A G E N D A

### **FILMING AND RECORDING OF COUNCIL MEETINGS AND THE REQUIREMENTS OF THE DATA PROTECTION ACT 2018**

Any person present at a Council meeting may not orally report or comment about a Council meeting as it takes place but otherwise may; film photograph or make an audio recording of a meeting; use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; report or comment on the proceedings in writing during or after a meeting, or orally report or comment after the meeting. Anyone making a recording for non-domestic purposes is advised to seek advice on their obligations to ensure any processing of personal information complies with the Data Protection Act.

**Anyone who objects to being filmed or recorded should notify the Clerk prior to the commencement of the meeting.**

#### **1. Chairman's Welcome**

#### **2. Apologies for absence**

To receive apologies for absence and to approve reasons for absence if requested in writing by a councillor

#### **3. Police Report**

To receive a report from The North Shropshire and Oswestry Safer Neighbourhood Team

#### **4. Shropshire Council Report**

To receive a report from Shropshire Councillor Joyce Barrow

#### **5. Public Participation**

In accordance with Standing Orders 3(e) members of the public may make representations, answer questions, and give evidence in respect of the business on the agenda. This does not include matters relating to the Council's administration. Should anyone wish to discuss business which is not included on the agenda please write to the Clerk who will make arrangements for appropriate action.

#### **6. Minutes**

- a) To CONSIDER and APPROVE the minutes from a Parish Council meeting held on 26 January 2023 (appendix 6a)  
*NOTE: In accordance with Standing Order number 12(a)(b) draft minutes served on councillors shall be taken as read. There shall be no discussion about the draft minutes except in relation to their accuracy.*
- b) To NOTE and ADOPT the minutes from a Finance Committee meeting held on 12 December 2022 (appendix 6b)

## 7. Disclosure of Pecuniary Interests, Bias, and Pre-determination

In accordance with Section 29 of the Localism Act 2011 Members are personally responsible for deciding whether they should disclose an interest at this meeting. Where a matter arises at a meeting which directly relates to a Member's Disclosable Pecuniary Interests they must disclose the interest, not participate in any discussion nor vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest,' Members do not have to disclose the nature of the interest, just that they have an interest. (Please refer to Appendix B in the Council's Code of Conduct).

Members are 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.

## 8. Dispensations

To consider and approve any requests for dispensations

## 9. Declaration of Acceptance of Gifts and Hospitality

To receive any declarations of acceptance of gifts and hospitality

## 10. Planning Matters

### a) Planning Decisions

To NOTE the following:

Planning Application Details	Planning Proposals
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

To CONSIDER the following planning applications

Planning Application Details	Planning Proposals
23/00301/FUL 1 Sycamore Fields, Maesbury Marsh, Oswestry, Shropshire, SY10 8RE	Erection of a two storey side and single storey rear extensions
23/00503/FUL Bwlchgywynt, Wern Y Wiel, Treflach, Oswestry, Shropshire.	Demolition of a barn / storage shed to be replaced by stables and storage.

**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.

## 11. Clerk's Report

To receive and NOTE a report from the Clerk (appendix 11)

## **12. Financial Matters**

To CONSIDER and APPROVE:

- a) Income and expenditure for January 2023 and Forecasted Outturn Position 2022/23 (appendix 12a)
- b) Bank reconciliation to 31 January 2022 (appendix 12b)
- c) Payments for February 2023 (to follow)
- d) Change of correspondence form for The Public Sector Deposit Fund Account

## **13. Grant Applications**

- a) To CONSIDER a grant application from Shropshire Union Canal Society in support of towpath improvements to the Montgomery Canal at Crickheath (request £3,276.60)

## **14. Finance Committee**

- a) To approve Terms of Reference of the Finance Committee (Cllr John Davies)

## **15. Leisure Centre Charges**

- a) To receive an update on over 60's pricing and agree any actions (Cllr Roger Jones)

## **16. Road Safety Working Group**

- a) To receive the report from Cllr Martin Bennett on behalf of the Road Safety Working Group and CONSIDER and APPROVE 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.

## **17. Environmental Working Group**

- a) To receive an update from the Environmental Working Group and APPROVE any recommended action ( Cllr Iain Campbell)

## **18. Cemetery Working Group**

- a) To receive an update from the Cemetery Working group and APPROVE any actions (Cllr Mike Weston)

## **19. Trefarclawdd Farm**

- a) To CONSIDER the response from Tracy Darke, Assistant Director Economy and Place, Shropshire following concerns raised in the letter of 19 December 2022 to Cllr Lesley Picton
- b) To REVIEW the latest position with Trefarclawdd Farm and CONSIDER plan of action
- c) To APPROVE letter to Mr Corbett concerning grass verge damage
- d) To receive an update on light pollution issues (Cllr Roger Jones)

## **20. Communication**

- a) To CONSIDER and APPROVE the views of members on Parish newsletters for all wards and agree any actions (Cllr Martin Bennett)
- b) To CONSIDER concerns raised by resident on a development at Croeswyn Lane

## **21. Consultation**

None

## **22. Correspondence**

- a) To CONSIDER concerns raised by resident on a development at Croeswyn Lane

## **23. Permanent Christmas Trees – Trefonen**

- a) To receive an update following the meeting between three interest groups for a permanent Christmas Tree in Trefonen Village (Cllr Chris Woods)

## **21. Date for Next Meeting**

To NOTE that the next meeting will take place on **Thursday 30 March 2023** 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.**

## **24. Staffing**

- a) Update from the Personnel Committee regarding the work of the Clerk, support and payments in respect of additional hours, TOIL, cemetery duties and CILCA (Cllr Peter Richardson)

## **25. Morda and Sweeney Village Hall**

- a) To receive an update from the working group regarding notification from the Trustees in respect of the Village Hall, its buildings and its associated land being vested with HM Official Custodian, (Charity Commission), and ORPC no longer being the Custodian Trustee of the Hall.
- b) To receive an update regarding the response from Lanyon Bowdler Solicitors

## **26. Formal Complaint – Personal Data Breach**

- a) To receive an update relating to a Personal Data Breach and the actions taken (The Clerk)
- b) To CONSIDER and APPROVE draft complaint response

## **27. Possible Land Transfer**

- a) To consider the feasibility of land transfers in the Parish to assist Shropshire Council.

## **28. Quotes of repair of Gate at Trefonen Cemetery**

- a) To CONSIDER and APPROVE quotes for the repair of the gate at Trefonen Cemetery (To follow)

## **29. Kings Commemorative Gifts**

- a) To CONSIDER Kings Commemorative Gift options for School Pupils (Quotes to follow)

## **30. Planning Enforcement**

To NOTE planning enforcement notifications received (Clerk to report)

Draft 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 wished to thank 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**:

Planning Application Details	Planning Proposals
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 Llyncllys 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 course 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 zero.

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: \_\_\_\_\_

Minutes

of Finance Committee meeting

held at 10.30 am on Monday 12 December 2022 via zoom

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**Present:**

Cllr. John Davies, Cllr. Martin Bennett, Cllr. Bob Kimber, Cllr. Peter Richardson

**Clerk to the Council:**

Kathryn Lloyd

**In attendance:**

No member of the public

**1 Appointment of Chairman**

Members discussed the role of Chairman and agreed to appoint Cllr John Davies. Members also agreed to appoint Cllr Peter Richardson as Vice Chairman. **It was PROPOSED, SECONDED and AGREED to appoint Cllr John Davies to the role of Chairman and Peter Richardson to the role of Vice Chairman of the Finance Committee.**

**2 Terms of Reference**

The Clerk provided members with a draft example of Terms of Reference (TOR) to provide an idea of the areas the committee may wish to take responsibility. The Clerk confirmed there were a number of aspects the Committee had no authority for such as budget setting. The Clerk confirmed the Finance Committee was a delegated responsibility under the LGA 1972 Section 101. The Clerk suggested using the same format for the TOR as those of the other Committees and working groups of the Parish Council. Members **AGREED** to review the TOR, determine the objectives of the Finance Committee, and update the TOR at the next meeting. This document will be reviewed in conjunction with the Finance Regulations and Standing Orders. Agreed TOR will be presented to Full Council for approval.

**3 Scheme of Delegation**

The Clerk advised members that a Scheme of Delegation (SOD) was a useful document but not a legal requirement. The document sets out levels of authority and approval limits. The Clerk **AGREED** to draft a SOD for review by the Finance Committee. Any SOD limits and approvals will have to be incorporated / update within the Financial Regulations.

**4 External Auditors Report 2021/22**

Members reviewed the external auditors final report for the Annual Governance and Accounting Statement (AGAR) for 2021/22. The Clerk confirmed that the Accounting Statement had been restated and approved by Full Council on 27 September 2022 and agreed by the external auditors.

The Clerk explained that Sections 1 and 2 of the Annual Governance and Accountability Return (AGAR), in the external auditor's opinion had been in accordance with proper practices and no other matters came to their attention giving cause for concern that relevant legislation and regulatory requirements had not been met. However, the external auditors wished to draw attend to a number of issues not affecting their opinion follows:

1.
  - The Council disclosed it made a proper provision during the year 2021/22 for the exercise of public rights, by answering 'Yes' to Section 1, Assertion 4. However, as reported in the previous year, the Council failed to do this and should have answered 'No' to this assertion. It has also disclosed that it took appropriate action on all matters raised in reports from internal and external audit, by answering 'Yes' to Section 1, Assertion 7, which, on the basis of this is not correct.
  - The smaller authority should ensure that it has regard to the level of reserves held when considering future precept requests. Any earmarked reserves should be considered and formally approved by the smaller authority.
  - The smaller authority has not provided an adequate explanation for the variance between the prior and current year values in Box 2 of Section
2.
  - The AGAR was not accurately completed before submission for review. The AGAR had to be returned for amendment.

The Clerk advised members that at 31 March 2022 total reserves held totalled £253k of which £104k were unallocated. Unallocated funds represented more than twice the level of precept level requested in 2021/22. The Clerk advised that whilst there is no upper or lower limits in the value of reserves being held, guidance recommends between three to eight months of the operational costs, depending upon the size of the organisation and whether there are any plans for capital expenditure requiring significant funding. This is to ensure Councils use the precept in year and do not hold excessive funds. The Parish Council should demonstrate it has a plan for utilising funds and the requirements of raising the precept.

There was a brief discussion on the funds set aside for the traffic calming measures at Coed y Go. Members wished to have assurances from Shropshire Council that where funds are sent the works will be completed by 31 March 2023.

The Clerk advised members that despite providing numerous reasons for the variance between prior and current year values in Box 2 of Section 3 the external auditors had not accept these.

Members **AGREED** the following:

- a) Will ensure the exercise of Public Rights for the 2022/23 AGAR meets the statutory legal required number of days
- b) The earmarked reserves will be reviewed and considered when preparing future precept requests as part of the budget setting process (item 8).

Members **AGREED** for a formal response to be drafted by the Clerk to acknowledge the issues raised by the external auditors and to advise the action being undertaken by the Parish Council to address these. A draft response will be reviewed by The Finance Committee at the next meeting before being approved by Full Council.

## **5 Outturns Position 2022/23**

The Clerk asked members to review the outturn position for 2022/23 and stated this required input from the Finance Committee. The Clerk expects the final outturn position to result in a considerably higher level of reserve due to a significant number of spending plans / project unlikely to be achieved by 31 March 2023. This includes projects such as playground improvements, cycling / walking facilities, green space. Members agreed to review the financial forecasts to ensure they were more realistic. The Strategic Plan requires a review.

Members discussed communication within the Parish Council as a potential project and the Clerk suggested a newsletter for the whole Parish as a way of reaching out to the community. Members discussed the various forms of communication from Trefonen church magazine, redundant facebook page and the website. Members **AGREED** for an item to be placed on the next agenda for a possible working group.

## **6 Community Infrastructure Levy Funding (CIL)**

The Clerk advised members that a review of the Community Infrastructure Levy Funding is required to assess funds received, expenditure incurred and balance to date. The Clerk requested deferring this item until the next meeting to allow a review. Members **AGREED** for this to be deferred until the next meeting.



## **7 Earmarked Reserves**

Members agreed that the earmarked reserves should be reviewed in line with the Strategic Plan.

## **8 Budget Setting**

Members agreed for this item to be deferred until the information regarding the precept information had been received from Shropshire Council. The budget information / level of precept will require input from the Finance Committee.

## **9. Bank Arrangements**

The Clerk advised members of the issues she had experienced with HSBC bank. Members discussed this and agreed that once all the signatory issues had been resolved, The Council will consider moving to a more up to date, modern bank with effective online banking arrangements.

Members consider the issues with Unity Bank and The Clerk suggested reviewing the levels of access. The Clerk also advised members that reminder username and ID had been requested for Cllr John Davies. The Clerk advised members of the issues with the financial limits on HSBC and Unity Bank and having to split the payment of an invoice to allow the supplier to be paid. The payment of the invoice for Shropshire Council will result in four transactions unless the limits are increased. The Clerk recommended higher financial approval limits which would have to be reflected in the financial regulations and SOD. The Clerk will forward details of the current levels of approve and financial limits.

## **9. Next Meeting**

Members **AGREED** to a provisional date of 19 January 2023 at 10.30 am.