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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 **27 January** 2022 and Members are hereby summoned to attend for the purpose of transacting the following business.

Signed:
Sharon Clayton MPA, BA (Hons), FSLCC
Clerk

Date of issue: 20 January 2022

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

3. Public Participation

In accordance with Standing Order 3(e) members of the public may make representations, answer questions and give evidence in respect of the business on the agenda

4. Police Report

To receive a report from:

- a) The North Shropshire and Oswestry Safer Neighbourhood Team
- b) Minutes from a Local Policing Charter Meeting

5. Minutes

To CONSIDER and APPROVE the minutes from a Parish Council meeting held on 23 November 2021 (appendix 5)

6. 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 or not 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 considered to be pre-determined.

7. Dispensations

To consider and approve any requests for dispensations

8. Declaration of Acceptance of Gifts and Hospitality

To receive any declarations of acceptance of gifts and hospitality

9. Planning Matters

a) Planning Decisions

To NOTE the following:

Planning Application Details	Planning Proposals
20/03144/FUL Mill Farm, Croesau Bach	Renovation and partial re-build of attached outbuilding to form an extension to the house together with a rear first floor extension and ground floor front extension Permission GRANTED 10 January 2022 <i>The parish council supported this application</i>
20/05103/CPE Tramway Farm, Crickheath	Certificate of Lawful Existing Use or Development concerning the permanent residential use of a static unit in breach of Condition 1 of permission OS/15931/FUL (siting of mobile home) Certificate - Lawful 4 January 2021
21/00442/FUL Land to the north of Weston Road, Morda	Erection of 20 affordable dwellings with associated roads and formation of vehicle access Permission GRANTED 10 December 2021 <i>The parish council objected to this application</i>
21/03902/FUL Keepers Cottage, Candy, Oswestry	Erection of first floor rear extension Permission REFUSED <i>The parish council supported this application</i>
21/04109/FUL St Mary's, Sweeney	Erection of a single storey extension following demolition of garage, replace roof with additional room in roof accommodation Permission GRANTED <i>The parish council supported this application</i>
21/04986/FUL Willow Cottage, Sandrock Lane, Trefonen	Erection of two storey extension and new entrance, demolition of existing porches Permission GRANTED <i>The parish council supported this application</i>
21/05077/FUL The Fields Barn, Maesbury Marsh	Erection of single storey extension to the rear (west) elevation to accommodate a swim spa, family utility rooms and a plant room to accommodate a thermal store heating system Permission REFUSED <i>The parish council supported this application</i>
21/05184/TPO Cambrian House, Nantmawr	To fell and replace one Horse Chestnut tree protected by The Council of the Borough of Oswestry (Cambrian House, Nantmawr) TPO 1969 Permission GRANTED 10 January 2022 <i>The parish council objected to this application</i>
21/05188/TPO Land to the north of Glentworth Drive, Morda	Cut back branches overhanging neighbouring property by approx. 1m of one Lime tree protected by the Shropshire Council (Land at Glentworth Avenue, Morda) Tree Preservation 2013 (Ref: SC/00163/13) Permission GRANTED 21 December 2021 <i>The parish council did not comment as it is the applicant</i>
21/05325/CPE Bank House, Craig-Llwyn, Trefonen	Application for Lawful Development certificate for the erection of a 1.3m ² porch and 3.7m ² veranda Certificate – Lawful 21 December 2021

Planning Application Details	Planning Proposals
20/03144/FUL Mill Farm, Croesau Bach	Renovation and partial re-build of attached outbuilding to form an extension to the house together with a rear first floor extension and ground floor front extension Permission GRANTED 10 January 2022 <i>The parish council supported this application</i>
20/05103/CPE Tramway Farm, Crickheath	Certificate of Lawful Existing Use or Development concerning the permanent residential use of a static unit in breach of Condition 1 of permission OS/15931/FUL (siting of mobile home) Certificate - Lawful 4 January 2021
21/00442/FUL Land to the north of Weston Road, Morda	Erection of 20 affordable dwellings with associated roads and formation of vehicle access Permission GRANTED 10 December 2021 <i>The parish council objected to this application</i>
21/04915/FUL 5 Marshfields, Maesbury Marsh	Erection of two-storey side extension Permission GRANTED 22 December 2021 <i>The parish council supported this application</i>
21/05450/FUL Tan-Y-Coed-Y-Gaer, Llansilin	Erection of a fodder and machinery building Permission GRANTED 10 January 2022 <i>The parish council did not meet in December and did not agree a comment</i>

b) Planning Applications

To CONSIDER and APPROVE a response to the following:

Planning Application Details	Planning Proposals
21/03584/REM Land south of Middleton Road, Oswestry	Approval of reserved matters (appearance, landscaping, layout and scale) pursuant to application ref: 17/06025/OUT
21/05442/VAR White House, Crickheath	Variation of Condition 2 (approved plans) of planning permission 15/02392/FUL for the erection of one affordable dwelling and detached garage with plant and wet room
21/05450/FUL Tan-Y-Coed-Y-Gaer, Llansilin	Erection of a fodder and machinery building Permission GRANTED see above
21/05758/FUL Unit MO12, Mile Oak Industrial Estate, Oswestry	Erection of commercial building and all associated works (re-submission)
21/05816/FUL Bromwich Park, Maesbury Marsh	Change of Use from agricultural building and land for wedding ceremonies
21/05983/FUL Trenant Chapel, Chapel Lane, Trefonen	Demolition of existing dining room and kitchen structure and erection of new rear extension with roof extending over patio. Demolish and re-position retaining wall in garden and various internal alterations
22/00122/HHE Llysways, Gwern-y- Brenin	Erection of a single storey rear extension to semi-detached dwelling, dimensions 4.80m beyond the rear wall, 3.40 maximum height and 3.40m high to the eaves

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.

10. Clerk's Report

To receive and NOTE a report from the Clerk (appendix 10)

11. Councillor Reports

To receive reports/updates from

- a) Shropshire Councillor Joyce Barrow
- b) Parish Councillors

12. Financial Matters

To CONSIDER and APPROVE:

- a) Income and expenditure to end of December 2021 (appendix 12a)
- b) Bank reconciliations up to December 2021 (appendix 12b)
- c) Payments for December 2021 (retrospectively) and January 2022 (information to follow)
- d) Virement of funds (appendix 12d)
- e) Review of cemetery fees (appendix 12e)

13. 2022/2023 Budget/Precept/Reserves

To CONSIDER and APPROVE the budget, precept and allocated reserves for 2022/2023 (appendix 13)

14. Grants

- a) To CONSIDER and APPROVE a grant award to Morton Playing Field Committee (appendix 14a)
- b) To NOTE thanks from Qube for a grant award of £500

15. Civility and Respect

To CONSIDER and APPROVE a civility and respect statement for inclusion on the Parish Council's website (appendix 15)

16. Virtual and Hybrid Council Meetings

To CONSIDER and APPROVE writing to the local MP seeking support for legislation enabling the use of virtual and hybrid council meetings

17. Policy Review

To CONSIDER and APPROVE revisions to the following:

- a) Cemetery Rules and Regulations (appendix 17a)
- b) Community Grant Policy (appendix 17b)
- c) Remote Meetings Policy (appendix 17c)

18. Trefonen Village Hall

To CONSIDER and APPROVE a parish council representative on the Trefonen Village Hall Management Committee

19. Road Safety

- a) To CONSIDER and APPROVE the allocation of funds for the purchase of two VAS to be installed in Treflach (Cllr. John Davies)
- b) To NOTE the traffic data results from Coed-Y-Go (sent via email 13 January 2022)

20. Improvements to Post Box Area at Morton

To CONSIDER and APPROVE the installation of slabs and refurbishment to the pole at the post box area in Morton (appendix 20)

21. Memorial Tree

To CONSIDER and APPROVE a request for a memorial tree to be planted in Trefarclawdd cemetery

22. Consultation

To retrospectively APPROVE the parish council's response to Consultation on Amendments to the Environmental Permitting (England and Wales) Regulations 2016 (appendix 22)

23. Date for Next Meeting

To NOTE that the next meeting will place on Thursday 24 February 2022 at Trefonen Village Hall

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. Maesbury War Memorial

To CONSIDER and APPROVE a quote and tender matrix for work to be carried out on Maesbury War Memorial (appendix 24)

25. Tree Pruning

To CONSIDER and APPROVE a quote for the tree at Glentworth Green to be pruned (appendix 25)

26. VAS

To CONSIDER and APPROVE a quote for the installation of VAS in Maesbury and Treflach (appendix 26)

27. Planning Enforcement

To NOTE any planning enforcement notifications received

Minutes of a Parish Council meeting

held at 7 pm on Tuesday 23 November 2021 at Morda and Sweeney Village Hall

Present:

Chairman: Cllr. Paul Milner, Cllr. Martin Bennett, Cllr. Iain Campbell, Cllr. John Davies, Cllr. Peter Davies, Cllr. Martin Jones, Cllr. Roger Jones, Cllr. Peter Richardson, Cllr. Steve Watts, Cllr. Mike Weston, Cllr. Chris Woods.

Clerk to the Council:

Sharon Clayton

In attendance:

Approximately 4 members of the public.
A volunteer from Qube.

1193 Chairman's Welcome

The Chairman welcomed everyone to the meeting.

1194 Apologies for Absence

Apologies were received from Cllr. Jas Singh who had a family commitment and Cllr. Robert Milton who was not well.

These apologies were ACCEPTED.

Cllr. Les Maguire and Cllr. Bob Kimber were absent.

Apologies were also received from Shropshire Councillor Joyce Barrow.

1195 Public Participation

The Chairman invited Paul, a volunteer from Qube, to inform Members about Qube's activities. Qube was set up by volunteers to provide food for the most vulnerable in our communities, including disabled and elderly people. They collect surplus food from local supermarkets, some is turned into hot meals and distributed to those in need. They requested a grant of £500 from the Parish Council to help secure the continuation of the service.

One member of the public asked why The Terraces was included on the agenda in private session. The Clerk explained that the Council would be discussing the legal implications but the Council's decision would be minuted for public information.

1196 Police Report

The police were not present and there was no report.

NOTED.

1197 Minutes

The minutes of a Parish Council meeting held on 26 October 2021 were considered for approval. It was **PROPOSED, SECONDED and RESOLVED that the minutes be APPROVED and ADOPTED as a true record.**

1198 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.

It was PROPOSED, SECONDED and RESOLVED to ask Graham White whether the above paragraph is acceptable, especially with reference to leaving the room during the discussion.

1199 Dispensations

None requested.

1200 Declaration of Acceptance of Gifts and Hospitality

None declared.

1201 Planning Matters**a) Planning Decisions**

The following planning decisions were **NOTED**.

Planning Application Details	Planning Proposals
21/03324/FUL The Engine House, Nantmawr	Change of Use of holiday let to residential dwelling and associated works Permission GRANTED 17 November 2021 <i>The Parish Council supported this application</i>
21/03571/FUL 14 Brooklea Close, Trefonen	Erection of a single storey extension to rear elevation to create living space, which will then allow a downstairs bedroom and shower room to be installed at the front of the property for a disabled person Permission GRANTED 8 November 2021 <i>The Parish Council supported this application</i>
21/04277/VAR Proposed development at land off Mile End roundabout, Oswestry	Variation of Condition No. 7 (ecology) attached to planning permission 20/04145/FUL dated 12 October 2020 Permission GRANTED 22 September 2021 <i>The Parish Council had no objection to this application</i>
21/04624/FUL Laburnum Cottage, Gwern-y-Brenin	Erection of a single storey extension Permission GRANTED 17 November 2021 <i>The Parish Council supported this application</i>

b) Planning Applications

The following planning applications were considered:

Planning Application Details	Planning Proposals
21/04915/FUL 5 Marshfields, Maesbury Marsh	Erection of two storey side extension. It was PROPOSED, SECONDED and AGREED to support.
21/04986/FUL Willow Cottage, Sandrock Lane, Trefonen	Erection of two storey extension and new entrance, demolition of existing porches. It was PROPOSED, SECONDED and AGREED to support.
21/05028/FUL 2 Plas Pentre, Cefn Court, Craig-Llwyn, Trefonen	Conversion of existing garage into a holiday let accommodation. It was PROPOSED, SECONDED and AGREED no objection subject to the garage not being changed to residential in the future.
21/05077/FUL The Fields Barn, Maesbury Marsh, Oswestry	Erection of single storey extension to the rear (west) elevation to accommodate a swim spa, family and utility rooms and a plant room to accommodate a thermal store heating system. It was PROPOSED, SECONDED and AGREED to support.
21/05184/TPO Cambrian House, Nantmawr	To fell and replace one Horse Chestnut tree protected by The Council of the Borough of Oswestry (Cambrian House, Nantmawr) TPO 1969. It was PROPOSED, SECONDED and AGREED to object to the application as stated without justification from Shropshire Council's arboricultural officer and, if the officer did support the felling as opposed to trimming, the Parish Council does not consider an Ash tree to be a suitable substitute.

Planning Application Details	Planning Proposals
21/05188/TPO Land to the north of Glentworth Drive, Morda	Cut back branches overhanging neighbouring property by approx. 1m of one Lime tree protected by the Shropshire Council (Land at Glentworth Avenue, Morda) Tree Preservation 2013 (Ref: SC/00163/13). It was PROPOSED, SECONDED and AGREED no observation.
21/05222/EIA Lafarge Aggregates Ltd., Llyncllys Quarry Llyncllys	Periodic Review of Old Mineral Permissions Under Schedule 14 of The Environmental Act 1995 – the winning and working of limestone, processing and restoration to agriculture/amenity. It was PROPOSED, SECONDED and AGREED to NOTE.
21/05225/FUL Kittitoe, Maesbury Road, Maesbury	Remove existing mono pitched structure, garage and log store and erection of replacement single storey flat roof extension and open sided covered area. It was PROPOSED, SECONDED and AGREED to support.
21/05274/AGR High Fawr Farm, Llanforda, Oswestry	Steel portal framed agricultural building for the housing of livestock. It was PROPOSED, SECONDED and AGREED to support.
21/05325/CPE Bank House, Craig- Llwyn, Trefonen	Application for Lawful Development Certificate for the erection of a 1.3m ² porch and 3.7m ² veranda. It was PROPOSED, SECONDED and AGREED to support.

1202 Clerk's Report

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

The Clerk informed Members that training on the Code of Conduct was being arranged via Zoom.

It was PROPOSED, SECONDED and AGREED that training should be arranged to take place in January 2022.

1203 Councillor Reports

a) Cllr. Joyce Barrow was not present but provided the following written report:

- Shropshire Council had committed to achieving carbon net zero by 2030. Some of the measures include switching all corporate power consumption to identifiable renewable sources. There was an ongoing programme of improvements to its buildings to install additional insulation, together with low carbon heating, lighting and solar power generation, currently valued at around £1.1 million and saving around 210 tonnes of carbon per year. The Council was the first UK local authority delivering the first carbon neutral road surfacing programme saving over 280 tonnes of carbon. It was supporting Shropshire residents to make the transition to electric vehicles as one of just four UK areas to trial world leading 'agile streets' on street smart EV charging and installing an initial 50 new charge points in market towns. The council had adopted an objective of becoming energy self-sufficient by 2030 and would develop a new 1MW solar farm on the former Maesbury Road landfill site in Oswestry to supply power to local businesses and there was potential for this project to expand up to 2MW. The Council is working with local electricity companies to screen its own property portfolio to identify other opportunities to generate power, either for its own use or to supply other public sector organisations and local business. The Council was supporting widespread-tree planting by making available 30,000 trees per year, free of charge.
- Waste and recycling - Along with its partner (Veolia) the Council had continued to maintain high levels of recycling. During the period 2020/2021 the total waste processed was 172,186 tonnes.
- A third bin collection for mixed recycling had proved popular with residents and would be proposed at full council in January 2022. The forthcoming by-election had caused a delay for the December full Council meeting. Once the proposal was passed communications would initiate the request procedure and the initial order placed. The roll-out would begin in March/April 2022 and was likely to take up to 3 months to complete.
- Electric vehicle chargers - The installation of 50 x electric vehicle chargers had started. All should be installed by the end of November, and operational by 6 December and would be on Oak Street Car Park.
- Shropshire Council had received £2 million funding from the government to support vulnerable people and families this winter.
- Work on a major scheme to re-develop the Mile End roundabout in Oswestry was progressing well although overnight closures remained in place.

NOTED.

b) There were no reports from councillors.

1204 Financial Matters

a) Income and Expenditure

Members considered for approval income and expenditure for October 2021 and from 1 April to 31 October 2021.

It was **PROPOSED, SECONDED and AGREED** that:

- Income of £497.73 and expenditure of £3,433.22 for October 2021 be **APPROVED**.
- Income received to date of £84,126.09 and gross expenditure of £27,000.63 be **APPROVED**.

b) Bank Reconciliations

Members considered for approval bank reconciliations for October 2021.

It was **PROPOSED, SECONDED and AGREED** that bank reconciliations totalling £260,898.66 for October 2021 be **APPROVED**.

c) Payments for November 2021

Members considered for approval payments for November 2021.

It was **PROPOSED, SECONDED and AGREED** that the following payments for November 2021 be **APPROVED**.

PAYEE	DESCRIPTION	AMOUNT £
Viking	Stationery	103.25
Mark Evans	Bus shelter cleaning	60.00
SALC	Councillor training	10.00
HMRC	PAYE/NI	190.35
Sharon Clayton	Clerk's expenses and reimbursements	1080.38
EE	WiFi mini monthly plan	15.00
Colin Turner	Bus shelter cleaning	25.00
A G Royce	Grounds maintenance	725.00
	TOTAL	2208.98

1205 Allocation of Funds

Members considered for approval the allocation of reserves in accordance with the Council's recently approved Strategic Plan.

It was **PROPOSED, SECONDED and AGREED** that the allocated reserves be **APPROVED** as follows:

BUDGET HEADING	Neighbourhood Funds £	Allocated Reserves £
Strategic Plan Projects		
Traffic calming	24000	
Litter picking equipment		100
Hanging baskets		1000
Play improvements	10000	
Cycling and walking facilities	10000	
Cycling and walking promotion		5000
Dog waste/litter bins	3000	
VAS - Maesbury	7500	
Promote meeting facilities		2000
Green spaces and infrastructure	5000	
TOTAL	59500	8100

1206 Grant Awards

Members considered for approval a request from Qube for a grant of £500.

It was **PROPOSED, SECONDED and AGREED** that £500 be awarded and that, should they wish to make a further application, a supplementary grant may be considered at a later date if their target was not achieved.

1207 Road Safety

- a) Members received an update from the Road Safety Working Group. The traffic counter had been installed at Coed-Y-Go the week before the school half-term and the data was awaited.

NOTED.

- b) Cllr. John Davies asked for funding to be allocated for the installation of VAS in Treflach. A petition had been signed by several local residents who were concerned about speeding traffic. Cllr. Davies had liaised with Shropshire Council who had visited Treflach and identified suitable sites where VAS could be installed. Cllr. Davies asked that suitable quotes be sought, and funds set aside for the purchase of 2 VAS.

It was PROPOSED, SECONDED and AGREED that funds for the purchase of 2 VAS to be installed at Treflach be APPROVED in principle subject to estimates on cost of provision and most appropriate type.

- c) Cllr. Robert Milton was not present to discuss the purchase of a traffic counter.
- d) Cllr. Robert Milton was not present to discuss the appointment of traffic officers.

It was PROPOSED, SECONDED and AGREED that the Road Safety Working Group should meet to discuss road safety issues and report back to the Parish Council once a meeting had taken place.

1208 Boundary Review

Cllr. Martin Jones informed Members about the disparity of parish councillors in Oswestry Rural in comparison to parish councillors in Oswestry. The average number of electors represented by each councillor in Oswestry Rural was 250 whereas each councillor in Oswestry represented an average of 736. Cllr. Bennett proposed that the Parish Council should make its views known to the Boundary Commission before it came up with its own solution for any boundary changes.

It was PROPOSED, SECONDED and AGREED that:

- a) **The Parish Council should work with other parish councils with similarities in character to Oswestry Rural and present their views to the Boundary Commission.**
- b) **The Clerk would contact SALC to ask for its assistance to enable the Parish Council to discuss boundary changes with similar rural parishes.**
- c) **Cllr. Martin Bennett would ask for the boundary review to be included on the agenda for the next Oswestry Area Committee meeting.**

1209 Neighbourhood Watch

Cllr. Roger Jones informed Members that he was co-ordinating the establishment of a Neighbourhood Watch Scheme in Coed-Y-Go and offered to help set up schemes in other areas within the parish.

It was PROPOSED, SECONDED and AGREED that details about the Neighbourhood Watch Scheme would be put on the Parish Council's website.

1210 Drainage

As Cllr. Roger Jones gave an update on drainage issues in Coed-Y-Go due to flooding and activity at Trefarclawdd farm. The attenuation ponds seemed to be working as intended thanks to WSP, Shropshire Council's engineering consultants, and their recommendations had been implemented by the 'farm'. However, certain activities at the farm still needed planning approval and Shropshire Council was arranging a meeting to discuss this. A resolution for the disposal of foul water waste and water usage and its impact on the local community and environment had yet to be resolved. Cllr. Jones believed that this issue could not be resolved without a full environmental impact assessment and a resolution was being sought by Shropshire Council. Questions regarding slurry/manure holding and disposal had still to be addressed in terms of the impact and risks on the local community, the environment and climate.

NOTED.

1211 Car Park at Trefarclawdd Cemetery

Members considered for approval the provision of parking for visitors and funerals at Trefarclawdd cemetery. Planning permission had been granted in April 2013, but the car park had not been installed and further planning permission would need to be sought. It had also been agreed that stock fencing should be installed around the perimeter and Yareal had offered to assist with this.

It was PROPOSED, SECONDED and AGREED that:

- a) **A Working Group should be established to make recommendations for parking provision and perimeter fencing.**
- b) **Working Group members would be Cllrs. Steve Watts, Chris Woods, Mike Weston and Roger Jones.**

1212 The Terraces

Cllr. Martin Bennett informed Members that he was awaiting a response from Shropshire Council concerning land at The Terraces. He said that the Parish Council's solicitor could not act for the Council due to an interest and an alternative solicitor would need to be found.

NOTED.

1213 Consultation

Members considered whether to respond to consultation on Amendments to the Environmental Permitting (England and Wales) Regulations 2016 as applied to Groundwater Activities and related Surface Water Discharge Activities.

It was PROPOSED, SECONDED and AGREED that:

- **DEFRA be asked to defer the consultation.**
- **The Parish Council's agreed response be forwarded to NALC.**
- **The Parish Council's response to DEFRA should be considered further at the next meeting.**

1214 Date for Next Meeting

It was **PROPOSED, SECONDED and AGREED that the next meeting would take place on Tuesday 14 December 2021 at Morda and Sweeney Village Hall** and not on 16 December as previously agreed due to Trefonen Village Hall being needed for a bye-election.

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.

1215 Notice Boards Maintenance

Members considered for approval a quote for the maintenance of all Parish Council notice boards.

It was PROPOSED, SECONDED and AGREED that Colin Turner should maintain all notice boards at a cost of £400.

1216 The Terraces

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.**

Cllr. Martin Jones left at this point in the meeting.

Cllr. Martin Bennett briefed Members on alternative use of land at The Terraces.

It was PROPOSED, SECONDED and AGREED that:

- a) **The District Valuer should be asked to provide costs for valuing the land as a community amenity.**
- b) **The matter would be discussed further at the next meeting.**

1217 Groundwater Survey at Trefarclawdd Cemetery

Members considered for approval whether to undertake a groundwater survey at Trefarclawdd cemetery for which two quotes had been received.

It was PROPOSED, SECONDED and AGREED to defer consideration to a future meeting pending recommendations from the Cemetery Working Group.

1218 Planning Enforcement

There were no planning enforcement cases.

The Chairman thanked everyone for their attendance and closed the meeting at 21:09.

Signed: _____
Chairman

Date: _____

TITLE OF REPORT:	Declaring Interests
REPORT BY:	Clerk - Sharon Clayton
BACKGROUND:	<p>At each parish council meeting members are required to declare a disclosable pecuniary interest in a matter to be discussed and which is not included in the Register of Interests. Members should 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.</p> <p>The Council's Standing Orders state:</p> <p>b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.</p> <p>c Unless he has been granted a dispensation by the council, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has declared a bias or predetermination. He may return to the meeting after it has considered the matter in which he had declared a bias or predetermination.</p> <p>The Council's DPI Dispensation Procedure states: <i>"Under the Localism Act 2011("the Act"), a member who has a Disclosable Pecuniary Interest in a matter which is under consideration, may not participate in the consideration of that matter unless he/she has first obtained a dispensation from the 'relevant authority'. Town/Parish Councils are defined as a 'relevant authority' under the Act, they are responsible for determining requests for a dispensation by a Town/Parish Councillor under Section 33."</i></p> <p>A dispensation may allow a councillor to participate in any discussion and or vote on a matter at the meeting. Any councillor wishing to request a dispensation should complete the standard request form and send it to the Clerk before the meeting so that the council can decide whether to grant a dispensation at the meeting in question. If a dispensation is granted the councillor may remain in the room during the discussion.</p> <p>Councillors should also refrain from participating in discussions in which they have a bias. This could lead them to make a decision that is already pre-determined because they have a closed mind. Evidence of pre-determination by one or more councillors when reaching a council decision could be subject to a successful Judicial Review.</p> <p>At a Code of Conduct training Zoom meeting held on 12 January 2022 members considered pecuniary interests where examples were discussed.</p>
ISSUES:	<p>Some councillors are not sure whether they should participate in discussions and whether their interest is pecuniary.</p> <p>Some pecuniary interests may only apply to a specific agenda item (Localism Act 2011, S31(2)).</p>
LEGAL OBLIGATIONS:	<p>Standing Order 13. Localism Act 2011, Chapter 7, Standards, Sections 28 – 32. It is a criminal offence not to register or disclose a pecuniary interest and to participate in the discussion and or voting on a disclosable pecuniary interest (DPI), Localism Act 2011, Section 34. Localism Act 2011, Section 25, relates to a member with a closed mind when voting.</p> <p>Shropshire Council's solicitor advises that the Code of Conduct, rather than the legislation, requires that members leave the room so, if the Council's Code of Conduct has changed, then the note in the agenda may need to be updated. The agenda has therefore been updated at item 6 to reflect the newly adopted Code of Conduct.</p>

FINANCIAL IMPLICATIONS:	A prosecution for not declaring a DPI can result in a fine of £5,000 and disqualification from being a councillor for five years.
COMMUNITY BENEFIT	The declaration of interests is intended to give the public confidence in the council's decision making and demonstrate that each councillor is acting for the benefit of the community and not for themselves.
RECOMMENDATION:	That members act in accordance with all the advice provided and in accordance with the Council's adopted Code of Conduct 2021. (Please refer to appendix B below.)
DATE OF MEETING AT WHICH THIS WILL BE CONSIDERED:	27 January 2022.

Appendix B – Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"**Disclosable Pecuniary Interest**" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"**Partner**" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest as set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which ***affects*** -
 - a) Your own financial interest or well-being.
 - b) A financial interest or well-being of a relative or close associate; or
 - c) A financial interest or well-being of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

8. Where a matter (referred to in paragraph 8 above) ***affects*** the financial interest or well-being:
 - a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

MONTH	MINUTE NUMBER	RESOLUTION/AGREED ACTION	TASK COMPLETE	COMMENTS
2021				
April	1026	Arrange for commemorative seat and tree at Trefarclawdd cemetery.	Work in progress	
July	1105	Arrange for the transition of the parish council's website and emails to be transferred to a new provider.	Yes	All councillors have been issued with councillor email addresses and new passwords. The new website is now live and is constantly being updated.
August	1119(g)	Open new bank accounts.	Work in progress	United Trust Bank are no longer accepting applications from local authorities.
October	1177(a)	Arrange Code of Conduct training.	Yes	This took place by Zoom at 7 pm on Wednesday 12 January 2022.
	1183	Determine the demand, if any, for allotments.	Work in progress	Posters have been provided for notice boards throughout the parish and included on the website. Only one person has expressed an interest at the time of writing.
November	1198	Ask Graham White to clarify whether it is possible for any Councillor with a pecuniary interest, to take part in any relevant discussion, but then not vote.	Yes	See agenda item 6 and accompanying report for the council meeting on 27 January 2022.
	1208	Ask SALC for its assistance to enable the Parish Council to discuss boundary changes with similar councils.	Yes	SALC have advised that the first option is to discuss the Boundary Review with neighbouring parishes at the Oswestry Area Committee meeting. Shropshire Councillor Cecilia Motley is taking the lead on the Boundary Review and has been invited to attend the next Oswestry Area Committee meeting.
	1209	Upload details of establishing a Neighbourhood Watch Scheme on the Parish Council's website.	Yes	
	1213	Forward the Parish Council's agreed DEFRA response to NALC.	Yes	
	1216	Ask the District Valuer for costs of valuing land as a community amenity.	Yes	The District Valuer is unable to assist at present due to contractual commitments for a number of consultancy programmes.

Expenditure	Budget 2021/2022	Balance	December 2021	Allocated Reserves
General Administration				
Clerk Salary / Employer NI/ Home Working Allowance	£13,112.00	£2,950.95	£10,161.05	
Stationery	£730.00	£373.55	£356.45	
Postage	£403.00	£175.17	£227.83	
Clerk Travel Costs	£310.00	-£153.50	£463.50	
Audit Fee (internal)	£75.00	£10.00	£65.00	
Audit Fee (external)	£300.00	-£100.00	£400.00	
Professional/Legal Fees	£500.00	£100.00	£400.00	£1,000.00
Insurance	£850.00	£23.61	£826.39	
Meeting Room Hire	£300.00	(£131.89)	£431.89	
SALC Subscription	£1,600.00	-£24.23	£1,624.23	
SLCC Subscription	£256.00	£0.00	£256.00	
Data Protection	£35.00	£0.00	£35.00	
Quality Award Scheme	£0.00			
Communication				
Newsletter and Annual Report	£65.00	£65.00		
Website and domain name	£368.00	-£1,089.00	1,457.00	
Notice board maintenance	£300.00	-£721.30	£1,021.30	
Training				
Clerk	£650.00	£335.00	£315.00	
General (Councillor)	£350.00	£300.00	£50.00	£275.00
Elections	£3,430.00	£3,430.00		
Parish Maintenance				
Street Lights - electricity	£960.00	£250.20	£709.80	
Street Lights - repairs	£100.00	£26.25	£73.75	
Street Lights - new	£0.00			£2,000.00
Grounds Maintenance - Cemeteries	£3,450.00	£833.00	£2,617.00	
Grounds Maintenance - Green Spaces	£2,205.00	-£118.00	£2,323.00	
Donation	£550.00	-£0.50	£550.50	
Bus Shelter - cleaning	£1,020.00	£280.00	£740.00	
General Repairs	£1,200.00	£850.00	£350.00	
Other	£0.00	-£473.00	£473.00	
Leisure and Community				
Grants	£3,070.00	£2,550.00	£520.00	
Strategic Plan (VAS)	£0.00	-£3,781.04	£3,781.04	£6,812.00
Morda Village Hall	£0.00			
Tony Cheetham Community Grant Award	£55.00	£55.00		
Contingency	£0.00	£0.00		
AED	£0.00			£400.00
Sub Total	£36,244.00	£6,015.27	£30,228.73	
Neighbourhood Fund Projects				£96,684.00

Allocated reserves				£107,171.00
Unallocated general reserves				£96,663.00
<i>Approved 27 July 2021 [minute no: 1088(d)]</i>			TOTAL	£203,834.00
Total net expenditure	£36,244.00	£6,015.27	£30,228.73	
VAT	0	0	£1,384.88	
Total gross expenditure			£31,613.61	
Income	Budget 2021/2022	Balance	December 2021	
Precept	£35,114.00	£0.00	£35,114.00	
Cemetery Fees	£1,000.00	-£3,062.00	£4,062.00	
Interest	£80.00	£56.73	£23.27	
Donations	£50.00	£50.00		
Grants received	£0.00	-£1,500.00	£1,500.00	
Other	£0.00	-£60.26	£60.26	
Sub total	£36,244.00	-£4,515.53	£40,759.53	
Neighbourhood Fund			£44,330.34	
Total net income	£36,244.00	-£4,515.53	£85,089.87	
VAT refunds			£568.47	
Total income received			£85,658.34	
£150 vired from Cllr. to Clerk training. Minute no: 1119(d) 31.8.21				

Year to date balances:

MONTH	EXPENDITURE	INCOME	BALANCE
	£	£	£
31-Mar-21		B/F	203833.46
2021			
April	-6829.24	36,183.46	233187.68
May	-4350.42	45,255.99	274093.25
June	-3405.11	80.99	270769.13
July	-1995.13	1500.66	270274.66
August	-1164.26	325.60	269436.00
September	-5823.25	281.66	263894.41
October	-3433.22	497.73	260958.92
November	-2708.98	400.58	258650.52
December	-1904.00	1,131.67	257878.19
			over pmt -60.26 credited Oct
			257817.93
2022			
January			257817.93
February			257817.93
March			257817.93
BALANCE	-31613.61	85,658.34	

Bank balance as at 31 December 2021:

Current account 10649120	3046.31
Deposit account 11313924	229486.04
Reserve account 21514768	285.58
PSDF	25000.00
	<u>257817.93</u>

Budget Heading	Budget Heading	Amount Over Budget £	Vire From £	Vire To £	Comments
Clerk's travel costs		90.50			
	Clerk training		164.00		
	Clerk's travel costs			164.00	Based on 3 more meetings and 1 trip to cemetery
External audit fee		100.00			
	Reserves		100.00		
	External audit fee			100.00	
SALC subscription		24.23			
	Newsletter and Annual Report		24.23		
	SALC subscription			24.23	
Website and domain name		1059.00			
	Reserves		1059.00		
	Website and domain name			1059.00	
Notice board maintenance		721.30			
	General repairs		350.00		
	Reserves		371.00		
	Notice board maintenance			721.00	
Other (cemetery bench)		473.00			50% of cost paid
	Reserves		473.00		
	Other (cemetery bench)			473.00	
Stretagic Plan (VAS)		3781.04			
	Reserves		3781.00		
	Strategic Plan (VAS)			3781.00	
	Total	6249.07	6322.23	6322.23	
	To be taken from unallocated reserves		5784.00		



Oswestry Rural Parish Council

12e

Trefarclawdd Cemetery
Fees as from 1 April 2018

Burials	£	£	£	£	£	£
Administration fee for first interment/introduction of casket	150.00					
	Parishioner	Parishioner	Parishioner	Non-parishioner	Non-parishioner	Non-parishioner
	Adult	12 – 18 years	Under 12	Adult	12 – 18 years	Under 12
Interment						
Interment and Exclusive Right of Burial	350.00	180.00	No fee	800.00	800.00	800.00
Subsequent interment (re-opening)	125.00	60.00	No fee	300.00	300.00	300.00
Interment of cremated remains in a grave	100.00	60.00	No fee	300.00	300.00	300.00
Introduction of headstone	100.00	50.00	No fee	175.00	175.00	175.00

Garden of Remembrance (cremated remains)						
Introduction of casket and Exclusive Right of Burial	175.00	100.00	No fee	350.00	350.00	350.00
Subsequent introduction of casket with cremated remains	100.00	75.00	No fee	250.00	250.00	250.00
Introduction of tablet	75.00	50.00	No fee	150.00	150.00	150.00

Parishioner fees apply where the person to be interred was a resident in the parish of Oswestry Rural immediately before their death or within the last three years their last place of private residence was within the parish of Oswestry Rural.

Expenditure	Reserves B/fwd	Budget	Budget	Budget		Reserves
		2020/2021	2021/2022	2022/2023		2022/2023
General Administration						
Clerk Salary / NI/ home working allowance		£12,970	£13,112	£13,972		
Stationery		£700	£730	£730	Main cost is for printer cartridges for printing agendas and supporting documents	
Postage		£360	£403	£403	Cost for 1 agenda up to 1st class up to 250g = £1.83	
Clerk travel costs		£660	£310	£518	Based on 1 journey per month for PC meetings + journeys to cemetery to mark graves	
Audit fee (external)		£300	£300	£300	Income or expenditure between £50001 and £100000 = £300. Between £100001 and £200000 = £400. 2021/2022 audit cost £400.	
Audit fee (internal)		£90	£75	£80		
Professional/Legal Fees	£1,000	£500	£500	£500		£1,000
Insurance		£800	£850	£860		
Meeting room hire		£500	£300	£380		
Zoom annual subscription		£0	£0	£120		
SALC subscription		£1,600	£1,600	£1,670		
SLCC subscription		£246	£256	£270		
Data processing		£35	£35	£35		
Bank charges		£0	£0	£100		
Communication						
Newsletter and Annual Report	£2,000	£500	£65	£30	Newsletters and Annual Report to be published on website and posted on notice boards throughout the parish + a few for local venues.	
Website		£250	£270	£504	Website hosting, maintenance and accessibility	
Website domain name		£0	£98	£49	Renewable every 2 years	
Notice board replacement		£7,125	£0	£0		
Notice board maintenance		£0	£300	£400	Annual varnishing	

Expenditure	Reserves B/Fwd	Budget 2020/2021	Budget 2021/2022	Budget 2022/2023		Reserves 2021/2023
Training						
Clerk		£500	£500	£600	For SLCC conferences and CPD as required.	
Councillor	£275	£400	£500	£200	One SALC training session = £27 per session.	£275
Elections	£3,430	£3,430	£3,430	£0		
Parish Maintenance						
Streetlights - electricity		£960	£960	£1,065		
Streetlights - repairs		£250	£100	£100	£25 for street light repair	
Streetlights - new	£2,000	£0	£0	£0		£2,000
Grounds maintenance - cemeteries		£3,340	£3,450	£3,450		
Grounds maintenance - green spaces		£3,340	£2,205	£2,205		
Grounds maintenance - new green spaces		£1,000	£0	£0		
Morton churchyard		£425	£550	£550		
Bus shelter - cleaning		£650	£1,020	£1,020	6 shelters instead of 3	
General repairs		£200	£1,200	£1,200	£1,000 for Aston Pump refurbishment	
Tree maintenance		£0	£0	£500	Trees at cemeteries	
Litter picking equipment				£0		£100
Hanging baskets				£0		£1,000
Dog waste/litter bins				£0		£3,000
Green spaces and infrastructure				£0		£5,000
Leisure and community development				£0		
Play improvements				£0		£10,000
Cycling and walking facilities				£0		£10,000
Cycling and walking promotion				£0		£5,000
Promotion of meeting facilities		£0	£0	£0	As per Strategic Plan - to improve the range of local facilities with the aim of improving the well-being of parish residents	£2,000

Expenditure	Reserves B/Fwd	Budget	Budget	Budget		Reserves
		2020/2021	2021/2022	2022/2023		2022/2023
Community support						
Grants	£1,000	£3,650	£3,070	£3,020	£3,000 allocated for community development and £20 allocated for poppy wreaths in support of the Royal British Legion	
AED	£400	£0	£0	£0	There are 4 defibrillators in strategic locations within the parish - £100 assigned for each	£400
Highways						
Traffic calming						£24,000
VAS - Maesbury	£6,812	£1,000	£0	£0	VAS	£7,500
Tony Cheetham Community Service Award		£52	£55	£55		
Contingency		£1,000	£0	£1,000		
Total expenditure		£46,833	£36,244	£35,886		
Allocated Neighbourhood Funds	£6,643			£158,184		
Unallocated reserves				£35,875		
Allocated reserves				£9,775		
Total allocated reserves	£23,560			£203,834	General reserve as at 31 March 2021	£71,275
Balances b/f 31 March 2021	£203,834					
Receipts		Budget	Budget	Budget		
		2020/2021	2021/2022	2022/2023		
Precept		£45,583	£35,114	£33,816		
Cemetery fees		£1,000	£1,000	£2,000		
Interest		£200	£80	£20		
Donations		£50	£50	£50	Stonehouse Brewery sponsorship of the Tony Cheetham Community Service Award	
TOTAL INCOME		£46,833	£36,244	£35,886		

		Budget	Budget	Budget	
		2020/2021	2021/2022	2022/2023	
Expenditure		£46,833	£36,244	£35,886	
less Income		-£1,250	-£1,130	-£2,070	
PRECEPT		£45,583	£35,114	£33,816	
Precept 2022/2023	£33,816		£1,298	x 100	
Precept 2021/2022	£35,114		£33,716		
	-£1,298	decrease		3.85	% decrease
Precept 2022/2023	£33,816				
Council tax base Band D equivalent	£1,656.65				
Cost per household	£20.41	pence per week			
Precept 2021/2022	£35,114				
Council tax base Band D equivalent	£1,635.03				
Cost per household 2021/2022	£21.48	pence per week			

BULLYING AND HARASSMENT STATEMENT

As a first step in the promotion of civility and respect, councils may wish to add a statement to their websites stating that bullying, harassment and intimidation will not be tolerated.

This is a suggested wording for those councils wishing to add a bullying and harassment statement to their websites:

“We treat everyone with courtesy and respect and ask for the same in return. We ask that you treat your councillors and council staff courteously without violence, abuse or harassment.

Councillors and council staff have the right to carry out their civic duties and work without fear of being attacked or abused. Any behaviour whether that be verbal, physical or in writing, which causes either councillors or council staff to feel uncomfortable, embarrassed, or threatened, is totally unacceptable.

The zero tolerance policy includes abuse, aggression or threats made in person, over the telephone or in written communication, including on social media. The council considers threatening behaviour to be:

Attempted or actual aggressive, or physical actions made towards any councillor or member of staff.

The use of aggressive, or abusive language, (including raising of the voice, swearing, shouting or in writing) which threatens or intimidates councillors or council staff”.

This policy applies throughout all Council Meetings, but it also applies to any Councillor or Council Staff away from Council Meetings



STOP BULLYING



Civility & Respect

IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

Appendix A – Model letter for councillor/council to local MP

This model letter is a template that councillors and/or councils may use to highlight their support for legislation enabling the use of virtual and hybrid council meetings to their local MP. Text in bold for personalisation.

Template:

Dear (local MP) **Helen Morgan MP**

We are writing to you to seek your help in promoting the case for councils to have the flexibility to decide how best to conduct their local meetings. We welcome the return to in-person meetings where they can safely and efficiently take place, but also recognise the benefits of providing flexible meeting options, including opening up local democratic decision-making and creating a more accessible experience for councillors and the public.

Every week in local communities up and down the country, councillors are taking part in meetings as part of their responsibilities to represent their residents and make decisions about local issues. Councillors are proud to do this work and ensure that their residents voices are heard as part of this fundamental exercise of local democracy.

Before the coronavirus pandemic, council meetings took place in person with elected members, officers and the public present in one place. The contagious nature of the pandemic made this impossible and appropriate provision was made for councils to meet virtually under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. During this period of crisis, virtual council meetings allowed councillors to continue to meet and make democratic decisions safely and without delay or relying on delegating decisions to officers.

The relevant provision for council meetings ceased to have effect from 7 May 2021 and in-person public meetings resumed from this date. Councils are known for making things work in difficult circumstances and democratic services, monitoring officers and directors of public health have worked hard to ensure that council meetings go ahead as safely as possible. Despite this, in-person council meetings are not and cannot be fully accessible, without more flexibility as to how people can attend them.

For people who are clinically extremely vulnerable to COVID-19 and people who care for them, attending council meetings presents very real risks. As a consequence, councillors are being forced to decide between representing their residents in council meetings and protecting themselves or their loved ones. The combination of vulnerable councillors, self-isolation and children being sent home from school to isolate can mean it is difficult to get full attendance at council meetings. In most cases, the ability to attend meetings virtually would enable councillors who are unable to attend a meeting in person to attend and represent their communities from another location.

The requirement to always attend meetings in person can be a significant barrier for disabled councillors and councillors with children, caring responsibilities, and work commitments. For elected councillors, this can mean they are not able to attend as many meetings as their peers, missing relevant discussions and being deprived of their democratic right to vote on, decisions about key local issues. For prospective councillors, knowing that there will be the option to join meetings virtually can make the difference between them pursuing elected

office or not. Local parties already find it difficult to encourage people to stand for election and this is particularly the case for young people, parents and disabled people.

In my council....[INSERT PERSONAL EXPERIENCES OR EXPERIENCES AT YOUR OWN COUNCIL]. We had to cancel our December meeting due to the omicron variant therefore delaying important business which included approval of financial matters, responding to planning applications, a consultation by DEFRA and our budget, precept and reserves for 2022/2023.

Offering a range of ways to engage with council meetings, including virtual options, is more democratic, accessible and efficient for councillors, officers and the public. Virtual meeting options can help disabled people, carers, parents and workers to engage more freely and frequently with council meetings resulting in better attendance by councillors and members of the public, and a reduction in travel time, cost and carbon emissions associated with council business. **[Support with evidence from the use of virtual meetings if you have such data]** For example, as Clerk to the Council I work from home. However, I have to attend our monthly council meetings for which I claim a travel allowance which, depending on the venue, costs around £33 per month plus the environmental cost of the fuel used for these journeys. Councillors also use fuel for travelling to our meeting venues.

Councillors are glad to meet in-person where it is safe to do so, but this past 18 months demonstrated how inclusive councils could become. Returning to in-person only meetings is a missed opportunity to open up local democracy and create a 'new normal' where anyone interested in local democracy can participate, particularly people who are underrepresented or currently denied access due to their personal circumstances preventing them from attending meetings in person.

For these reasons and in the interest of local democracy, We implore you to support our call for the Government to amend legislation to provide councils with the flexibility to use virtual meeting options for council meetings.

Yours sincerely



Sharon Clayton MPA BA (Hons) FSLCC

Clerk

Council's comments shown in red

Appendix B – Model councillor/council to Kemi Badenoch, Minister for Levelling Up Communities

This model letter is a template that councillors and/or councils may use to highlight their support for legalising of virtual and hybrid council meetings to the relevant Government minister. Text in bold for personalisation.

Template:

Dear Minister,

We are writing to you to seek your help in promoting the case for councils to have the flexibility to decide how best to conduct their local meetings. We welcome the return to in-person meetings where they can safely and efficiently take place, but also recognise the benefits of providing flexible meeting options, including opening up local democratic decision-making and creating a more accessible experience for councillors and the public.

Every week in local communities up and down the country, councillors are taking part in meetings as part of their responsibilities to represent their residents and make decisions about local issues. Councillors are proud to do this work and ensure that their residents voices are heard as part of this fundamental exercise of local democracy.

Before the coronavirus pandemic, council meetings took place in person with elected members, officers and the public present in one place. The contagious nature of the pandemic made this impossible and appropriate provision was made for councils to meet virtually under the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. During this period of crisis, virtual council meetings allowed councillors to continue to meet and make democratic decisions safely and without delay or relying on delegating decisions to officers.

The relevant provision for council meetings ceased to have effect from 7 May 2021 and in-person public meetings resumed from this date. Councils are known for making things work in difficult circumstances and democratic services, monitoring officers and directors of public health have worked hard to ensure that council meetings go ahead as safely as possible. Despite this, in-person council meetings are not and cannot be fully accessible, without more flexibility as to how people can attend them.

For people who are clinically extremely vulnerable to COVID-19 and people who care for them, attending council meetings presents very real risks. As a consequence, councillors are being forced to decide between representing their residents in council meetings and protecting themselves or their loved ones. The combination of vulnerable councillors, self-isolation and children being sent home from school to isolate can mean it is difficult to get full attendance at council meetings. In most cases, the ability to attend meetings virtually would enable councillors who are unable to attend a meeting in person to attend and represent their communities from another location.

The requirement to always attend meetings in person can be a significant barrier for disabled councillors and councillors with children, caring responsibilities, and work commitments. For elected councillors, this can mean they are not able to attend as many meetings as their peers, missing relevant discussions and being deprived of their democratic right to vote on,

decisions about key local issues. For prospective councillors, knowing that there will be the option to join meetings virtually can make the difference between them pursuing elected office or not. Local parties already find it difficult to encourage people to stand for election and this is particularly the case for young people, parents and disabled people.

In my council....[INSERT PERSONAL EXPERIENCES OR EXPERIENCES AT YOUR OWN COUNCIL]. We had to cancel our December meeting due to the omicron variant therefore delaying important business which included approval of financial matters, responding to planning applications, a consultation by DEFRA and our budget, precept and reserves for 2022/2023.

Offering a range of ways to engage with council meetings, including virtual options, is more democratic, accessible and efficient for councillors, officers and the public. Virtual meeting options can help disabled people, carers, parents and workers to engage more freely and frequently with council meetings resulting in better attendance by councillors and members of the public, and a reduction in travel time, cost and carbon emissions associated with council business. **[Support with evidence from the use of virtual meetings if you have such data]** For example, as Clerk to the Council I work from home. However, I have to attend our monthly council meetings for which I claim a travel allowance which, depending on the venue, costs around £33 per month plus the environmental cost of the fuel used for these journeys. Councillors also use fuel for travelling to our meeting venues.

Councillors are glad to meet in-person where it is safe to do so, but this past 18 months demonstrated how inclusive councils could become. Returning to in-person only meetings is a missed opportunity to open up local democracy and create a 'new normal' where anyone interested in local democracy can participate, particularly people who are underrepresented or currently denied access due to their personal circumstances preventing them from attending meetings in person.

For these reasons and in the interest of local democracy, We implore you to support our call for the Government to amend legislation to provide councils with the flexibility to use virtual meeting options for council meetings.

Yours sincerely



Sharon Clayton MPA BA (Hons) FSLCC

Clerk

Council's comments shown in red



Oswestry Rural Parish Council

17c

TREFARCLAWDD CEMETERY

RULES AND REGULATIONS

These Rules and Regulations have been introduced to protect the grave owners' rights as a group and are intended not to be seen as restraining but rather preventing and to deter people the inconsiderate from taking unfair advantage of others.

All owners of plots grave owners are subject to these Rules and Regulations of the cemetery in force at the time of their purchase and any amendments made after that time which are subject to review.

1. Change of address

It is helpful when trying to contact owners of plots and memorials that current addresses are available to the Parish Council. If you change your address, please advise the Parish Council without delay.

Grave owners should notify the council if they change their address to ensure that the council has the correct contact details.

2. Hours of Interments

The hours for all interments (for all denominations) are as follows:

Weekdays	9.00am to 4.00pm.
Weekends	By arrangement

These hours will may be shortened, at the council's discretion, during winter months, depending on sunset times.

No interment shall take place outside these hours, nor on Good Fridays, Christmas Day or a Bank Holiday except in cases of special emergency or religious reasons and then only at an approved hour and on payment of an appropriate additional fee. ?? This fee has not been defined.

The person having charge of the funeral shall make all arrangements with the officiating clergyman, minister or representative. The funeral director is responsible for all funeral arrangements and the council undertakes no responsibility in this matter.

3. Notice of Interments

- Not less than two working days' notice shall be given of any interment. If the above notice is not given, an extra charge for overtime and any additional expenditure will be made. Failure to do so may result in additional cost. ?? This charge has not been defined.
- All notices of interment must be in writing on the forms provided by the council and requirements must be clearly and completely stated should be addressed to the Clerk on the council's official application form and accompanied by the appropriate fee. No interment may take place until payment is received. The responsibility for any error therein is that of the person signing the notice, particularly so in cases where either the wrong fee is charged as a consequence or where additional fees are afterwards incurred.
- The Council will refuse to allow interments when Interments may be refused if:

- i. If the interment application form has not been received in sufficient time.
- ii. The details on the interment notice are incorrect.
- iii. The disposal certificate has not been received prior to the interment to authenticate the identity of the person to be interred.
- iv. A funeral director has not been appointed to oversee the interment.

~~There is reason to believe details given on the interment notice are incorrect.~~

- ii. ~~The disposal certificate is not available for inspection to authenticate the identity of the person to be interred prior to the burial.~~
- iii. ~~If the necessary Interment Notice mentioned above has not been given.~~

4. Burials and Memorials

No burial shall take place, no cremated human remains shall be interred, no tombstone or other memorial shall be placed in the cemetery and no additional inscription shall be made on any tombstone or other memorial without the written permission of the council and after the appropriate fees have been paid.

5. Depth of Private Graves

- a) No private grave will be made deeper than 6 ft 6" (1.98 meters) but if the council, if they finds it impracticable (owing to drainage or other cause) to dig so deep as 6 ft 6" (1.98 meters) in any particular grave space, it reserves the right to specify the maximum depth which can be dug. All coffins or other receptacles shall be buried in accordance with the requirements of Part 1 of Schedule 2 of the Local Authorities' Order 1977. A 6 ft 6" (1.98 meters) grave allows two earth burials. In addition, up to six sets of cremated remains are permitted per full burial plot. No triple depth plots are allowed at the cemetery
- b) Plots for cremated remains are excavated to a depth of 18 inches (0.46 meters). Up to two sets of cremated remains are permitted per cremated remains plot.

6. Surplus Soil

The surplus soil excavated from any grave or vault is to be deposited on such part of the cemetery as the council may determine. **Due to burial arrangements it may be necessary to temporarily cover grave plots on some occasions to enable the excavation of any adjoining grave plots.**

~~7. Workmen not admitted on Saturdays, Sundays etc.~~ Admittance of Workmen

No workman employed in fixing, painting or restoring monuments or gravestones will be admitted, nor materials received into the cemetery on Saturdays, Sundays, Christmas Day, Good Friday, Bank Holidays or on any other day before 9am or after 4pm.

8. Exclusive Right of Burial

- a) **The purchase of an Exclusive Right of Burial does not purchase the associated plot of land, only the right to use that plot exclusively for the burial of remains or ashes - does not grant ownership of the land, only the right of interment, the grant of which lasts for 99 years from the date of purchase.**
- b) ~~It is advisable that once the owner of the Exclusive Right of Burial has been interred within the grave, then arrangement be made for transfer of ownership. No further burials, interments of cremated remains, additional inscriptions or installation of new memorials will be permitted until revised entitled ownership has been established.~~ **Only the owner of the Exclusive Right of Burial has the authority to sanction an interment or the installation of a memorial or further inscription. If the Exclusive Right of Burial belongs to the deceased, ownership must be transferred by completing a Transfer of Exclusive Right of Burial form which includes making a statutory declaration to transfer ownership.**
- c) No transfer of an Exclusive Right of Burial ~~in any grave shall be deemed valid unless and until the same is verified and registered with the Clerk.~~

9. Payment of Fees and Charges.

- a) ~~All charges and fees payable for anything in connection with the Cemetery shall be paid to the Council before an interment takes place, or any work commences.~~ **No interment nor work in the cemetery shall take place until the appropriate fees have been paid.**
- b) ~~The Parish Council reviews fees and charges annually.~~ **Cemetery fees are reviewed annually.**

10. Erection of Monuments.

A **No** person shall ~~not~~ erect, ~~or~~ fix, ~~or~~ remove, or re-erect any monument, gravestone, tablet, inscribed vase, in the cemetery ~~except with the~~ **unless** written permission ~~of~~ **from** the council **has been granted** and ~~after~~ the appropriate fees have been ~~paid~~ **received**.

11. Monuments ~~etc., only~~ on Purchased Graves

No monument, gravestone nor tablet will be allowed ~~over any grave for which the~~ **without the purchase of an** Exclusive Right of Burial ~~has not been purchased.~~

12. **Approval of Monuments and Inscriptions to be approved**

- a) No new monument shall exceed 3ft, 6ins (1.07 meters) in height.
- b) A **No** person shall ~~not~~ erect nor fix any monument, ~~or~~ gravestone, tablet, nor make any inscription thereon, nor place therein any vase bearing an inscription ~~in the Cemetery,~~ without the approval of the council and shall, before proceeding to erect or fix any such monument, gravestone, tablet or make any inscription thereon, or place any such vase bearing an inscription, furnish to the council a description and measurements of every such monument, gravestone, tablet, vase, with copies of the proposed inscription thereon, together with a specification of the material and dimensions to be used.
- c) All installations must be in accordance with current NAMM recommendations.
- d) Monumental tablets must be ~~the following size 18" x 18" (457mm x 457mm) the only inscription being the~~ **and inscribed with the** full name of the deceased, ~~and~~ their live years plus one line of personal inscription.
- e) No kerbs nor railings are permitted around any grave.
- f) The council will remove, without notice, any unauthorized memorials, kerbs, railings, ornamentation or horticultural decoration. The council may recover the cost of removal of these items from the holder of the Grant of Exclusive Right of Burial ~~to that of the~~ **of the** grave, in accordance with the powers and procedures set out in Article 14 of The Local Authorities Cemeteries Order 1977.

13. Grave Number on Monuments

The identification number of a grave must be cut at the foot of all monuments or gravestones so as to be visible when erected. All memorials must comply with current NAMM recommendations.

14. Repairs to Graves and Monuments etc.

- a) ~~The~~ **Grave** owners must keep all monuments, gravestones, tablets, or other memorials in good repair. All repairs and reinstallations must be in accordance with current NAMM recommendations. In the event of any such monument etc., becoming dangerous, defective or illegible from want of repair or neglect, the council may, in accordance with the powers and procedures set out in Article 16(2) and Schedule 3 of the Local Authorities' Cemeteries Order 1977, give notice to the owner or owners, requiring them to repair or remove any such monument etc., and if, after the expiration of such notice, the owner or owners have failed to repair or remove any such defective or dangerous monument etc., or if the council is unable to trace the owner(s) after taking such reasonable steps as it may consider necessary for that purpose, then the council may remove the same without any rights of the owner or owners to any compensation for so doing.
- b) An ongoing process of memorial safety testing is in operation, as defined in the separate Memorial Safety Policy available from the Clerk.

15. Receptacles for Flowers etc.

Receptacles for flowers, ornaments etc. shall only be placed on the concrete rafting provided ~~at the top of~~ **with each** plot. The council reserves the right to move or remove any receptacle for flowers, ornaments etc. which it considers unsuitable or unsightly, without notice. Glass, china or other easily breakable pots and bottles are highly dangerous and are not permitted in the cemetery.

16. Glass Shades

~~No glass shade will be placed on any grave.~~ **Glass shades are not allowed on any grave.**

17. Damage

~~If any damage is done to the council's land or premises by bringing in any materials, gravestones, or monument or from any other cause, the person or persons doing such damage will be held responsible for the same and the Council may recover the cost of repairing such damage from such person or persons and in addition take proceedings under Article 18 of the Local Authorities' Cemeteries Order 1977.~~

Any person causing damage in the cemetery will be held responsible and the council may recover any associated costs in accordance with Article 18 of the Local Authorities' Cemeteries Order 1977.

18. Conduct

- a) Visitors to the cemetery ~~are asked to~~ **should** conduct themselves in such a way as to respect the privacy of other visitors ~~in order that~~ **so that** a quiet and peaceful environment may be maintained for the benefit of all.
- b) Visitors must keep to the paths and walkways provided.
- c) Children ~~apparently under the age of twelve years will not be allowed in the Cemetery except~~ **should be kept** under the care and attention of an adult.
- d) ~~No person shall be permitted to enter or leave the cemetery except~~ **All visitors should enter and leave the cemetery** by the proper entrance gates.
- e) Cycles ~~must not be ridden in the Cemetery~~ **are not permitted in the cemetery.**
- f) **All** dogs must be kept on leads when within the cemetery and ~~any clearing up required is responsibility of the handler~~ **dog owners are required to remove any dog waste in the bin provided.**
- g) The council may at any time exclude ~~from the Cemetery~~ any person who ~~shall~~ **conducts** themselves in a noisy, disorderly or unseemly manner or ~~shall be~~ **is** under the influence of drink or drugs or ~~shall use~~ **s** improper language or ~~refuses~~ **to comply with any** cemetery regulations.

19. Planting

- a) The planting of plants, shrubs and trees ~~(however small)~~ is not permitted on any grave but may be planted in specially designated areas subject to availability.
- b) No bulbs, plants, roses etc., are to be planted in the Garden of Remembrance.

20. Damaged Flowers/Wreaths

- a) Broken or damaged flowers, wreaths, ~~damaged~~ artificial flowers or ornaments ~~shall be deemed litter and will not be~~ allowed to remain on any grave ~~in the cemetery. The council shall be at liberty to remove the same and the council will remove these~~ if the owner fails to do so. All dead floral tributes will be removed from graves at the council's discretion within a reasonable time limit if the owner fails to do so.
- b) Special Christmas tributes ~~are~~ **will be** removed after 31st January.

21. Decoration of Graves or Memorials

~~No trinkets, toys or solar lights, shall be placed on any grave and these will be removed by the council and placed in the compound.~~ **Trinkets, toys and solar lights are not allowed on any grave and will be removed by the council and placed in the compound. If not claimed within one month from their removal the council reserves the right to dispose of them as appropriate.**

22. Gratuities

No gratuities shall be demanded by any officer or servant of the council.

23. Maintenance

As soon as convenient after the interment of a body or cremated remains the council shall sow grass seed or lay turf at its own expense over the whole of the grave. Thereafter no person, other than the duly authorized officers or servants of the council, shall interfere with or alter the turfed or un-turfed areas of the grave except for the purpose of a further interment therein.

24. Grass Cutting

The council shall keep the turfed areas mown at its own expense but will not undertake to keep clean or maintain memorials, which matter shall be the responsibility of the owner.

25. Memorials

No flat stones laid horizontally, nor memorials, metal vases, chippings, railings, fencing, kerbs or other structures enclosing graves, other than headstones, are permitted in lawn sections of the cemetery. In particular, the erection of decorative borders is not permitted.

26. Wooden memorials

A wooden memorial may be erected over any grave to which an Exclusive Right of Burial has been purchased and prior consent has been given by the council. The council will remove any wooden memorial for which prior consent has not been obtained. Such wooden memorials shall be of hardwood or good quality softwood, the surfaces shall be dressed to a smooth finish. Any inscription on the memorial shall be properly carved into the face of the memorial or by means of an inscribed brass plate affixed to the face of the memorial.

27. Memorial Seating

Memorial seating will be allowed in the cemetery provided that:

- i. Applicants ~~must~~ meet the full costs of secure installation.
- ii. Damages and repairs ~~must be~~ **are** rectified.
- iii. The council reserves the right to remove any seating which is no longer in a suitable and safe condition.

28. Games

The playing of ball, or any other games or sport within the cemetery is strictly prohibited, in accordance with Article 18 (1) (e) of The Local Authorities' Cemeteries Order 1977.

29. Official Plan

A detailed plan of the cemetery, showing the position of every grave, shall be kept at the office of the Clerk and may be inspected by arrangement without charge.

The council by virtue of its powers under the Local Authorities Cemeteries Order 1977 adopted the foregoing Rules and Regulations at its meeting on 27 October 2015.

These Rules and Regulations will be applied and enforced by the Clerk, with the support of the Council.

I/ We agree to abide by the Rules and Regulations currently in force at Trefarclawdd Cemetery and acknowledge receipt of a copy of the Rules and Regulations.

Name:

Signature:

Date:

Name of Deceased:

Relationship:

Executors name if different from above:

Grave Number:

Reviewed January 2022



COMMUNITY GRANT POLICY

Each year Oswestry Rural Parish Council awards grants to voluntary organisations and community groups, which in the opinion of the council is in the interests of the local community.

All applications are considered on their individual merits and grants are awarded in accordance with how the council considers funding to be of benefit to the local community.

Successful applicants will be invited to attend the Annual Parish Meeting, which takes place in April each year, at which their award will be celebrated.

1. Who can apply?

Local voluntary organisations, community groups and sports/recreational clubs.

All applicants must:

- be of a non-commercial nature;
- have a constitution, set of rules or documented aims and objectives;
- have a bank account with at least two signatures.

2. How the grants can be used and how are they awarded.

Grants awarded by the council may be used for capital projects or for revenue purposes in accordance with the reasons specified in the grant application.

Applications are considered and awarded in accordance with:

- How well the grant will meet the needs of the community.
- How effectively the organisation will use the grant.
- How the organisation is managed.
- Whether the costs are appropriate and realistic.
- The level of contributions from other funders.
- Whether the organisation could reasonably have been expected to obtain sufficient funding from a more appropriate source.

3. How and when should an application be made?

All grant applications should be submitted to the Clerk on the council's formal 'Grant Application Form' which is available to download from the council's website or by application to the Clerk.

All applications must be received no later than 31 January 1 April for consideration by the council at its April March meeting. Applications received after this date will not be considered until the following fiscal year.

4. What is required with the application form?

- A copy of the organisation's latest accounts and bank statements.
- Supporting evidence of the cost of the project (e.g. invoices or estimates).
- A copy of the minutes at which it was agreed to apply for grant aid.

- A copy of the organisation’s constitution, or rules or statement of aims and objectives.

5. We will not fund:

- Applications which do not substantially benefit the local community.
- Organisations or activities which are primarily commercial in nature.
- Organisations which have a closed or restricted membership.
- Organisations that are the responsibility of another public body/agency. However, some form of matched/joint funding may be considered.
- Religious or political activities unless unrestricted community benefit can be demonstrated.
- Loan repayments.
- Retrospective applications where the activity or project has already been carried out.

6. Conditions

- Grants awarded by the council can only be used for the purposes stated in the application and the council reserves the right to reclaim any grant funding that has not been used as specified in the application.
- ~~If the organisation requires to change the purpose of the grant, the Council’s prior approval must be obtained.~~
- ~~Individuals may apply for grants if submitted by an organisation to which they belong. The organisation is responsible for ensuring the grant is used for the purpose for which it is granted.~~
- Organisations are responsible for ensuring that they are in compliance with all legal and statutory requirements.
- Should for any reason the organisation disbands during the period of the grant the council may request that all or part of the grant is reimbursed to the council.
- Recognition of grants awarded by the council must be acknowledged in all recipients’ publicity.
- Within three months of grants awarded over £2,000 recipients must submit a report detailing how the grant was used and the impact it has made.
- Organisations may only make one application per year.
- More than one project may be included within each grant application.

Non-compliance with any of these conditions may result in the grant being withdrawn and funding reimbursed, and future grant applications being refused.

<i>Adopted:</i>	<i>25 August 2015</i>
<i>Reviewed:</i>	<i>26 May 2020</i>
<i>Minute no:</i>	<i>693/20(b)</i>
<i>Next review date:</i>	<i>May 2023</i>



Oswestry Rural Parish Council

Remote Meetings Policy

1. Authority

The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales) Regulations 2020 and Section 78, Chapter 7 of the Coronavirus Act 2020.

The above Regulations and legislation allowed parish and town councils to hold virtual meetings and permitted persons not in the same place to attend council meetings.

This Regulation ceased to apply in May 2021, and it is no longer legal for the parish council to hold official virtual council meetings. However, the council may continue to hold informal virtual meetings.

This policy regulates how the parish council will facilitate and conduct virtual meetings which will be held by Zoom¹.

2. Remote attendance

Anyone attending a virtual meeting must be able to:

- a) Hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance.
- b) Hear and where practicable see, and be so heard and where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting.
- c) Be so heard and, where practicable, be seen by any other members of the public attending the meeting.

All these conditions must be satisfied.

3. Setting up Virtual Meetings

~~All virtual meetings will be scheduled by the Clerk in accordance with the approved schedule of Parish Council meetings for the Council year. Once the meeting has been~~

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~~scheduled a link to the virtual meeting will be included on the agenda for that meeting.~~

All virtual meetings will be scheduled by the Clerk who is the administrator of the council's Zoom account. Once the meeting has been scheduled all attendees will receive a link to the virtual meeting.

4. Joining Virtual Meetings

~~Councillors~~ Attendees should click on the Zoom link before the meeting starts and the host will allow them to join the meeting. ~~All agendas are published online which enables members of the public to click on the link and join the meeting too.~~

~~People attending meetings may join via a video link system or by telephone as long as every councillor can be heard by every other councillor and everyone else in attendance.~~

~~Those with poor internet access can join by phone by calling any of the numbers below and keying in the meeting ID when asked:~~

- ~~→ +44 203 481 5240~~
- ~~→ +44 131 460 1196~~
- ~~→ +44 203 051 2874~~
- ~~→ +44 203 481 5237~~

5. Hosting Virtual Meetings

All Virtual meetings ~~will~~ may be hosted by the Clerk and or co-hosted by the Chairman ~~and or~~ another council member. This will allow the Chairman to chair the meeting, including being able to host or co-host to control who can speak by muting and unmuting councillors and members of the public attendees.

~~6. Running the Meeting~~

~~Before the meeting starts the Chairman will inform those present that the meeting is being recorded.~~

~~Unless invited by the Chairman those wishing to speak will raise their hand so that the Chairman can unmute them and allow them to speak. This can be done by physically raising a hand if the person can be seen or by raising the virtual hand from the Zoom control panel "Manage Participants" tab at the foot of the screen. Those who have joined by telephone will be asked to speak by the Chairman.~~

~~A councillor wishing to make a proposal should raise their hand. If they cannot be seen the Chairman will ask if they wish to speak. The Councillor will be asked to state their name before speaking.~~

~~The Chairman will ask if anyone wishes to second a proposal. If they cannot be seen the Chairman will ask if they wish to speak. The Councillor will be asked to state their name before speaking.~~

7. ~~Voting~~

~~Voting will be by a show of hands. If a councillor cannot be seen the Chairman will ask them to state their name and how they wish to vote.~~

~~Voting can be done by physically raising a hand if the person can be seen, or by raising the virtual hand from the Zoom control panel "Manage Participants" tab at the foot of the screen. Those who have joined by telephone will be asked to speak by the Chairman.~~

~~The Chairman will invite councillors to vote when a decision is to be made. Telephone participants will state their name and give their vote or abstention audibly. The Chairman will confirm the outcome of the vote so that the resolution can be accurately recorded in the minutes.~~

~~Standing Orders will continue to apply throughout the meeting.~~

~~Anyone who should not be present during the meeting, for example a councillor with a DPI, will be moved out to a breakout room by the host where there will be no access to the audio of the meeting.~~

8. Confidentiality

~~Where confidential business is to be transacted the press and members of the public will be removed from the meeting in accordance with the Public Bodies (Admission to Meetings) Act 1960.~~

When confidential business is being discussed councillors must ensure that they cannot be heard by anyone else. Each councillor is responsible for ensuring they do not breach the General Data Protection Regulations.

<i>Date adopted:</i>	<i>26 May 2020</i>
<i>Minute no:</i>	<i>678/20</i>
<i>Version no:</i>	<i>2</i>
<i>Review date:</i>	<i>January 2022</i>

'Hybrid' meetings – England

17c

Summary

- There is no statutory concept of 'hybrid' in terms of parish and parish council meetings. Meetings are either held in compliance with the law, or they are not.
- However, as long as the minimum requirements are met in terms of ensuring that the meeting is lawful, beyond this there is scope for creativity and involving some degree of remote attendance (both for elected members and for members of the public).

The Law (as stated at 16/12/21)

- Schedule 12, Part II of the Local Government Act 1972 ('the Act') sets out the minimum requirements for ensuring that a parish council meeting is properly convened and quorate.
- Section 12 of the Act states that '...no business shall be transacted at a meeting of a parish council unless at least one-third of the whole number of members of the council are present at the meeting; but...in no case shall the quorum be less than three.'
- In April 2021 the Divisional High Court held that from 7 May, all meetings under the LGA 1972 had to take place in person. The same court in a separate ruling also stated that all local authority meetings must be open to the public in a physical sense. References to a meeting being "open to the public" or "held in public" in the Court's view mean the physical attendance by the public.
- The clerk's physical presence is not however a statutory requirement and therefore there is no statutory requirement for the clerk to be physically present at such meetings, however their contract of employment may enable their employer to require them to attend (employees are obliged by the implied terms of their contract of employment to obey the reasonable instructions of their employer).

Government Guidance (as stated at 16/12/21)

- The latest version (14/12) of 'Coronavirus: how to stay safe and help prevent the spread' states as follows:

'Office workers who can work from home should do so from Monday 13 December. Anyone who cannot work from home should continue to go into work - for example, to access equipment necessary for their role or where their role must be completed in person. In-person working will be necessary in some cases to continue the effective and accessible delivery of some public services and private industries. If you need to continue to go into work, consider taking lateral flow tests regularly to manage your own risk and the risk to others.

Employers should consider whether home working is appropriate for workers facing mental or physical health difficulties, or those with a particularly challenging home working environment.

For those who attend their workplace, the Government will continue to provide up-to-date Working Safely guidance on how employers can reduce the risks in their workplace. Businesses should consider this guidance when preparing their health and safety risk assessments and put in place suitable mitigations.'

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- Although this guidance is not enforceable, it is an implied term of the contract of employment that the employer will take reasonable steps to ensure the employee's safety. The Health and Safety at Work Act 1974 adds that this duty extends to 'so far as is reasonably practicable as regards any place of work under the employer's control, the maintenance of it in a condition that is safe and without risks to health and the provision and maintenance of means of access to and egress from it that are safe and without such risks; and the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work. Non-compliance with the guidance may therefore suggest a breach of these legal duties.

Latest Position

- The SLCC recently met with the LGA to lobby for the reintroduction of remote meetings in England (a link to a model letters the LGA provide to their members for lobbying MPs/Ministers about remote meetings is below). [LINK]
- LLG (Lawyers in Local Government) and ADSO (the Association of Democratic Services Officers) have called on the Government to restore the ability of councils to meet remotely, even if only for a temporary period, in light of the emergence of the Omicron Covid variant.
- LLG, ADSO and Bevan Brittan have produced a helpful guidance document setting out the legal position, and also some suggestions and guidance for holding hybrid/quasi meetings – https://s3.amazonaws.com/lawingov_production/system/redactor_assets/documents/2984/Guidance_on_Remote_Meetings_Final_May_2021.docx

The Chartered Institute of Personnel and Development (CIPD) have put together a practical booklet on Hybrid Working which can be accessed and downloaded here -

https://www.cipd.co.uk/Images/hybrid-working-practical-guidance-2021_tcm18-103709.pdf

TITLE OF REPORT:	Improvements to post box area at Morton
REPORT BY:	Clerk - Sharon Clayton
BACKGROUND:	<p>In response to the Parish Council's invitation for local residents to suggest ideas for spending a request has been received for improvements to be made to the post box area at Morton.</p> <p>The post on which the post box is attached needs to be pulled away from the hedge and painted with black and white stripes as it was when first installed. The slabs leading to the post box need replacing as they are unstable. This work will improve these features at the crossroads.</p>  <p>The original black and white sign apparently dates back to the 1950s or 1960s and has a plaque showing it belonged to Oswestry Rural District Council. It has since been replaced with a new sign on the crossroads opposite by Shropshire Council.</p>
ISSUES:	The slabs leading to the post box are unstable.
LEGAL OBLIGATIONS:	Highways Act 1980, s96 Public Health Act 1987, s164 Open Spaces Act 1906, ss 9 &10
FINANCIAL IMPLICATIONS:	Unknown.
COMMUNITY BENEFIT	Aesthetic improvements and safer access to the post box.
PROPOSAL:	That the Parish Council considers a request for improvements and approves any action required.
DATE OF MEETING AT WHICH THIS WILL BE CONSIDERED:	27 January 2022.



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14 December 2021

Consultation on Amendments to the Environmental Permitting (England and Wales) Regulations 2016
Consultation Coordinator
2nd Floor
Foss House
Kings Pool
1-2 Peasholme Green
York
YO17 PX16

Dear Sirs

Consultation on Amendments to the Environmental Permitting (England and Wales) Regulations 2016

Below is the parish council's response to the above consultation.

Proposal 1, Question 1

Agree with the proposal but disagree with the term "generic".

The term "generic" should be removed and reference should be to all risks. Risks change with circumstance and therefore a generic risk for one circumstance may not be applicable for another.

The reduction of permitting costs for operators should be a consideration but not to the detriment of the environment, this should be always the overriding factor.

All risks should be identified, and measures implemented to eliminate or reduce to an acceptable level. Whilst we do not object to SR's being introduced, we suggest that the proposal reads "The EA will have the option to issue SR's Permits for groundwater activities where all risks are well understood, assessed and mitigated". We are concerned that recipients will be left to decide on generic risks which are not monitored and agreed by the EA to ensure that all risks are suitable and sufficient for the different operations. There is no mention that those undertaking the assessment and mitigation of risk should be competent.

Proposal 2, Question 2

Agree with the proposal but disagree with the term "generic".

The concept of the issuing of MPP's is acceptable but how will the EA determine all the different scenarios to ensure that the risk associated with all locations has been assessed, understood and mitigated? The deployment form requires site specific information and control measures to be provided and agreed prior to the use of any mobile plant at each site to ensure that local conditions and local risks have been considered. This is placing the onus for determining the risk and being honest in the completion of the deployment form unless, as per the bespoke, the EA or some other competent body confirms the validity of the data on the deployment form. Without monitoring this process is open to violation of the regulations going undetected i.e. the spreading of industrial waste near water courses.

Proposal 3, Q3a
Strongly disagree.

The Department will have received responses from several organisations including the National Association of Local Councils, the Shropshire Association of Local Councils and in common with other parish councils in Shropshire which are also Burial Authorities, we strongly disagree with the proposal for the following reasons.

- The consultation around this element has failed to reach its most significant community – the varied Burial Authorities in England, since we must point out that there is no single Statutory Authority with a Duty to provide for burials – only several different bodies utilizing the *power* to provide burials. The consultation will affect ALL burial authorities and existing cemeteries/burial grounds.
- A significant majority of these bodies are either unaware of the consultation or only slowly becoming aware of the practical implications of the proposal. Even as recently as a week ago at a major conference 45 Burial Authorities did not know about the consultation.
- We would therefore suggest that the time allowed for consultation be extended, and that greater efforts be made to consult with these bodies. We would point out that there are several implications in respect of the draft exemption conditions which if enacted could reduce the current national number of burial spaces by a significant amount up to 50%. In some cases, if implemented some existing burial grounds would have to close to any new internments. For Oswestry Town, the reduction would allow for only a mere 10 years' burials in the cemetery. For Telford and Wrekin Unitary Council the figure would be 30 years.
- DEFRA would be advised to reconsult on these areas and listen carefully to local councils and burial authorities whose weight of experience and expertise will be significant. We must also point out that there is no national register of burial grounds, and the Environmental Agency does not know where they are.
- We would suggest that before enacting the proposals in respect of cemeteries and burial grounds, further information be gathered to ensure a sound outcome.

Q3b
Disagree

Condition 7

A grave must be deep enough so at least 1 metre of soil will cover any part of the grave or coffin.

This appears to preclude that 'bricked' graves are used where it is not possible to achieve a minimum depth of soil of at least 1 metre above any part of the coffin. (Part 1 of Schedule 1 of the Local Authorities Cemeteries Order 1977 contains specific provision for the use of walled or bricked graves where the minimum depth of soil cannot be achieved.)

Condition 8

A grave plot must not be less than 5m² in area.

- We are puzzled by the apparent specificity of this measurement and would enquire where the figure came from. We would also point out that it is significantly greater than the measure currently applied and would severely impact on the number of graves which a burial plot could contain. Nationally the figure is estimated at 50%. Within Shropshire the impact would be severe.
- Burial Authorities are in competition for available land with developers – and in some cases the Environmental Agency has refused permission for land to be used for burials. Many Local Authorities have not made provision for burial grounds within their Local Plans. All of these issues lead to the conclusion that land for burials will be in short supply even without any increase in the size of plots or restrictions on their use for multiple internments. This was already a concern in 2017 – see below.
- We would point out that there has been no national conversation or consideration of the future need for burial spaces. If enacted, and burial spaces became scarce the reduced supply of graves would lead to a significant rise in the price of burials, effectively pricing burial out of the reach of many families.
- While it might be assumed that cremations would become the norm, we would point out that not all religions support cremation. We would refer you to House of Commons Library Briefing Paper Number 04060, 6 June 2017 Reuse of Graves which stated:

“In some areas, land for burial is scarce and some burial grounds have closed because they are full. Many people, including some faith groups for whom burial is a religious requirement, do not wish to consider the option of cremation.”

- Creating a situation where burials could not take place could be interpreted as discrimination.
- We would also point out that proposals for a ‘Lift, Deepen and Re-bury Measure’ only applied to London and were never extended to the remainder of the country.

Further to your proposals:

- Previously many authorities sold pre-paid plots, and the contracts for these are still extant. The actual plot may not be used for many years – many cemeteries have what may seem to be ‘gaps’ where a site is awaiting use by an individual. The enactment of the proposals would render the contract legally void – since the regulation would not allow for the use of the plot. This would create emotional trauma for the family of the deceased, and financial issues over any re-imburement necessary.
- Many plots are also used for family burials and the deeds allow for 2 or sometimes 3 persons to be interred. Should an existing plot no longer be deemed ‘suitable’ by reason of its size these familial arrangements would be voided, with similar issues to the above.
- Currently many Burial Authorities are small parish councils like Oswestry Rural Parish Council. The implication of the proposals as drafted seem to require geo-physical examination of not only current provision, but if that current provision becomes unviable, future provision. This suggests the need for technical expertise which might tax even a principal authority to source and fund.

Proposal 4 and 5, Q4 and Q5

We agree with the proposal, by standardising, makes it easier to manage and prevents misunderstanding by all concerned. The more the environment is protected the better.

Proposal 6

We agree with No. 22.

For No. 23 we would suggest that quoting a distance in metres is open to interpretation and should include a statement that eliminates distance and, this should be included within the combined volume of those discharges if on the land of the same owner or tenant.

Proposal 8

Q8a – agree.

Proposal 9

We would support the inclusion of Regulation 38(2) as stated as those not responsible for a breach should be protected and aware that they are protected in their line of duty.

Q9 – agree.

In summary, the emphasis seems to be on reducing the cost to business and the monitoring and control by the EA. Cost versus environmental protection should not be a consideration so, whilst the regulations are being updated, the reduction in the monitoring and control and, placing the emphasis on an operator to comply without checks is a recipe for environmental damage with perpetrators not being punished.

Yours faithfully



Sharon Clayton MPA, BA (Hons), FSLCC
Clerk