

Oswestry Rural Parish Council

Minutes

of a virtual Parish Council meeting
held at 7 pm on Tuesday 15 December 2020
by Zoom online video conference

Present:

Chairman: Cllr. Peter Richardson, Cllr. Janet Barlow, Cllr. Pam Broomby, Cllr. Peter Davies, Cllr. Martin Jones, Cllr. Bob Kimber, Cllr. Les Maguire, Cllr. Claire Mahoney, Cllr. Phil May, Cllr Tony Milner, Cllr. Elliot Roberts Jones, Cllr. Tracy Rowe.

Clerk to the Council:

Sharon Clayton

In attendance:

Shropshire Councillor Joyce Barrow.
Approximately 12 members of the public.

878/20 Chairman's Welcome

The chairman welcomed everyone to the meeting and said "Merry Christmas one and all".

879/20 Apologies for Absence

The following apologies were received:

Councillor	Reason
John Davies	Another commitment
Robert Milton	Work commitment
Paul Milner	None given

These apologies were accepted and AGREED as APPROVED absence.

880/20 Police Report

There was no report received from the police.

NOTED.

881/20 Shropshire Councillor Report

Shropshire Councillor Joyce Barrow gave the following verbal report:

- In response to complaints about parking outside Oswestry school Shropshire Council was progressing with a consultation on parking. The school was granted planning permission to extend the car park earlier this year although work had not progressed. If the consultation results were as expected work would go ahead to extend the car park because the school would need to do it.
- Shropshire Council was setting up an Agricultural Vehicle and Rural Roads Group in Shropshire. An inaugural meeting had been held and the Group has terms of reference. The Group would be reviewing current guidance, policies and practices at an organisational level or a collective level and develop and agree a work programme for the year. Work had already started and there were two items that would be discussed at a meeting to be held in January 2021 at which the Group would try to determine where the priorities lie. Along with Shropshire Council at the meeting were representatives from the PCC, West Mercia Police, and the NFU. The Group would develop guidance, advice, training and support to improve current levels of skills, knowledge and communities and they have agreed to hold quarterly meetings. The sub-group of this Group would consist of parish councillors from various parish councils and other interested parties. The main Group and the sub-group would liaise with each other.

- Trefonen was classed as Hub Status in the Local Plan and Cllr. Barrow said that the formal Regulation 19 consultation should be pursued to fight against Hub Status. Failing this it would be good to try to reduce the number of 50 additional houses for Trefonen. She felt sure that this number could be reduced by argument. Weston Rhyn had formed a community led group which included the Parish Council and local residents. Together they had identified a suitable site in Weston Rhyn of which the community was happy to see developed in the way they wanted and not with large 3-to-4-bedroom houses. Oswestry Rural Parish Council could pursue this same route and try to identify landowners and a suitable site that would be approved by the community. Cllr. Barrow said that she would be fighting against Hub Status and, if this failed, she would try to reduce the number of houses.

NOTED.

882/20 Public Participation

The Chairman of the TRPG (Trefonen Rural Protection Group) thanked the Parish Council for its response to the last Local Plan consultation held in late summer and, as nothing had changed for Trefonen, asked for continued support from the Parish Council to contest Hub Status and the numbers proposed for the village in the Regulation 19 consultation.

The Chairman said he was sure TRPG had the Parish Council's support.

883/20 Minutes

The minutes of a Parish Council meeting held on 24 November 2020 were considered for approval.

It was PROPOSED, SECONDED and RESOLVED that, following an addition to minute number 875/20 thus "It was further agreed to ask for knobs to be fitted to all of the new notice boards so that the doors could be opened more easily", the minutes be signed and ADOPTED as a true record.

884/20 Disclosure of Pecuniary Interests

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

Cllr. Peter Richardson declared a pecuniary interest concerning agenda item 18, Fairhaven Camping.

885/20 Dispensations

None requested.

886/20 Declaration of Acceptance of Gifts and Hospitality

None declared.

887/20 Planning Matters

a) Planning Decisions

The following planning decisions were **NOTED**.

Planning Application Details	Proposals
20/04398/FUL Vine Cottage, Middleton Road, Middleton, Oswestry	Erection of an agricultural storage shed. Permission GRANTED 3 December 2020. <i>The Parish Council supported this application.</i>

b) Planning Applications

The following planning applications were considered:

Planning Application Details	Proposals
20/04852/FUL	Erection of stables for private use. It was PROPOSED, SECONDED unanimously and AGREED to support.

Fairhaven Barn, Ball Lane, Maesbury	
20/04989/FUL 13 Marshfields, Maesbury, Maesbury Marsh, Oswestry	Replacement of existing front porch and erection of single storey extension to rear of property. It was PROPOSED, SECONDED and unanimously AGREED to support.
20/05020/FUL Pentregaer Ucha, Croesau Bach, Oswestry	Conversion of redundant agricultural building into two holiday lets. It was PROPOSED, SECONDED and unanimously AGREED to support.
20/05103/CPE Tramway Farm, Crickheath, Oswestry	Certificate of Lawful Existing Use or Development concerning the permanent residential use of a static unit in breach of Condition 1 of permission OS/09/15931/FUL (siting of mobile home). It was PROPOSED, SECONDED and AGREED to NOTE.

888/20 Clerk's Report

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

NOTED.

The Clerk also informed Members that Colin Turner had offered to sweep out the bus shelter at Maesbury on a monthly basis.

It was further **AGREED** that Trefonen bus shelter should be swept as well as the bus shelter at Maesbury.

889/20 Financial Matters

a) Income and Expenditure and Bank Reconciliations

Members considered for approval income and expenditure and bank reconciliations up to 30 November 2020. **It was PROPOSED, SECONDED and unanimously AGREED that the income and expenditure and bank reconciliations to 30 November 2020 be APPROVED.**

b) Payments for December 2020

Members considered for approval payments for December 2020.

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

PAYEE	DESCRIPTION	AMOUNT £
Rhydycroesau Village Hall	Grant award	500.00
Mark Evans	Bus shelter cleaning	60.00
HMRC	PAYE/NI	177.95
Viking	Stationery and postage stamps	102.50
SLCC	Clerk's annual membership	251.00
ICO	Data Protection annual registration	35.00
Bernard Morris	Internal audit	75.00
A G Royce	Winter grounds maintenance tidy up	365.00
Sharon Clayton	Salary/expenses/reimbursements	963.25
	TOTAL	2529.70

c) Maintenance Grant

Members considered for approval that the maintenance grant of £1,000 received from Shropshire Council had been spent in accordance with the grant scheme terms. A query was raised as to whether the grant applied to Shropshire Council land only or to all land that the Parish Council maintains. The Clerk informed that she would prefer to apply for a grant that might be rejected rather than not apply at all.

It was PROPOSED, SECONDED and AGREED that the grant had been spent in accordance with the grant terms.

890/20 Blocked Bridleway

Members received copies of the response from Shropshire Council concerning the Parish Council's request to Shropshire Council's Rights of Way team asking that the blocked bridleway near Llynclys Quarry be re-opened. Shropshire Council had responded stating that they were looking for proof of it being registered as a right of way. However, the person who had blocked the right of way with a locked gate had recently unlocked the gate so people could walk along the bridleway. However, permission to allow passage along the right of way could be retracted at any time.

Members also received a response from Tarmac following the Council's request to confirm ownership of the land and to reinstate meetings between Tarmac, local residents and parish councillors. Tarmac had informed that the quarry was not currently operating and, until there was access to files in the office, which was closed due to COVID-19, research into ownership had been delayed. Tarmac had also said that meetings would be reinstated in the early part of the New Year.

It was PROPOSED, SECONDED and AGREED that:

- a) **Tarmac should be asked to establish ownership of the land and provide a date for the return of liaison meetings.**
- b) **Shropshire Council's Highways Development Officer and rights of way team should be asked to pursue determining the legal status of the bridleway including when the road was stopped up and what alternative route may have been created in its place.**

891/20 Road Safety

- a) Members considered a request from a member of the public that the Parish Council supports traffic calming measures along Kingfisher Way in Morda. Members were uncertain as to what could be done as Kingfisher Way is within a residential area.

It was **PROPOSED** that a blanket speed limit of 30mph should be introduced throughout the parish. It was further **PROPOSED** that a police presence was needed. However, it was suggested that the speeding motorists were residents of Kingfisher Way as the road did not link to another road.

Although Members were uncertain of what measures could be implemented to reduce speeding it was **PROPOSED, SECONDED and AGREED that the Parish Council would support traffic calming measures along Kingfisher Way.**

- b) Members received an update about road traffic issues throughout the parish. Shropshire Council had confirmed that due to the recent lockdown the ATCs would be carried out after Christmas and the work would be organised by Shropshire Council's design consultants, WSP. Shropshire Council would confirm the installation dates with the Parish Council once known.

Residents at Coed-y-Go had completed 5 days of traffic counts themselves and may do 2 more days in the New Year. They would also be measuring noise levels in the next few weeks and looking into the Road Safety Trust initiative to see if grant funding could be secured for traffic calming at Coed-y-Go.

NOTED.

It was further AGREED to request the results from a traffic survey carried out in Maesbury about 12 months ago.

- c) Members received information concerning funding that was available for road safety projects from the Road Safety Trust. Cllr. Les Maguire informed that the results from the traffic survey would be needed before applying for funding.

NOTED.

892/20 Village Halls

Members considered whether to instruct Lanyon Bowdler to proceed with the first registration of Morda Village Hall to Oswestry Rural Parish Council as Custodian Trustee and registration of the leasehold interest in Trefonen Village Hall.

As a trustee and Chairman of Trefonen Village Hall Cllr. Bob Kimber explained that the solicitor misunderstood the details of the lease for Trefonen Village Hall and that the trustees named on the 1991 lease have changed

since then. There are several documents that infer they are related to the hall building but the lease in question relates to the land that the village hall stands on and not the village hall itself. The village hall belongs to the trustees. The Parish Council is simply the Custodian Trustee for the lease of the land. The only time the Parish Council would take over as trustees would be if the trustees resigned or were unable to perform their duties as trustees. There is no freehold title to the village hall held by Shropshire Council.

Cllr. Kimber **PROPOSED** that he and Cllr. Robert Milton should seek to hold a meeting with Lanyon Bowdler early in the New Year to determine precisely what is wanted from the Parish Council to enable the Council to make an informed decision.

The Clerk informed that the Parish Council was custodian trustee for Morda & Sweeney, Trefonen, and Rhydycroesau village halls and that the Parish Council should not interfere in the day-to-day management of those village halls and the Parish Council has no financial responsibilities.

It was PROPOSED, SECONDED and AGREED that Cllr. Bob Kimber as a trustee of Trefonen Village Hall, and Cllr. Robert Milton as trustee of Morda and Sweeney Village Hall, and a trustee of Rhydycroesau Village Hall if they so wished, should liaise with Lanyon Bowdler on behalf of the Parish Council to try to resolve the misunderstanding about the role of the Parish Council as a custodian trustee and which documents the Parish Council is responsible for.

893/20 The Terraces Brickworks

Cllr. Les Maguire informed Members that the site of the old brickworks, previously a clay mine, has 2 mineshafts over 500 feet deep with other shafts running off them. These mineshafts are not capped sufficiently to hold excessive weight which caused concern when bulldozers were recently working on site. Whilst they were on site an old cart was dug up and disposed of even though it may be of archaeological interest. Cllr. Maguire **PROPOSED** that a site survey should be undertaken to determine the dangers posed by the mineshafts. The site had recently been fenced off and it was thought there were no plans for further development.

It was PROPOSED, SECONDED and unanimously AGREED to write to Shropshire Council to inform of the recent activities, the prospective dangers of the mine shafts, and that the site may be of archaeological interest which might need protection.

884/20 Local Plan Review

Members considered a request from the Trefonen Rural Protection Group Management Committee asking the Parish Council to submit a further response to Shropshire Council's Local Plan Review.

It was PROPOSED, SECONDED and AGREED that comments from Councillors should be forwarded to the Clerk who would compile them into a response to Shropshire Council for consideration at the next meeting.

Cllr. Peter Richardson declared an interest and left the meeting and the Vice Chairman, Cllr. Phil May chaired the following discussion.

885/20 Fairhaven Camping

Members received a response to the Parish Council's complaint concerning activities at Fairhaven camp site. Concern was expressed in the way the exemption certificate had been obtained, that it was granted on misinformation, and that the Parish Council's concerns had not been properly answered by Natural England.

It was PROPOSED, SECONDED and AGREED that:

- a) No further action should be taken by the Parish Council until a response to the Parish Council's Freedom of Information request had been received from Natural England and further information from Owen Patterson MP.**
- b) Any information received should be considered at the next meeting.**

Cllr. Peter Richardson returned to the meeting.

886/20 The Elms at Middleton

Members considered a complaint from a member of the public concerning activities at the Elms, Middleton. The biomass production had been going on for over 12 months as a retrospective operation and had become a 24/7 operation. The green shed had been burned down and replaced with a brown shed with an extension. Shropshire Council had asked the applicant to improve the access to the site and highways had no objection to

the application. Smoke from biomass activities were annoying the neighbours along with the constant movement of HGVs to and from the site. The complainant had been advised to contact the planning officer at Shropshire Council.

It was PROPOSED, SECONDED and AGREED to:

- a) **Write to Shropshire Council and ask for an update on how the planning application was progressing and what outcome could be expected.**
- b) **Ask Shropshire Council's planning enforcement why no action had been taken.**

887/20 Location Plans

Cllr. Janet Barlow expressed concern that the majority of planning applications received by the Parish Council were not sufficient to put plans into context.

It was PROPOSED, SECONDED and AGREED to write to Shropshire Council and request that the degree of detail on planning applications be improved to include sufficient information to identify the site location, including a map reference and a post code.

Cllr. Phil May left the meeting at this point due to technical issues with his online presence.

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.**

888/20 Traffic Lights for Cyclists

Cllr. Claire Mahony expressed concern that there was no provision for pedestrians and cyclists to safely cross at the traffic lights on the busy A483 Maesbury Road. Pedestrians had to wait until the traffic stopped and then use their initiative as to when it was safe to cross. She proposed there should be pedestrian facing signals to indicate when it was safe to cross, including a buzzer to assist blind people.

It was PROPOSED, SECONDED and AGREED to write to Shropshire Council highways and request that the traffic lights on the Maesbury Road should be modified to include pedestrian facing visual and audio signals to assist pedestrians and cyclists to cross and improve road safety.

889/20 Roadside Verges

As Cllr. Paul Milner was not present it **was PROPOSED, SECONDED and AGREED to defer this item until the next meeting.**

890/20 Mud on the Road

Cllr. Tony Milner expressed concern about the movement of waste products from site to site and the mud being left on the road as a consequence.

It was PROPOSED, SECONDED and AGREED that the situation should be monitored and considered further at the next meeting.

891/20 Strategic Plan

a) Members considered for approval an updated Strategic Plan.

It was PROPOSED, SECONDED and AGREED that the updated Strategic Plan be APPROVED.

b) Members considered for approval an updated Action Plan Monitoring Report.

It was PROPOSED, SECONDED and AGREED that the updated Strategic Plan be APPROVED.

892/20 Consultation

None considered.

893/20 Correspondence

Members received the following:

- a) SALC information bulletin and NALC information.
- b) Letter of thanks for grant aid from Hope House.

NOTED.

894/20 Agenda Items for Next Meeting

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

- Budget 2020/2021.
- Police attendance at Council meetings (Cllr. Claire Mahoney).
- Road Safety (standing item).
- Innovation Park and boundary review (Cllr. Pam Broomby).
- Proposals for the allocation of CIL monies (Cllr. Martin Jones).
- Grants for the maintenance of defibrillators within the parish (Cllr. Martin Jones).

895/20 Date of Next Meeting

It was **NOTED** that the next meeting would take place by Zoom video on Tuesday 26 January 2021.

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.

896/20 Planning Enforcement

Members were advised about a recent planning enforcement notice.

NOTED.

The meeting closed at 21:24.

Signed: _____
Chairman

Date: _____