

## Oswestry Rural Parish Council

Minutes of a Parish Council meeting  
held at 7 pm on Tuesday 26 March 2019  
at Trefonen Village Hall

### **Present:**

Chairman Cllr. Peter Richardson, Cllr. Janet Barlow, Cllr. Pam Broomby, Cllr. Arthur Brown, Cllr. John Davies, Cllr. Peter Davies, Cllr. Martin Jones, Cllr. Bob Kimber, Cllr. Les Maguire, Cllr. Phil May, Cllr. Tony Milner and Cllr. Elliot Roberts-Jones.

### **Clerk:**

Sharon Clayton

### **In attendance:**

8 members of the public

### **293/19 Chairman's Welcome**

The Chairman, Cllr. Paul Milner had a work commitment and was unable to attend the meeting. In his absence the meeting was chaired by the Deputy Chairman, Cllr. Peter Richardson who welcomed everyone to the meeting.

### **294/19 Apologies for absence**

Apologies were received from the following:

<b>Councillor</b>	<b>Reason</b>
Paul Milner	Work Commitment
Robert Milton	Work Commitment
Shirley Jones	Work Commitment

**These apologies were ACCEPTED.**

Apologies were also received from the Oswestry Safer Neighbourhood Team and Shropshire Councillor Joyce Barrow who was attending another meeting in Oswestry.

### **295/19 Co-option**

Following the death of Cllr. Tony Cheetham a casual vacancy had arisen in the Trefonen with Treflach Ward. Since a by-election had not been called by the electorate the Council was required to fill the vacancy by co-option. There had only been one expression of interest from Bob Kimber and his application for co-option had been presented to Members.

**It was PROPOSED, SECONDED and, after being put to the vote with all in favour, it was unanimously RESOLVED that Bob Kimber be co-opted to the office of Member of Oswestry Rural Parish Council.**

### **296/19 Declaration of Acceptance of Office**

The newly co-opted Member, Bob Kimber signed his Declaration of Acceptance of Office as Member of Oswestry Rural Parish Council.

### **297/19 Public Participation**

The Chairman invited members of the public to speak.

One member of the public referred to the Shropshire Local Plan Review which indicated a need for 55 properties to be built in Trefonen during the period of the Review. He said that none of the promoted sites had been accepted as SLAA (Strategic Land Availability Assessment) residential sites although several had been identified as long-term potential SLAA sites. The Parish Council's preferred option was that the requirement for 55 new dwellings should be met by infill or small developments. As Shropshire Council considered all such sites to be unsuitable and had rejected them as SLAA residential sites the Parish Council was asked if it would be re-considering its housing policy for Trefonen and putting its support behind one or more of the larger and more deliverable sites in the village to ensure the type of sympathetic development it craves.

### 298/19 Minutes

The minutes of the parish council meeting held on 26 February 2019 were considered for approval.

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

At this point in the meeting Cllr. Martin Jones passed to all Members a statement concerning his views about the recently appointed Planning Committee and read the statement aloud. The Chairman advised that Cllr. Jones's concerns about the Planning Committee would be addressed later in the meeting at agenda item 12.

### 299/19 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.

No interests were declared.

However, at this point in the meeting Cllr. Tony Milner raised the issue of Cllr. Paul Milner's membership of Shropshire Council's Northern Planning Committee and whether this created a conflict of interest as Cllr. Milner had been appointed to the Parish Council's Planning Committee. The Clerk advised that this should be discussed at the end of the meeting.

### 300/19 Dispensations

There were no requests for dispensations.

### 301/19 Declaration of Acceptance of Gifts and Hospitality

There were no declarations of gifts or hospitality.

However, the limit for the Declaration of Acceptance of Gifts and Hospitality was questioned and the Clerk responded by saying she thought that only gifts and hospitality above £25 needed to be declared, but she would confirm this at the next meeting.

### 302/19 Police Report

A representative from the Oswestry Safer Neighbourhood Team was unable to attend the meeting although a written report was submitted and presented to Members.

**The report was NOTED, and it was requested that the results of police investigations should be included in future reports.**

### 303/19 Planning matters

Members raised questions concerning Shropshire Councillors Joyce Barrow and Paul Milner and their involvement with planning applications in terms of declaring interests. The Clerk explained that Shropshire Council's solicitor Graham White could give advice about declaring interests to parish councillors as well as Shropshire councillors.

#### a) Planning Decisions

The following planning decisions were **NOTED**.

18/05616/FUL Trefarclawdd Lodge, Coed Y Go	Erection of single storey garage and stores. Permission <b>REFUSED</b> 1.3.19 Supported by the Parish Council.
18/05768/FUL Proposed residential development on land east of Kingfisher Way, Morda	Erection of double garages in lieu of single garages previously approved on plots 20, 25, 32, 36, 37, 38, 42, 44, 45 and 46 under ref: 15/04690/REM. Permission <b>GRANTED</b> 19.3.19. Supported by the Parish Council.
19/00110/FUL Kent House, Maesbury	Erection of single storey extension to side. Permission <b>GRANTED</b> 27.2.19. Supported by the Parish Council.

## b) Planning Applications

<p>18/02657/FUL Black Country Metal Works Ltd., Whitehall Farm, Queens Head, Oswestry</p>	<p>RE-CONSIDERATION</p> <p>Application under Section 73A of the town and Country Planning Act 1990 (as amended) for regularisation of extensions to existing buildings together with lawful uses relating to a mixed-use rural enterprise (A1, A3, B1, B2 and B8); improvements to existing vehicular access including creation of visibility splay; Change of Use of land to sculpture park and car parking areas.</p> <p>Members expressed concern that access had been installed without planning permission. The planning application states that access and egress will be controlled although evidence suggests that only on-site traffic management was being controlled but traffic exiting onto the busy A5 was not. It was also suggested that reference in the planning application to the objectives of the business having an economical benefit to Oswestry was speculative.</p> <p><b>It was PROPOSED, SECONDED and AGREED to:</b></p> <ul style="list-style-type: none"><li><b>a) Reiterate the comments last submitted to Shropshire Council by the Parish Council.</b></li><li><b>b) Express the Parish Council's concerns about highway related issues.</b></li><li><b>c) Request that Shropshire Council should consult the Fire authority about the planning application.</b></li></ul>
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## c) Planning Appeal under Section 78

<p>18/04414/FUL 1 Brick Kiln Cottages, Racecourse Road, Oswestry</p>	<p>Erection of part two storey part single storey extension(s)</p> <p><i>This application was supported by the Parish Council and Shropshire Council had refused permission on the grounds that its character and appearance would have a detrimental impact on the surrounding rural area and the proposals are contrary to various policies within the Shropshire Local Plan.</i></p> <p><b>It was PROPOSED, SECONDED and AGREED that the Parish Council's original support for this application should be withdrawn.</b></p>
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### 304/19 Delegated Powers to the Planning Committee

Members considered for approval whether the Planning Committee should be granted delegated authority to respond to planning applications that might need urgent attention whilst the Clerk was on annual leave during the last week in April. However, the concept of nothing less than full Council making decisions on planning applications was met with robust disapproval from some Members. At the last Parish Council meeting Members had agreed to establish a Planning Committee whose remit would be to examine all planning applications and make recommendations to full Council. This arrangement was to be trialled for a period of 6 months after which it would be reviewed for effectiveness. However, negative comments had been expressed from both Members and members of the public who were opposed to any planning decisions being made unless members of the public were present with an opportunity to put forward their views. Cllr. Martin Jones asked that his objections to a Planning Committee be recorded and asked that the Parish Council re-consider its continuation of planning applications being first considered by a committee.

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

- a) The Planning Committee established at the last Parish Council meeting be dissolved and the need for the establishment of a working group should be considered further at the Annual Parish Council meeting in May 2019.**
- b) A time extension should be requested for any planning applications received before the next Parish Council meeting if response timeframes could not be met.**

### 305/19 Clerk's Report

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

The Clerk also informed Members that:

- There would be a Place Plan meeting at 7 pm on Thursday 4 April at the Marches School, Morda Road, Oswestry and the Clerk and two Council representatives were invited to attend.

**It was AGREED that Cllr. John Davies and Cllr. Les Maguire should attend the meeting along with the Clerk.**

- The local press had been asked to publicise the Tony Cheetham Community Service Award Scheme and details of the Scheme were on the front page of the Parish Council's website.

**NOTED.**

- The contractor appointed to look after Trefarclwdd cemetery had reported to the Clerk that there were 9 graves that needed to be levelled but this could not be undertaken because relatives had planted shrubs and placed ornaments on some of them. Members were reminded of the Council's policy which states that the "Council will remove, without notice, any unauthorized memorials, kerbs, railings, ornamentation or horticultural decoration" and "Receptacles for flowers, ornaments etc. shall only be placed on the concrete rafting provided at the top of plots. 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. No glass shade will be placed on any grave". The Clerk advised Members that she would write to the grave owners and give them a deadline in which to clear the graves after which the ornaments and plants would be removed by the Council.

**NOTED.**

### 306/19 Financial Matters

- a) Members received income and expenditure to the end of February 2019.

**It was PROPOSED, SECONDED and unanimously AGREED that the income and expenditure to the end of February be APPROVED.**

- b) Members considered for approval payments for March 2019.

**It was PROPOSED, SECONDED and unanimously AGREED that the following payments for March 2019 be APPROVED:**

Payee	Description	Amount £
Sharon Clayton	Salary (March 2019)/expenses and reimbursement for postage	1089.19
HMRC	PAYE/Employer NI	37.56
Mark Evans	Bus shelter cleaning	54.00
SLCC	Clerk's annual membership	236.00
S Lawrence & Son Ltd.	Printing Community Service Award leaflet	92.00
Royce Landscapes	Maintenance of green spaces	261.00
	<b>TOTAL</b>	<b>1769.75</b>

### 307/19 Annual Parish Meeting

Members considered for approval the agenda for the Annual Parish Meeting that was to take place on Tuesday 21 May 2019 at Morda Village Hall.

**It was PROPOSED, SECONDED and AGREED that the following would be included on the agenda:**

- Presentation of the Tony Cheetham Community Service Award.
- Presentation of grants.

**It was further AREED that the following should be invited to give presentations:**

- The Trefonen Heritage Group.
- The Police inspector.
- Stonehouse Brewery who, as the sponsor, would present the Tony Cheetham Community Service Award.

### **308/19 Delivering Local Projects**

At the last Parish Council meeting it had been agreed that the Council should apply to the PCC for a grant to help reduce speeding within the parish. It was also agreed to submit an expression of interest to Shropshire Council for CIL funding. Members received a report from the Clerk which advised that certain criteria needed to be met in order to be eligible for these funds and recommended that the Parish Council should work with partners to establish a Project Plan before applying to the PCC for funding and that priorities within the Place Plan should be agreed before applying for CIL funding. The Clerk recommended that the Parish Council should consider its priorities and establish a small working group of Councillors and interested members of the community, led by the Clerk, to work with Shropshire Council and partners to produce a Project Plan that would be eligible for PCC and CIL funding.

**It was PROPOSED, SECONDED and unanimously AGREED that a Working Group be established whose Members would be Cllr. Pam Broomby, Cllr. John Davies and Cllr. Bob Kimber and led by the Clerk to work with partners to formulate a Project Plan.**

### **309/19 Risk Management Scheme**

Members considered for approval the Parish Council's Risk Management Scheme which was due for review in March 2019.

**It was PROPOSED, SECONDED and AGREED that the Risk Management Scheme be APPROVED and that its next review date would be March 2020.**

### **310/19 Rescission of Decision**

At the last Parish Council meeting it had been resolved that the notice board situated at Ball Lane in Maesbury should be removed and not repaired due to its poor condition. However, it had since been observed that the notice board was being used by the church and other local groups such as Maesbury WI. As a result, it was subsequently requested that this notice board be retained. It was therefore requested that, in accordance with the Council's Standing Order no: 7, three councillors being Peter Richardson, Tony Milner and Martin Jones requested that this decision be rescinded so that the notice board could be replaced.

**It was PROPOSED, SECONDED and AGREED that the decision not to replace the notice board in Ball Lane, Maesbury be rescinded and that it be replaced.**

### **311/19 Notice Boards Repair/Replacement**

Members considered for approval a revised Repair Schedule for the repair/replacement/removal of notice boards within the parish as approved at the Parish Council meeting held on 26 February 2019.

**It was PROPOSED, SECONDED and AGREED that the revised Notice Board Repair Schedule be APPROVED and that all boards should be big enough to accommodate 10 A4 sheets. It was further AGREED that a schedule be prepared so that the worst notice boards be replaced and repaired in order of priority.**

### **312/19 Charter for Trees, Woods and People**

- a) Members considered the Parish Council's duty to conserve biodiversity in accordance with the Natural Environment and Rural Communities Act 2006, Section 40.

**It was PROPOSED, SECONDED and AGREED to acknowledge the Parish Council's duty to conserve biodiversity.**

- b) Members considered for approval whether to sign up to the Tree Charter which embeds 10 principles to:

- Sustain landscapes rich in wildlife.
- Plant for the future.
- Celebrate the power of trees to inspire.
- Protect irreplaceable trees and woods.
- Plan greener local landscapes
- Recover health, hope and wellbeing with the help of trees.
- Make trees accessible to all.
- Combat the threats to our habitats.
- Strengthen our landscapes with trees.

The Charter had been developed by NALC, the Woodland Trust, the National Unions for Students and the Tree Council. NALC was urging parish councils to sign the Charter and encourage their local communities to support the Charter tool.

Theme 3 in the Parish Council's Business Plan considers the appearance of the parish, its environment, public services and safety. One of its objectives is *"To understand, celebrate and protect the local landscape and have a say in its future management. In particular Offa's Dyke, Wat's Dyke and Oswestry Racecourse"*. Objective 2.2 commits the Council to *"Work with partners to investigate whether additional planting of native trees/shrubs would be of benefit to wildlife and preserve the landscape"*, and 2.3 commits the Council to *"Review all trees in the settlements which should lead to the identification of significant trees. Appropriate maintenance arrangements to be recommended and assess whether Tree Preservation Orders should be requested"*.

**It was PROPOSED, SECONDED and unanimously AGREED that the Parish Council should sign up to the Tree Charter.**

### **313/19 Right Home Right Place – delivering homes in your community**

Members received information from Shropshire Council about an initiative to assist local people to help identify housing need in Shropshire and to provide information about affordable housing, community housing and housing in general.

The Clerk informed Members that she had contacted Shropshire Council to advise that the Parish Council had carried out a Housing Needs Survey in 2018. In response Shropshire Council had informed that it had received two approaches from landowners/agents who would like to develop some affordable housing in Trefonen and Morda. Whilst Shropshire Council did not have a huge need on the housing register in the Trefonen area the Parish Council's Housing Needs Survey did show some need. Another parcel of land in Morda currently had a need for 5 affordable rent dwellings which Shropshire Council would support. Shropshire Council had subsequently invited the Parish Council to discuss the possibility of a Community Led Scheme to deliver affordable housing.

**It was PROPOSED, SECONDED and AGREED that the "Right Home Right Place" department of Shropshire Council should be invited to discuss their incentives at the Annual Parish Meeting.**

### **314/19 Councillor Reports**

Members received the following verbal reports:

#### **a) Shropshire Councillor Joyce Barrow**

Cllr. Barrow was unable to attend and therefore there was no report.

**NOTED.**

#### **b) Parish Councillors**

Cllr. Tony Milner and Cllr. Martin Jones had both attended a Rights of Way meeting which discussed Rights of Way legislation drawn up in 2000. After the year 2000 any paths not included on the definitive map will be lost forever. Many paths are often lost following housing development and members of the community were urged to pass on any details they know of so that existing paths could be added to the definitive map.

**NOTED.**

Cllr. John Davies reported that he had drawn up a check list for planning applications as an aide memoir and this was distributed to Councillors. It advised Councillors that planning applications should be checked against relevance to:

- Signage and its intrusiveness and unsightliness.
- Objections from other interested parties.
- Comments from Highways.
- Noise nuisance.
- Fire Authority comments if required.
- The need for an ecological report.
- The effects of drainage.
- Notices of planning applications meeting legislation requirements.
- Site visits being required by Parish Councillors.

**NOTED.**

Cllr. Bob Kimber reported that the Trefonen Heritage Group was preparing a cemetery map of Trefonen Cemetery which was proving to be somewhat of a challenge since information recorded in the burial registers did not always reflect the names on the headstones.

**NOTED.**

Cllr. Peter Richardson reported that he had contacted Kier asking for a report on Stage 3 of the Maesbury Junction although this had not been forthcoming.

**It was AGREED that this should be followed up.**

### **315/19 Correspondence**

Members received the following correspondence:

- a) SALC information bulletin and other information emailed to Members.

**NOTED.**

### **316/19 Annual Parish Lunch**

Members considered for approval a date, time and venue for the annual parish lunch.

**It was PROPOSED, SECONDED and AGREED that the annual parish lunch would take place before May and the Clerk would make the necessary arrangements.**

### **317/19 Agenda items for Next Meeting**

It was **AGREED** that Members should inform the Clerk of any items they would like to be included on the next agenda.

### **318/19 Date for Next Meeting**

It was **NOTED** that the next meeting would be the Annual Parish Council meeting that would take place on Tuesday 7 May 2019, followed by the Annual Parish Meeting on Tuesday 21 May 2019, both of which would take place at Morda Village Hall. There would also be a Parish Council meeting at Rhydycroesau Village Hall on Tuesday 28 May 2018.

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### **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.

### **319/19 Staffing Matters**

- a) Members received a recommendation from the Personnel Committee that, after a satisfactory probationary period, the Clerk's appointment should be made permanent.  
**It was PROPOSED, SECONDED and unanimously AGREED that that the Clerk's appointment be made permanent.**
  
- b) Members received a recommendation from the Personnel Committee that, following a satisfactory Performance Review, the Clerk's previous salary of SCP29 should be replaced with LC2, SCP 23 for the fiscal year 2019/2020.  
**It was PROPOSED, SECONDED and unanimously AGREED that, as from 1 April 2019, the Clerk's salary should be LC2, SCP 23.**

The meeting closed at 21:21.

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

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

Chairman