

# Oswestry Rural Parish Council

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## Minutes of a Parish Council meeting held at 7 pm on Tuesday 26 October 2021 at Morda and Sweeney Village Hall

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### **Present:**

Chairman: Cllr. Paul Milner, Cllr. Martin Bennett, Cllr. Iain Campbell, Cllr. John Davies, Cllr. Roger Jones, Cllr. Bob Kimber, Cllr. Les Maguire, Cllr. Peter Richardson, Cllr. Jas Singh, Cllr. Steve Watts, Cllr. Mike Weston.

### **Clerk to the Council:**

Sharon Clayton

### **In attendance:**

Approximately 21 members of the public.

### **1162 Chairman's Welcome**

The Chairman welcomed everyone to the meeting.

### **1163 Apologies for Absence**

Apologies were received from Cllr. Robert Milton and Cllr. Peter Davies who both had a work commitments and Cllr. Martin Jones who was on holiday.

**These apologies were ACCEPTED.**

Cllr. Chris Woods was absent.

Apologies were also received from Shropshire Councillor Joyce Barrow.

### **1164 Co-options**

The Chairman invited Iain Campbell to give a short presentation on why he wanted to join the Council and represent the ward of Maesbury with Aston. He informed the meeting that he lived and worked in the ward in which he had a tourism business and was very much involved in local tourism.

The Chairman invited Mike Weston to give a short presentation on why he wanted to join the Council. He informed the meeting that, whilst he had only lived in Morda for 5 years, he had business experience which he thought could add value as a parish councillor.

After being put to the vote it was **PROPOSED, SECONDED and AGREED that Iain Campbell be co-opted as a parish councillor.**

After being put to the vote it was **PROPOSED, SECONDED and AGREED that Mike Weston be co-opted as a parish councillor.**

Both newly co-opted councillors signed their Declaration of Acceptance of Office.

### **1165 Public Participation**

\*One member of the public queried the accuracy of the minutes of the last meeting in comparison to what she had said during the public session and asked for them to be amended.

One member of the public expressed concern about the Terraces and its suitability for further development as the land was unstable. He asked the Council not to support any further development on that land.

One member of the public also expressed concern about the Terraces. He said this derelict land was dangerous as it was littered with building debris. He suggested it be used as open green space for community use and that trees should be planted.

#### **1166 Police Report**

The police were unable to attend but provided a written report with the following information:

1/10/21 – Road Traffic Collision (RTC) – A483 Sweeney. Non-injury.

03/10/21 – Drink driver – A483. Driver arrested. No injuries.

03/10/21 – Highway incident – item in road, removed by Highways. A5 Mile End.

03/10/21 – Theft – failure to pay. Mile End. Offender not identified/located.

04/10/21 – Theft of parcel. Morda. No lines of enquiry.

08/10/21 – Anti-social behaviour. Youths reported being noisy in bar – officers attended – no trace of anyone.

09/10/21 – Report of dangerous driving, A5 Mile End. Extensive area search – no trace of vehicle.

10/10/21 – Report of dangerous driving, A483 Morda area. Area search – no trace. Passed to Dyfed Powys Police also.

11/10/21 – Overturned trailer, Mile End roundabout. Police and fire attended. Traffic disruption but not full road closure.

13/10/21 – Road rage incident – Maesbury. Investigations on-going.

14/10/21 – Report of drug driving. Investigations on-going.

14/10/21 – Theft, failure to pay. Mile End

15/10/21 – Overturned tractor – A5 Queens Head. No injuries. Minor disruption.

18/10/21 – ASB, Mile End. Youths being disruptive. Moved on.

Incidents that have been omitted due to data protection –

Domestics – 6

Crimes (other) – 1

Concerns for Safety – 3

Other - 1

**NOTED.**

The Clerk informed Members that she and other clerks had been invited by the police to a series of Teams meetings to discuss the Local Policing Charter. These meetings would be recorded so that anyone unable to attend would be able to access the recording.

**NOTED.**

#### **1167 Minutes**

The minutes of a Parish Council meeting held on 28 September 2021 were considered for approval. Following an agreed amendment at minute number 1137 as requested by a member of the public\*, it was **PROPOSED, SECONDED and RESOLVED that the minutes be APPROVED and ADOPTED as a true record.**

#### **1168 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 an interest in Fairhaven Campsite.

Cllr. Les Maguire declared an interest in The Terraces.

Cllr. John Davies asked whether dispensations should be granted to councillors who had local knowledge of the matters in which they had declared an interest and it was **AGREED** that the Clerk would consult with the Monitoring Officer to ensure that councillors speaking on subjects of which they had pecuniary interests would be unlawful.

#### **1167 Dispensations**

None requested.

#### **1168 Declaration of Acceptance of Gifts and Hospitality**

None declared.

#### **1169 Planning Matters**

##### **a) Planning Decisions**

The following planning decisions were **NOTED.**

<b>Planning Application Details</b>	<b>Planning Proposals</b>
21/02283/FUL Corner House, Morda	Erection of two-storey, two-bedroom annexe following demolition of existing brick-built outhouse. Permission GRANTED 14 October 2021. <i>The Parish Council had no objection to this application</i>
21/03822/FUL Morton House, Gibraltar Lane, Treflach	Renovation and erection of extensions to the front, side and rear elevations, consisting of both two storey and single storey additions. Permission GRANTED 4 October 2021. <i>The Parish Council supported this application.</i>
21/03757/FUL Underhill House, Oswestry	Erection of free-standing PV array for domestic use. Permission GRANTED 18 October 2021. <i>The Parish Council supported this application.</i>
21/04121/VAR Land adj. White House, Crickheath, Oswestry	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. Permission REFUSED 22 October 2021. <i>The Parish Council had no objection to this application.</i>

## b) Planning Applications

The following planning applications were considered:

<b>Planning Application Details</b>	<b>Planning Proposals</b>
21/03902/FUL Keepers Cottage, Candy	Erection of first floor extension. <b>It was PROPOSED, SECONDED and AGREED to support.</b>
21/04624/FUL Laburnum Cottage, Gwern-Y-Brenin, Oswestry	Erection of a single storey extension. <b>It was PROPOSED, SECONDED and AGREED to support.</b>
21/04703/FUL The Firs, Weston	Internal alterations, first floor extension, replacement windows and construction of detached garage. <b>It was PROPOSED, SECONDED and AGREED that, should this application be approved by Shropshire Council, any further development rights for the new garage be removed as they would be out of keeping with its surroundings.</b>
21/04704/LBC The Firs, Weston	Internal alterations, first floor extension, replacement windows and construction of detached garage. <b>It was PROPOSED, SECONDED and AGREED that, should this application be approved by Shropshire Council, any further development rights for the new garage be removed as they would be out of keeping with its surroundings.</b>

## 1170 Clerk's Report

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

## 1171 Councillor Reports

- a) As she was not present there was no report from Cllr. Joyce Barrow.
- b) Cllr. Peter Richardson and Cllr. Martin Bennett had attended a meeting of the Oswestry Area Committee on 21 October 2021 and notes from that meeting had been circulated to Members.

Cllr. Bob Kimber reported that a new gate had been fitted at Trefonen cemetery.

**NOTED.**

## 1172 Financial Matters

### a) Income and Expenditure

Members considered for approval income and expenditure for September 2021 and from 1 April to 30 September 2021.

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

- **Income of £281.66 and expenditure of £5,823.25 for September 2021 be APPROVED.**
- **Income received to date of £83,628.36 and gross expenditure of £23,567.41 be APPROVED.**

**b) Bank Reconciliations**

Members considered for approval bank reconciliations for September 2021.

**It was PROPOSED, SECONDED and AGREED that bank reconciliations totalling £263,894.41 for September 2021 be APPROVED.**

**c) Payments for October 2021**

Members considered for approval payments for October 2021.

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

PAYEE	DESCRIPTION	AMOUNT £
Scottish Power	Streetlight electricity	251.12
Colin Turner	Bus shelter cleaning, cemetery gate repair, varnishing notice boards	675.00
Mark Evans	Bus shelter cleaning	60.00
A G Royce	Grounds maintenance	540.00
Trefonen Village Hall	Room hire	60.00
Highline Electrical Ltd.	Streetlight repair	88.50
Silver Marbles	Website maintenance and web hosting	126.00
G D Harrison	50% deposit for bench in cemetery	473.00
HMRC	PAYE/NI	190.35
Sharon Clayton	Clerk's expenses	969.25
	<b>TOTAL</b>	<b>3433.22</b>

**1173 Grant Awards**

Members considered for approval grant requests received from Morda United FC and Qube. Members questioned how many people within the parish of Oswestry Rural were benefiting from the work of Qube.

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

- a) **Grant awards would not be made at this time as further information was required.**
- b) **Qube should be asked what benefit its work had within the parish of Oswestry Rural and invited to attend a future Parish Council meeting to explain.**
- c) **A grant of up to £1,000 may be awarded to Morda United FC on production of the appropriate receipt.**

**1174 Personnel Committee**

Members considered for approval the appointment of one new member to the Personnel Committee.

**It was PROPOSED, SECONDED and AGREED that Cllr. Jas Singh be appointed to the Personnel Committee.**

**1175 Strategic Plan**

Members considered for approval revisions to the Strategic Plan.

**It was PROPOSED, SECONDED and AGREED that the revisions to the Strategic Plan be APPROVED.**

**1176 Allocation of Funds**

Members considered for approval the allocation of funds as presented by the Clerk.

**It was PROPOSED, SECONDED and AGREED that allocated funds be APPROVED as presented by the Clerk.**

**1177 Code of Conduct**

Members considered for approval the adoption of a new Code of Conduct as revised by the Local Government Association.

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

- a) **The revised Code of Conduct be APPROVED and ADOPTED.**
- b) **The Clerk should arrange for Members to receive training on the Code of Conduct.**

#### **1178 Neighbourhood Watch**

Cllr. Roger Jones asked Members to consider for approval the establishment of Neighbourhood Watch Schemes throughout the parish. Co-ordinators would need to be found and Cllr. Jones had volunteered to be a co-ordinator for Coed-Y-Go. There was no cost for the scheme itself although there may be costs for posters/publicity etc.

**It was PROPOSED, SECONDED and AGREED to support the establishment of Neighbourhood Watch Schemes throughout the parish and co-ordinators should be sought.**

#### **1179 Road Safety**

- a) At the last meeting a member of the public had asked the Parish Council to consider speeding issues at Morton.

**It was PROPOSED, SECONDED and AGREED that the Road Safety Working Group would liaise with the concerned member of the public about this issue.**

- b) Cllr. Les Maguire informed Members that speed counters had been installed at Coed-Y-Go, and that Cllr. Dean Carroll at Shropshire Council would be facilitating a meeting with local residents some time in November.

**It was PROPOSED, SECONDED and AGREED that Cllr. Dean Carroll be thanked for the prompt action and asked that the traffic counter remained in situ until after half term.**

#### **1180 Drainage**

Cllr. Roger Jones reported that WSP had removed the big manhole and replaced it with 2 containment ponds to take away excess water. However, this would only deal with land issues and not operational issues, and he was concerned about where the wash containing the slurry from Trefarclawdd Farm would go. He was still waiting for a response from Shropshire Council concerning the drainage scheme at the farm and the impact of farming activities on the local community and the environment.

**It was PROPOSED, SECONDED and AGREED that Shropshire Council should be asked to respond to Cllr. Jones' request for information concerning activities at Trefarclawdd Farm and, if a satisfactory response was not received, the matter should be referred to Cllr. Lezley Picton, the Leader of Shropshire Council.**

#### **1181 The Terraces**

Members considered residents' concerns about the suitability of further development at The Terraces, its planning history and access to the site. Cllr. Martin Bennett asked Members to consider that:

- Notwithstanding Planning Policies relating to the preferential development of brownfield sites, and the use of windfall sites to provide additional housing, the site at The Terraces, Morda, the subject of planning application OS/08/15863/REM, should not be used for housing, due to the uncertainty of the underlying geological conditions created by historic mining.
- In accordance with the Council's Strategic Plan, Theme 6.17 (Promote tourism and celebrate local heritage) the site – given the potential difficulties of development for housing, would be better used to create an area where the mining history and heritage of the Morda Valley could be adequately explored, and/or community uses developed (Strategic Plan, Theme 3.10).

Cllr. Bennet further asked the Council to **NOTE**:

- In addition to the geological issues there was also a potential legal bar to development relating to the potential claim by residents for adverse possession of the existing right of way, which if proved, would prevent access by a developer.
- Several breaches of planning conditions may have occurred in relation to undertaking given by agents for the applicant in respect of fencing, protection for trees on the site and items of archaeological interest and value.

Cllr. Bennett **PROPOSED**, and it was **SECONDED and AGREED** that:

- a) **Shropshire Council should be asked to clarify if they consider that the extant planning permission had in fact been implemented.**
- b) **Shropshire Council should be asked to investigate alleged breaches of planning conditions as a matter of urgency as they relate to any assumed planning permission.**
- c) **The Parish Council would explore the option of funding a search of the Land Registry through Lanyon Bowdler to try to determine if the land had been registered, and that the costs and feasibility of funding a claim for adverse possession on behalf of the residents, which actions would further the Parish Council's aims in respect of the Strategic Plan Themes 6 and 3, and the Parish Council's view expressed to Shropshire Council that the parish area of Oswestry Rural should be considered as 'Countryside'.**

- d) **The Clerk be given a budget of £1,000 and granted delegated authority to instruct Lanyon Bowdler to carry out the necessary searches.**
- e) **The matter would be considered further at the next meeting.**

Cllr. Les Maguire abstained from the vote.

#### **1182 Development Issues**

As Cllr. Peter Davies was not present it was **AGREED** to defer this matter to the next meeting.

#### **1183 Allotments**

Cllr. Steve Watts informed Members that he had been approached by a local resident enquiring about the provision of allotments as there was presently no provision. He asked Members to consider the demand, if any, for the Parish Council to provide allotments, in pursuance of the Small Holdings and Allotments Act 1908 s23.

**It was PROPOSED, SECONDED and AGREED to determine the demand, if any, for the provision of allotments within the parish.**

#### **1184 Notice Boards**

Cllr. Steve Watts expressed concern about the state of the notice boards within the parish. The Clerk informed Members that the notice boards had recently been re-varnished. However, Members expressed concern that the notice board at Morda shop had not been included. Cllr. Watts also asked who was responsible for updating the notice boards and the Clerk explained that several councillors and members of the public kindly volunteered to post the various Parish Council notices although more volunteers were needed.

**It was PROPOSED, SECONDED and AGREED that the following councillors would be responsible for posting notices:**

- **Cllr. Jas Singh – Morda shop notice board.**
- **Cllr. Mike Weston – Rhydygroesau notice board.**
- **Cllr. Roger Jones - Coed-Y-Go notice board**
- **Cllr. Bob Kimber – Trefonen notice board.**

#### **1185 Fairhaven Campsite**

No further information had been received concerning activities at Fairhaven Campsite.

#### **1186 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 Members would study the implications and their impact on future interments at Trefarclawdd cemetery and that a ground water survey of the land should be considered at the next meeting.**

#### **1187 Remembrance**

Members considered for approval arrangements for Remembrance Sunday on 14 November 2021. The Clerk informed Members that a road closure had been granted.

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

- a) **Cllr. Paul Milner would collect the wreath beforehand.**
- b) **40 small crosses should be purchased.**
- c) **Cllrs. Bob Kimber and John Davies would make arrangements for the road closure and the service.**
- d) **The Barley Mow should be asked if they would provide tea and coffee after the service.**

Cllrs. Martin Bennett and Les Maguire gave their apologies as other commitments would prevent their attendance.

#### **1188 Date for Next Meeting**

It was **NOTED** that the next meeting would take place on Thursday 25 November 2021 at Morda with Sweeney Village Hall.

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.**

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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.

**1189 Recording of Council Meetings**

Members considered for approval a quote for the purchase of technical equipment to enable video recording of council meetings via Zoom. However, Members were concerned about the cost of the equipment, and it was therefore **PROPOSED, SECONDED and AGREED** that:

- a) **A 10GB mobile broadband package for £15 per month should be purchased from EE to provide onsite broadband/Wi-Fi connectivity at meetings.**
- b) **Members would take their own devices to future meetings and log into Zoom from the network to enable hybrid meetings.**

**1190 Notice Board at Sweeney Mountain**

Members considered for approval a quote for making and installing a new notice board at Sweeney Mountain.

**It was PROPOSED, SECONDED and AGREED that a new Oak notice board be purchased from Malcolm Lainsbury at a cost of £1,385 for labour and material.**

**1192 Planning Enforcement**

Members **NOTED** a recent planning enforcement case.

The Chairman thanked everyone for their attendance and closed the meeting at 21:13.

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

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