**DIDDLEBURY PARISH COUNCIL**

**Chairman: Cllr D Hedgley**

Clerk: Mrs Jean de Rusett, The Grange, Leinthall Earls, Leominster, Herefordshire HR6 9TS Tel: 01568 770640 "e" mail address: diddleburypc@gmail.com

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**MINUTES**

**Of the Parish Council Meeting**

**held on Wednesday 24th January 2018 at 7.30pm at Diddlebury Village Hall**

**001/18: Present and apologies for absence**

 Cllr. D Hedgley - Chairman, Cllr. R Povall – Vice-Chairman, Cllr. A Watson, Cllr. T O'Boyle, Cllr. K Worthington, Cllr. S Thomas, Cllr. M Thomas, Cllr. M Woodhouse and Cllr. S Povall

**Apologies**

Apologies were received from Unitary Cllr. Motley

**In attendance**:

The Clerk, Mrs J de Rusett and nine members of the public

**002/18: Declarations of Interest relating to this meeting.**

Members are requested to declare any Disclosable Personal or Pecuniary Interests they may have in matters to be considered at this meeting in accordance with the Localism Act 2011 s32 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

No Declarations of interest were made.

**003/18: Public involvement session:**

Mr Kirk of Lower Corfton expressed his concerns about SAMDev having approved a cluster of five dwellings in Lower Corfton, which has been rendered meaningless by the number of applications granted to date, with yet more in the pipeline. The Chairman went through the steps DPC and Mr. Ian Davies have taken to hopefully improve the situation via the Local Plan Consultation feedback.

**004/18: Approval the Minutes of the Meeting held on 22nd November 2017**

The Minutes of the Parish Council Meeting held on 22nd November 2017 had been circulated prior to the meeting: an amendment had been made item 137/17/2: no further amendments were required.

Cllr. R Povall **proposed** that the Minutes be approved as a correct record,

Cllr. Worthington **seconded** the proposal:

**Vote:** With one abstention the members voted to approve the Minutes and they were duly signed by the Chairman.

**005/18: Matters arising from the Minutes of the Parish Council Meeting of 22nd November 2017 not dealt with elsewhere on the Agenda**

117/17: The Chairman advised he and the Clerk had now drafted a response to

the letter from Lucy McFarlane of Shropshire Council concerning the correct route of FP 0525/26, pointing out the three pieces of evidence which demonstrate the Footpath’s correct route.

113/17 – Place Plan and Local Plan review: The Chairman confirmed DPC’s responses to both Plans had been submitted to Shropshire Council and from subsequent discussions he is hopeful that CIL funds can be used for resurfacing the Village Hall car park when available.

128/17: The Chairman confirmed that he will take up Mr Glyn Shaw of the Highways Department the issue of illuminated speed warnings and a 50mph limit on the B4368.

132/17/2: In response to a query raised at the last meeting about accidents in Mill Lane/the Moors, Cllr. O’Boyle advised a domestic pet had been killed in Mill Lane and four other accidents had occurred, possibly speed related, plus a tractor had backed into the bridge damaging it. He has so far canvassed approximately 25% of the residents in Mill Lane and The Moors about the possible introduction of a 20mph speed limit and he hopes to have his survey concluded by the next meeting. To date every person approached has supported the idea.

**006/18 – Reports**

006/18/1 – Chairman’s Report

The Chairman reported on his recent parish council activities, which included:

* Completing and returning a Youth Survey and an Outdoor Partnerships Survey
* Receiving a call from Balfours re the Lower Corfton poultry farm development enquiring how DPC would feel if the planning application was amended to include 2 semi-detached houses rather than 2 detached houses, one of which would be an affordable home: this would make a total of nine house rather than the agreed seven on the site. The Chairman responded that substituting semi-detached houses would be more attractive to local people, but the scheme would have to be re-considered by DPC as an amended application. Mr Kirk advised he and other Lower Corfton residents are having a meeting with Balfours on 6.2.18 at 3.30pm to discuss a revised application: a representative from DPC will attend but no decisions can be made unless and until a revised planning application is submitted in the normal way.
* He had a series of conversations with some DPC members and the Clerk about a disagreement which had arisen at the last meeting.
* He had been involved in an issue in Bache Mill where a domestic property is being used for business purposes, generating a lot of traffic in a narrow lane: an enforcement notice had been submitted to Shropshire Council.
* He has liaised with the Highways Dept. about empty salt bins around the parish at a time when the roads were icy.
* He had discussions with Ian Steele of Culmington Parish Council about the EMO grant being withdrawn and had also held discussions with our EMO.
* He had raised “slow the flow” queries received from residents with Geoff Neden.
* He had replied to Mr Middlemiss about CIL matters.
* He gave a round up on current RSN news.

006/18/2 – Diddlebury Village Hall Report

Cllr. O’Boyle advised that the number of bookings for the village hall are improving: there will be a new Pentabus production in March and the new DVH website will be going live shortly. The issue of a scale of booking charges is still under discussion, a difficulty being that some bookings are “bespoke” and require individual pricing.

006/18/3 – Tree Warden’s Report

Cllr. R Povall confirmed he had received the report of an application (18/00349/TCA) to fell an elm tree in the Conservation Area – Balfours are currently conducting a tree survey on the Delbury Estate and had submitted the application. He had visited the elm tree in question – it is opposite Lane House – and established it is diseased and in need of urgent felling as it is dangerous.

006/18/4 – Flood Action Group Report

Cllr. O’Boyle advised that there will be a meeting in DVH on 15th February 2018 at 7.30pm when Luke from the Shropshire Wildlife Trust will give an up-date on the “slow the flow” scheme in the Corvedale.

The depth gauge is working well and flood alarm messages have been sent out.

A new and challenging issue has arisen: the Environment Agency are proposing to charge huge fees in respect of applications for leaky dams – there has been a 400% increase in some of the fees. The issue is being taken up with Philip Dunne MP.

**007/18 – Planning applications and matters.**

Prior to dealing with the planning applications the Chairman acquainted the meeting with a Planning Information Guide circulated by Shropshire Council. This document sets out what are and what are not *material considerations* which planning officers take into consideration when dealing with planning applications.

**007/18/1 – 17/05800/FUL**. Application by Mr D Middlemiss for the erection of one open market dwelling house, garage, alterations to the vehicular access and installation of a septic tank on land adjacent to Redbrick Barn, Lower Corfton.

Mr Middlemiss attended to assist the councillors. He explained the scheme which will be sited on a 2 acre donkey field and confirmed the design of the house will be sympathetic to the existing architecture of the hamlet.

Mr Kirk expressed concern that SAMDev provided for five houses in Lower Corfton: this would make 14 plus other potential known applications could make it 17.

The Chairman took the meeting through the application: there was only one public comment on the planning portal and that was largely supportive. Electric and water supplies were problematic but outside the scope of the PC’s consideration. Overall, the concensus was this is legitimate in-fill and DPC should support our local residents rather than developers.

Cllr. R Povall **PROPOSED** that the council should support this application and raise no objections to it.

Proposal **SECONDED** by the Chairman

**VOTE:** The proposal was carried by a majority vote in favour.

**007/18/2 – 17/05915/OUT –** application by Mr & Mrs J T Manley of Middle Westhope Farm, Westhope, SY7 9JL for the development of five open market houses with garages and means of access on land north of Garage Cottage, Westhope.

The applicants attended to assist the councillors. They advised they had sought pre-planning advice from the Planning Department who raised a number of issues about the lay-out, landscaping and design of the development which the applicants plan to take into account in their full application.

The application was discussed at length, including concerns raised by Culmington residents who feared an increase in flooding caused by this development. Mr Manley explained at length how he proposed to alleviate any possible flooding issues. It appeared Westhope residents largely supported the development.

Cllr. S Povall **PROPOSED** that the council strongly support the application and raise no objections to it.

The proposal was **SECONDED** by Cllr. R Povall

**VOTE:**  The proposal was carried by a majority vote in favour.

**007/18/3 – 17/05900/REM** – reserved matters application by J K and L J Bithell including access track, alteration to existing vehicular entrance, appearance, landscaping and scale in relation to the outline planning permission (16/03374/OUT) granted for a farm worker’s dwelling on land to the N E of Middlehope.

Both the applicants attended to assist the councillors. They explained that they were still in negotiations with the planners concerning the reserved matters. Due to the presence of a nearby Grade II house Historic England want the position of some windows changed and there was no agreement yet on the style of windows, nor on the materials to be used for the house – stone cladding and brown roof tiles were favoured but no samples had yet been agreed. It was unclear whether natural stone or composite manufactured stone was to be used.

Cllr. R Povall **PROPOSED** that this application had been lodged prematurely and consideration of it should be deferred until definitive plans, window styles and the stone cladding issues were resolved and the application re-submitted.

Proposal **SECONDED** by Cllr. Watson

**VOTE:**  The proposal was carried unanimously.

**007/18/4 – 17/05702/ENF** – In his report the Chairman dealt with problems at 1 Rock Cottage in Bache Mill. Residents had complained that the property was being used for business purposes which was generating a lot of traffic and thus congestion in the narrow lane which serves Bache Mill. The council has submitted a complaint to the planning department. No definitive response has been received as yet.

**008/18 – Minor Highways and Environmental matters**

008/18/1 – increased fees for “leaky dams”. This issue had been had touched on under Reports. The Environment Agency are seeking fees of between £24,000 and £195,000 for permits for leaky dams. The FAG are spearheading a protest movement and Geoff Neden has written to Philip Dunne MP. It was agreed DPC will support the FAG in any way it can.

008/18/2 – Environmental Grant. The Chairman confirmed that Shropshire Council will no longer be offering Environmental Grants to parish councils. DPC will continue to employ Mr Gary Trim for the time being paying him with the ring -fenced EMO sums held – currently £2,934.23 – but would not be able to hire a JCB any longer and JCB work will have to go back to Highways Department. In future years it will be necessary to fund the EMO through the Precept.

008/18/3 – Cllr. O’Boyle has been contacted by a resident asking if a mirror can be installed at the junction where the Bache Mill lane joins the B4368: due to a hedge close to the junction it is necessary to pull into the B4368 to see if the road is clear – this is obviously dangerous. The Chairman agreed to raise the issue initially with Mr Glyn Shaw of Highways.

**009/18 – Communications and correspondence to be considered**

1. 23.11.17 – email Geoff Neden on behalf of FAG re situation downstream of Mill Lane Bridge.

2. Planning decisions:

 17/04539/FUL – application re conversion of outbuildings at Great Sutton Farm, Great Sutton to form four dwellings, creation of estates road, parking areas, private & communal gardens and installation of septic tank. Planning permission granted 24.11.17

 17/04260/FUL – application for the erection of a detached open fronted double garage and entrance porch to front elevation of house at Honeydene, Diddlebury. Planning permission granted 27.11.17

3. Letter Clerk to Senior Community Enablement Officer – lodging completed Annual Place Plan 2017.

4. 16.12.17 – email Chairman to Sarah Bury, CPRE, re DPC’s review of Local Plan Review.

5. 17.12.17 – email Chairman to Andy Keyland, Highways Dept. re lack of salt in Diddlebury salt bins.

6. email Geoff Neden to DPC thanking them for agreeing to make planning applications available to the FAG.

7. 12.1.217 – email Geoff Neden, FAG notifying DPC of new rules for farmers to help protect water quality.

8. 21.01.18 email Chairman to Geoff Neden, FAG re local responses to item 7 above.

9. 13.01.18 – email Geoff Neden, FAG advising of meeting in Diddlebury Village Hall on 15th February 2018, 7.30pm re item 7 above.

10. SALC – January 2018 update on General Data Protection Regulations..

11. SALC – 19.the January 2018 – notes of meeting with MPs and others to discuss the implications of GDPR on parish and town councils and other topics.

12. email from Cllr, Woodhouse re DPC’s agenda being attached to village hall and related responses.

13. email from SALC re the new External Audit/Annual Return arrangements and documentation. The Clerk will be attending a training course at the Shirehall on 8th February 2018 on this topic

14. email 23.01.18 from Jayne Disley, Culmington FAG re planning application 17/05915/OUT

15. Email from a parishioner to Cllr. O’Boyle raising concerns about whether the planning permission for a dwelling at Corfton Barn is being built in accordance with the approved plans.

It was agreed the Clerk will contact the Planning Department re item 15.

**010/18 – Adoption of Protocol – Councillor/Clerk Relations**

The Clerk had received via SALC, initiated by Shropshire Council, a draft Protocol

setting out how councillors and clerks should conduct their relationship: it is requested that parish councils adopt the Protocol. The Clerk had circulated the document prior to the meeting for member’s consideration.

Cllr. R Povall **PROPOSED** that Diddlebury Parish Council adopt the Protocol as drafted.

Cllr. Woodhouse **SECONDED** the proposal

**VOTE:** Proposal adopted unanimously. The Chairman duly signed the Protocol.

**011/18 – Transparency Code grant issues**

011/18/1 – further grant application. The Clerk had been advised by SALC that a final grant application could be made in the sum of £380.16: it would need to be approved by the members.

011/18/2 – purchase of IT equipment

Included in the initial grant application were items of IT equipment which have not yet been purchased. SALC has requested they be purchased: the Clerk had circulated a quotation for the necessary items totalling £440 for equipment plus labour for setting-up costs of £20 per hour.

Cllr. R Povall **PROPOSED** that the further grant application be approved and the purchase of the IT equipment be approved.

Proposal **SECONDED** BY Cllr. Woodhouse

**VOTE:** The proposal was carried unanimously.

**012/18 – Consideration of the steps to be taken to implement the General Data Protection Regulations which are coming force on 25th May 2018**

The members had been kept informed by email of all the prevailing information and opinions about the way forward with this issue. So far the government have not given any clear indication on the position of parish councils, namely whether they may be exempted from the draconian procedures envisaged by this legislation. The Chairman had attended a seminar on the subject and gave an outline of the advice given. Cllr. Motley had urged the parish council to take no steps on outsourcing the appointment of a Data Protection Officer as yet: SALC had circulated the names and addresses of a few local organisations which had come forward offering DPO services – these included Diane Malley whom the Clerk had been urging the parish council to appoint.

The Clerk had circulated a paper setting out her views on the matter, including that of time-tabling. She is concerned that if the parish council delay in appointing a DPO there may not be enough time to set up all the necessary procedures by 25.05.18 and she itemised her time-tabling concerns. She wanted her concerns Minuted, to record that she will not accept any responsibility for breaches of Data Protection Regulations if the council has not implemented its provisions by 25.05.18 due to delaying the appointment of a DPO.

The matter was discussed at length.

The Chairman **PROPOSED** that the appointment of a Data Protection Officer should be deferred for the time being in line with Cllr. Motley’s advice.

Proposal **SECONDED**  by Cllr. Woodhouse

**VOTE:** The proposal was carried unanimously

**013/18 - Consideration of Financial matters**

013/18/1 – Finance Report for December 2017/January 2018

**1. Precept Funds** brought forward from November 2017 **£2,715.70**

**LESS*:*** cheques to be authorised from Precept Funds on24.01.18

1. Clerk’s net salary for Dec. 2017 & Jan. 2018 £287.00

2. HMRC – PAYE on Clerk’s Dec/Jan. salary £ 71.80

3. Westhope Village Hall hire charges 17.05.17 to 28.02.18 £ 75.00

4. Annual subscription to “Council’s Direct” £ 12.00

5. Clerk’s expenses for Dec. 2017/Jan. 2018 as itemised

* Contribution towards Dec.2017 & Jan. 2018 telephone

 & Broadband expenses £20.00

* Postage: 24 x 2nd class stamps £14.20
* 1 x ream copy paper, 1 pkt file dividers £ 3.75
* Travelling expenses claimed at 45p per mile

08.11.17 – to Shirehall, Shrewsbury for GDPR

training course – cost shared with Eaton so

36 miles claimed (was 72 miles)

24.01.18 – to Diddlebury Village Hall for

Parish Council meeting – 45 miles

Total mileage – 81 @ 45p £36.45

 £74.40 £ 74.40

 Total deductions from Precept Funds £520.20 £ 520.20

 **Balance of Precept Funds c/fwd to February 201 £2,195.50**

**2. Balance of Highways** **& Environmental Grant b/fwd £2,934.23**

 **from November 2017**

No claimsfor payment submitted December 2017 or Jan. 2018

**3. Transparency Code Grant b/fwd from November 2017 £1,108.40** No claims submitted in December 2017 or January 2018

**4. Diddlebury Flood Action Group – Balance b/fwd from Nov. 2017 £ 126.57** No claims submittedin Dec. 2017 or Jan. 2018

**5. War Memorial Funds – balance b/fwd** **from Nov. 2017**  **£ 65.13**

**Total funds held by Diddlebury Parish Council after this meeting:**

Precept Funds £2,195.50

Highways & Environmental Grant £2,934.23

Transparency Code Grant £1,108.40

Diddlebury Flood Action Group £ 126.57

Balance of donations for War Memorial £ 65.13

Ear-marked Reserve Fund for resurfacing DVH car park £5,412.29

 **Total of DPC funds c/fwd to February 2018 £11,842.12**

Cllr. Watson **PROPOSED** that the cheques from the above funds be approved

Cllr. Selina Thomas **SECONDED** the proposal

**VOTE:** The proposal was carried unanimously

**013/18/2 - Bank statement/Cash Book Reconciliation:**

 Verification of the Clerk’s reconciliation of HSBC bank statements numbered 304 and 305 with DPC’S Cash Book was checked and confirmed by Cllr. R Povall.

**013/18/3 – Review of Clerk’s salary**

The Clerk joined the Parish Council on 1st January 2014 on a salary of £1700 per annum

which equated to four hours per week on Spinal Column Point 15 on the NALC scale of

salaries for part-time Clerks. Her contract states that her salary will be reviewed annually in January. The salary was not reviewed in 2015 or 2017, but was reviewed in January 2016, when her hours were increased from 4 hours to 4.5 per week and the Spinal Column Point was increased from 15 to 17, at the then prevailing rate of £9.20 per hour, making a total salary of £2,152.80 per annum. The NALC scale assumes that Clerks performing acceptably will rise up one spinal column point per year to a maximum of twelve years. The hourly rate on each point is reviewed by NALC in April each year. NALC ‘s April 2017 document setting out the spinal column points and appropriate hourly rates sets Spinal Point 17 at £9.23. The Clerk suggests she should by now be on Spinal Point 18 at £9.39 per hour making a total gross salary of £2,197.26 based on 4.5 hours per week. However

 Shropshire Association of Local Councils (SALC) state that the job of Parish Clerk cannot be done in less than 6 hours a week. The Clerk is aware of fellow clerks who carry a similar workload to hers are being paid six hours per week. The Clerk has not pressed for anincrease to six hours but does ask for an increase to five hours per week, making a total salary of

£2,441.00 per annum.

Cllr. R Povall **PROPOSED** that the Clerk’s salary be increased with effect from 1st April 2018 to five hours per week @ £9.39 making an annual total of £2,441.

Cllr. Watson **SECONDED** the proposal

**VOTE:** The proposal was carried unanimously.

**013/18/4 - final approval of the 2018/2019 Precept Budget.**

Prior to the meeting the Clerk had circulated a revised draft 2018/2019 Precept Budget and it was duly considered by the members. A copy is annexed to these Minutes.

The members debated the draft budget at some length. It was agreed to set the same Precept as that for 2017/2018 - £5,128.

Cllr. O’Boyle **PROPOSED** that the council sets a Precept for 2018/2019 in the sum of £5,128

Cllr. R Povall **SECONDED** the proposal

**VOTE:** The proposal was passed by a majority vote.

The Chairman duly signed the Precept Requirement form for 2018/2019 for £5,128

**014/18- Any Other Business (for dissemination of information only)**

The Chairman raised a Code of Conduct matter which arose at the last meeting when Cllr. Woodhouse behaviour towards Cllr. O’Boyle was felt not to be in keeping with that expected in council meetings. The Chairman drew to the members’ attention the Code of Conduct and extracts from DPC’s Standing Orders particularly S.O. No. 10 which deals with the conduct of councillors at meetings. He asked that in future all members conduct themselves in accordance with the Code of Conduct and the Standing Orders or face removal from the meeting.

Cllr. Watson called upon Cllr. Woodhouse to make a formal apology to both Cllr. O’Boyle and to all other councillors for his unacceptable behaviour at the meeting on 22nd of November 2017. Cllr. Woodhouse declined to make an apology. Cllr. O’Boyle urged Cllr. Woodhouse to apologise for his behaviour, after which the matter could be drawn to a close. Cllr. Woodhouse again declined to apologise.

Cllr. Watson advised if there is any repeat of unacceptable behaviour from Cllr. Woodhouse she would immediately resign from the parish council. The Chairman assured the members that if any breaches of the Code of Conduct occur in the future, Standing Order 10 will be immediately invoked.

There being no further business, the Chairman closed the meeting at 9.45pm

Date and venue of the next Diddlebury Parish Council meeting

7.30pm on Wednesday 28th February 2018 at Diddlebury Village Hall.

**MINUTES SIGNED BY David Hedgeley**

**DATED 28th February 2018**