**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](mailto:diddleburypc@gmail.com)

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**MINUTES**

**Of the Parish Council Meeting**

**held on Wednesday 27th July 2016, 7.30pm at Westhope Village Hall**

**088/16: Present and apologies for absence**

Cllr. D Hedgley (Chairman), Cllr. M Thomas, Cllr T O'Boyle, Cllr. K Worthington, Cllr. A Watson, Cllr. S Povall, Cllr. M Fowler

**Apologies**

Apologies were accepted from Cllr. S Thomas and Cllr. R Povall

**In attendance**:

The Clerk Mrs J de Rusett, Unitary Cllr. C Motley and eight members of the public.

**089/16: Declarations of Interest relating to this meeting.**

Members are requested to declare any Disclosable 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 or to receive and consider any written requests for dispensations for disclosable pecuniary interests and to grant dispensations as appropriate.

089/16/1: The Chairman **proposed** the following Resolution**: "**To resolve that the Parish Council delegates the power to grant disclosable pecuniary interest dispensations to the Clerk. The Power to do so rests with the relevant authority under Section 33 (1) of the Localism Act 2011 and the basis is set out in Section 33(2)".

Cllr. S Povall **seconded** the Resolution and it was **carried** by a majority vote.

The Clerk reported that she had received a Dispensation Request Form from Cllr. T O'Boyle in relation to Agenda Item 9.6 - a request from the Diddlebury Village Hall Committee to the Parish Council to execute a Deed of Easement relating to access and parking arrangements at Diddlebury Village Hall, to be signed by the Chairman and the Vice-Chairman. Cllr. O'Boyle is Vice-Chairman of the Parish Council and also a member of the Diddlebury Village Hall Committee, hence his application for a dispensation. The Clerk confirmed she had granted the dispensation to enable Cllr. O'Boyle to sign the Deed of Easement on behalf of the Parish Council.

089/16/2 - Cllr. Watson declared an interest in Agenda Item 9.6 and took no part in the discussion.

089/16/3 - Cllr. Fowler declared an interest in planning application16/02835/FUL and took no part in the consideration of the application.

**090/16: Public involvement session:**

No matters were raised.

**091/16: Approval of the Minutes of the Parish Council Meeting on 22nd June 2016.**

The Minutes of the meeting held on the 22nd June 2016 had been circulated prior to the meeting and were considered: Cllr. Worthington proposed they be approved as a correct record, seconded by Cllr. Watson and passed by a majority vote.

The Minutes were duly signed by the Chairman.

**092/16: Matters arising from the Minutes of the Parish Council Meetings of the 22nd June 2016 not dealt with elsewhere on the Agenda**

The Chairman raised a matter which had been discussed informally at the May meeting, relating to allowing advertising on the DPC website for local traders etc. He was concerned that this might detract from people advertising with the Corvedale News, which needed its advertising revenue to continue publication. Cllr. Worthington advised it had been suggested that local traders etc. who already advertised in the Corvedale News could also be offered space on the DPC website, as a service to the public. Mrs Jane Husband, who deals with advertisements, could suggest in January 2017 to any advertisers that they might also like to be included on the DPC website and she will liaise with Sara Thompson accordingly. Only traders advertising with the Corvedale News will be offered this service.

It was agreed that the DPC website will need a disclaimer to the effect that the advertisements are there purely as a community service, and that the DPC does not endorse the services being offered. Cllr. O'Boyle asked what criteria will apply to advertisements - the DPC doesn't want to be involved in anything inappropriate. Sara Thompson agreed to query anything she felt may be inappropriate. It was agreed the matter will be reviewed again next January.

**093/16 - Reports**

093/16/1 - Chairman's Report

The Chairman advised during the last month he had liaised with Unitary Cllr. Motley about the unauthorised building works at Milford House; he had discussed at length the review of the PPSG in view of SAMDev changes with Mr Ian Davies of the PPSG; he had liaised with Reverend Beesley concerning a possible listing of the War Memorial in Diddlebury by Historic England. He had attended a Corvedale Chair's Meeting when the main topic of debate was the Shropshire Council's proposal to pass the financial upkeep of services such as libraries, leisure centres and swimming pools to Town and Parish Councils. The same issues had arisen at the LJC meeting he had attended tonight. Craven Arms Town Council are looking for funding for the Community Hall, the library, car parks and play areas. They have not yet costed the services but will be making an approach to Corvedale parish councils in due course to share the cost.

Initially the transfer of funding was due to take place in September 2016 but this has now been deferred to September 2017 and Shropshire Council will continue to fund the services for a further year. The local difficulty is that not many Diddlebury residents use the facilities in Craven Arms which they are going to be asked to contribute to.

The Chairman has spoken to various residents in Bouldon about issues with the bridge by the Mill. It is not going to be demolished, as was rumoured, but is going to be resurfaced.

093/16/2 - Unitary Councillor's Report

Cllr. Motley reported on an unusually busy month politically, given the changes to the government following the Referendum. The new Minister of State for Communities and Local Government is the Rt. Hon. Sajid Javid, who represents Birmingham. The RSN have written to him and the Prime Minister concerning the serious in-balance of funding between rural and urban communities and asked them to address it. Our local MP Philip Dunne has been transferred from Defence Procurement to Minister of Health, dealing with NHS funding. Given the chaos about A&E cover, Urgent Care Centres and adult social care, it is hoped Mr Dunne will get commissioning groups organised as soon as possible.

Cllr. Motley also spoke about the transfer of funding from Shropshire Council to town and parish councils for non-statutory services such as libraries, leisure centres, museums. etc. Some town councils are well advanced with their plans, but others have barely started, so an extra year has been granted. She had chaired a meeting on the 21st July attended by town and parish clerks and was encouraged that they were clear and focussed about what they could and could not do.

She has seen a paper on the Phase II Procurement Strategy for Broadband provision. All the Phase I work went to BT, but Phase II is going out to tender: it is hoped new solutions for hard-to-reach areas will come forward. Connecting Shropshire has aspirations for Phase II, namely that everyone should achieve a minimum of 15 mbs, not the 2mbs proposed by BT.

093/16/3 - Diddlebury Village Hall Report

Cllr. O'Boyle reported that the tendering process was still proceeding: there have been unavoidable delays, but it is hoped work will start in August. The hall has been emptied and the contents are in storage. Meetings have taken place between the construction team and the school on issues of access.

The Chairman asked what arrangements have been made for the Parish Council notice boards attached to the hall. Cllr. O'Boyle advised they are going into storage.

093/16/4 - Flood Action Group

Cllr. O'Boyle reported that a multi-agency meeting had been held the previous evening: the FAG will now be working with Rianna Townsend of Shropshire Council.

A river level gauge can now be accessed on-line: anyone concerned about rainwater or flooding should contact Geoff Neden for the password.

The FAG are investigating flooding at Bouldon. A topographical survey will be conducted to work out which way the water flows in the hope of providing channels to take the water away rather than flood farmland. All local drains are to be cleared but must be kept clear.

It is to be hoped that Chris Jackson will be back at work next week, on a part-time basis initially. He has much local knowledge about the sites of drains. There is a problem in Corfton at present locating the drains. He suggested anyone with flooding or drainage issues contact a member of the FAG. Shropshire Council have agreed to remove accumulated stones under the bridge in Mill Lane. The new EMO is to be asked to look at the part of the bridge's wall that seems to be leaking: if he is unable to deal with it, Ringway will be contacted - the details will be emailed to the Chairman.

Cllr. O'Boyle also reported that Helen Campbell of Shropshire Wildlife Trust wants to improve the wild-life habitats along the Piebrook and Diddle.

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**094/16 - Highways and Environmental matters**

The Chairman advised he is having a meeting with the new EMO, Mr Ulyatt, on the 4th August. Cllr. O'Boyle asked that the issues with the bridge and the footpath be raised with Mr Ulyatt.

Cllr. Worthington asked, since new houses are planned for Corfton, could the Parish Council take steps to have the speed limit extended from Diddlebury through Corfton? The Chairman agreed to make a note and to discuss the issue with Mr Glyn Shaw, Highways Engineer. The matter is to be deferred to the September meeting.

**095/16 - Planning Applications**

095/16/1: 16/02443/FUL Application by Mr N Lloyd, Holly Bush Farm, Clee St. Margaret SY7 9EB for the erection of an agricultural shed.

Mr Lloyd attended the meeting to assist the members. Cllr. O'Boyle inquired what screening arrangements were proposed and what lighting. Mr Lloyd advised 8 foot footings will be dug, so it will be a low profile site: it is also hoped existing trees will provide some screening. As to lighting, only a small amount was proposed.

Cllr. M Thomas **proposed** the application be supported, **seconded** by Cllr. Worthington, and **unanimously agreed** by all members.

095/16/2: 16/02835/FUL - application by Mr & Mrs G Clark, Park View, Bache Mill, SY7 9JX for the conversion/extension of a basement to create living accommodation and changes to the vehicular access.

Cllr. Fowler declared an interest and took no part in the matter.

The applicants were not present: the members were not clear whether the changes would be visible - from the plans it looked like a conservatory. They were also not clear whether the revised access would have any impact on local traffic or whether it would improve it.

After discussing the matter, Cllr. S Povall **proposed** that the application be supported, **seconded** by Cllr. Hedgley, and **passed** by a majority vote.

095/16/3: 16/02751/OUT Application by Mr R Burgoyne for outline planning permission for the erection of one open market dwelling with garage and highways access, on land adjacent to The Sun Inn, Corfton.

Mr Burgoyne attended to assist the members. He confirmed his previous application, 14/053-7/OUT had been granted permission on 13th June: one local person had objected to that application. The current application shares the same plot, the same access and is intended for a cottage style house.

Cllr. Worthington was not sure this application amounted to in-fill. Cllr. O'Boyle had objected to the previous application: to him it looks like linear development which might lead to a continuous ribbon of development all through Corfton. He also pointed out Mr Burgoyne had failed to implement some conditions to a barn approval - for bunding and tree planting. Mr Burgoyne responded he had no more land available to develop. He said the soil bund was in place but the trees he had planted had died: he is replacing them.

The Parish Plan was discussed - it allowed for 6 new houses in Corfton - this will be the 5th. Concerns about the linear development and the increased traffic on the B4368 were discussed.

Cllr. O'Boyle **proposed** that the Parish Council should object to the application, **seconded** by Cllr. Watson: **Vote -** 2 supported the proposal, 3 voted against it.

Cllr. S Povall spoke in favour of the application and **proposed** that the Parish Council support it, **seconded**  by Cllr., Worthington: **Vote:** Two abstentions, five in favour of supporting the application - carried by the majority vote.

095/16/4: 16/02604/FUL application by Mr K Bradburn, Old Hen & Ferret Cottage, Great Sutton SY8 2AJ for the erection of a storage building and formation of additional parking areas, and a retaining wall.

Mrs Bradburn attended and explained the new building would adjoin a stable block. The development will be fully screened by the existing five year old mixed orchard. They are eco friendly and propose no outside lighting, to keep their side of the Corvedale a dark area.

Cllr. S Povall **proposed** that the council support the application, **seconded by** Cllr. Worthington and carried by a **unanimous vote.**

095/16/5 - review of unauthorised building operations at Milford House, Diddlebury.

Cllr. Motley advised she has referred the matter to Mr. B Gammond, a dedicated enforcement officer and she is awaiting a report from him.

095/16/6 - review of unauthorised use of a caravan for residential purposes at 1 Seifton Bache

This matter had been reported to the planning department in November 2014 under reference 14/04496/EFN. The Clerk has written to the planning department again reporting that the caravan is definitely inhabited. A response is awaited.

**097/16 - Correspondence and Communications**

Members considered the following items of correspondence:

1. Broadband - July 2016 update from Connecting Shropshire

2. 13.07.16 - Letter Clerk to Mr P Wrigley re planting hedge by new fence at Delbury Hall

3. 13.07.16 - letter Clerk to Mr David Hardwick, Footpaths Area Officer for Corvedale re surfacing Footpath No. 20 (no response as at 27.07.16)

4. Emails and documents concerning Shropshire Council's approach to Town and Parish Councils to raise their Precepts to fund libraries and leisure facilities etc.

* 8.6.16 - Memorandum of Cooperation - Redesign of Shropshire Council Services: issues identified by the Mayors and Town Clerk of 10 councils
* 28.06.16 - Minutes of Corvedale Chair's meeting
* email 01.07.16 from SALC notifying dates of Local Area Committee Workshops and a Working Group on 21st July 2016 at the Shirehall
* 26.06.16 - for comparative and information purposes only: Church Stretton Town Council's notes & hypothetical figures for the sums parish councils are going to be invited to pay to support "at risk" services.
* 18.07.16 - Notification that the time by which town and parish councils will need to fund at risk services has been extended from September 2016 to September 2017; Worked-up plans for financing the at risk services need to be with Shropshire Council by September, for implementation by April 2018.
* 13.06.16 - initial legal advice from NALC on whether it is lawful for parish councils to fund services outside it's boundaries.
* 21.07,16 - revised & enlarged legal advice from NALC on clustering and fund outside services.

5. Letter 13.07.16 Clerk to Mr Jonathan Brough, Headmaster Corvedale C of E Primary School re gate onto Footpath No. 20. (no response as at 27.07.16)

6. Letter from MFG solicitors enclosing Deed of Easement re Diddlebury Village Hall access and parking arrangements to be approved by Parish Council and signed by Chairman and Vice-Chairman.

The members considered the Deed of Easement relating to the access and parking arrangements as they concern DPC's part of the car park which had been sent by DPC's solicitors, MFG, requesting that the Chairman and Vice-Chairman sign it after the necessary Resolution has been passed. The covering letter indicated DPC had already seen and approved the drafting of the deed: this was not correct - DPC had neither seen nor approved the document and the wording of the document did not reflect the Resolution DPC had been directed to approve at its meeting on 27th April 2016. Furthermore, the new wording, in certain respects, made no sense. The Clerk had emailed MFG asking why the wording in the deed not reflect that agreed in the Resolution, but had not received a response in time for this meeting. The Clerk noted that the Deed of Easement referred to the Official Custodian of Charities as being a Grantee, but to date DPC has not received any document to sign legally passing its interest as Custodian Trustee of the Village Hall to the Official Custodian of Trustees: the Deed of Easement referring to it as Grantee therefore seemed to be premature.

Since the Deed of Easement did not relate to the title to the village hall and thus did not form part of the Lottery bid, it was concluded that it was probably not vital that it be signed tonight, but could wait until the drafting of it was clarified and issue of transferring DPC's interest in the village hall to the Official Custodian of Charities had been resolved. After discussion it was agreed that clarification of the wording of the Deed and the position concerning the transfer of DPC's interest in the village hall should be sought before the Deed is signed. If it is urgent and cannot await DPC's next meeting 28th September - then an EGM would have to be called.

**098/16 - Finance**

098/16/1 - Finance Report for 27th July 2016

Balance of **Precept Funds** brought forward from June 2016 £8,616.59

**Less: cheques to be authorised for payment on 27.07.16**

1. Clerk’s net salary for July 2016 £143.60

2. HMRC – PAYE on Clerk’s salary for July 2016 £ 35.80

3. Clerk’s expenses for July 2016 (itemized below) £ 46.94

Total deductions from Precept Funds for July 2016 £226.34 £ 226.34

**Balance of Precept Funds carried forward to September 2016 £8,390.25**

Cllr. Worthington **proposed** that the cheques listed be authorised for payment, **seconded by** Cllr. Watson and **unanimously agreed** by the members.

**Clerk's expenses for July 2016**

1. July 2016 contribution towards

telephone and Internet expenses £ 5.00

2. Postage stamps: Postage to Mazars, & 12 x 2nd class stamps £ 7.56

3 1 x HP364 XP black ink cartridge £ 8.20

4. Envelopes, biros, Minute taking notebook £ 5.18

5. Travelling expenses claimed at 30p per mile

20.07.16 - 18 miles to Rushbury Village

Hall for Clerk's Workshop\*

21.07.16 - 8 miles to Shirehall for

meeting called by Cllr. Motley\*

(\* = cost shared with Eaton &

Diddlebury PC's)

27.07.16 to Westhope for PC Meeting - 44 miles

Total mileage - 70 miles @ 30p £21.00

Total expenses claimed £46.94

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

**1.** Balance of Precept Funds c/fwd to May 2016 **£8,390.25**

**2.** Highways & Environment Grant funds

b/fwd from June 2016 **£4,527.07**

**3.**  Other ring-fenced sums held in Diddlebury PC’s Account

* **Corvedale Youth Club** **£ 650.39**
* **Diddlebury Stream Management Group**  **£ 77.56**
* **Balance of Donations for** **War Memorial**  **£ 105.13**
* **Balance of Transparency Code Funding Grant**  **£ 840.20**

**Total of DPC funds c/fwd to Sept. 2016 £14,590.60**

098/16/2 - Reconciliation of Cash Book/HSBC bank statement no. 284 dated 14th June 2016 and no. 285 dated 14th July 2016: to be verified by councillors.

The reconciliation was checked and verified by Cllr. O'Boyle

098/16/3 - Approval/adoption of application for further Transparency Code Funding

The Clerk reported that further funding was available, to pay for software, for compliance with the Transparency Code. The members approved the application which had been drafted and the Clerk was authorised to submit it.

**099/16 - Consideration of the issues raised in the PPSG's Report of 16th May 2016**

The Chairman reported he had been in communication with Mr Ian Davies of the PPSG . Mr Davies advised he had contacted Andy Mortimer at Shropshire Council about the misrepresentation of the Parish Plan in SAMDEV. The following issues raised by the PPSG affecting the parish council are outstanding:-

1. Flashing speed signs on the B4368: The Chairman will investigate this as it has been raised with Mr Glyn Shaw, Highways Engineer.

2. Lobbying BT and mobile telephone providers for better Broadband and mobile phone coverage. Cllr. Motley advised that countrywide efforts are on going on these topics.

3. Share identified danger issues with the Parish Council for discussion with relevant agencies. The Chairman stated that DPC put in reports to Highways as and when needed.

4. Review of local service delivery schemes. This matter had been considered at 092/16 above.

5. Development of a Design Statement to provide a protocol to ensure that any development is sympathetic to existing buildings and would not disturb the character and nature of the Parish. Cllr. Motley advised against this, as it might become restrictive and have unintended consequences.

**100/16 - Consideration of surfacing footpath No. 20 connecting The Moors to the school.**

The Chairman advised that the letter the Clerk sent to the headmaster of the school about re-opening the gate adjoining the footpath had been considered by the Resources Committee, who were not minded to re-open it. They stated that Ofsted had criticised the school for having too many entrances; that few children ever used the gate and that it cost £25,000 to safeguard the site. Cllr. Watson pointed that few people use the gate as it is barred and shut. Cllr. O'Boyle felt is un-safe for children to have to reach school via the road; that the footpath was by far the safest option and that a price should not feature in saving children's' lives. Cllr. Watson said if it was an Ofsted restriction, teachers at the school had agreed to arrange to open and shut the gate as necessary.

Turning to the footpath itself, there are two problems (1) landowner's permissions would be needed, especially to surfacing muddy areas, and (2) the stiles would have to be removed and replaced by gates: who will pay for the gates? After debate, the following steps were agreed:-

1. The Chairman will take up the issue of the closed gate with the school.

2. The Chairman will obtain costings for re-surfacing the path as necessary from The Moors to the gate, and also all the way around to the front of the village hall.

Cllr. S Povall agreed to donate the necessary stones free of charge.

3. An alternative costing will be obtained for changing the stiles to gates and putting down hardcore at the muddiest areas only.

4. The Chairman will liaise with the EMO to see what measure of the proposed works he would be able to do.

5. The Clerk will chase Mr. Hardwick, the Footpaths Area Officer for the Corvedale who would need to seek the landowners' permissions and approve any proposed works.

**101/16 - Any Other Business (for dissemination of information only)**

The Chairman gave a brief up-date on the situation concerning the empty houses at Bouldon.

Cllr. Watson gave her apologies in advance for the September meeting.

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

Date and venue of next meeting:

7.30pm on Wednesday 28th September 2016 at Westhope Village Hall.

**MINUTES SIGNED BY David Hedgley**

**DATED 28th September 2016**