

DIDDLEBURY PARISH COUNCIL

Chairman: Cllr D Hedgley

Clerk: Mrs Jean de Rusett, 1 Pipe Aston Barns, Pipe Aston, Ludlow SY8 2HG

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MINUTES

**Of the meeting of Diddlebury Parish Council
held on Wednesday 28th April 2021 at 7.30pm via the remote viewing platform
Zoom.**

Advice the Parish Council has received on the recording of meetings.

When parish council meetings are face-to-face meetings held in public venues, any member of the public is entitled by law to take photographs, film, audio-record and report on the meetings. There appears to be one proviso to these rights. We are advised the National Association of Local Councils, that during public meetings councillors have the right to ask not to be filmed/webcast. The May 2020 Regulations under which parish councils are allowed to hold meetings via remote platforms such as Zoom do not yet have any tested case law so we are in unknown territory. It must be assumed therefore that members of the public have the right to audio-record and film Zoom meetings. Equally the parish council has the right to record its meetings. The Chairman must inform everyone that the meeting may be recorded by the parish council. It need not be recorded by the parish council if anybody wishes to object.

As for being filmed during Zoom meetings, NALC's view is "In the same way that during a physical meeting you can ask not to be webcast, surely common sense prevails in that you can simply turn your camera off (if you have one) in remote meetings". It seems any councillors who don't want the intrusion of having the interiors of their homes and possibly family members being filmed are entitled to turn off their cameras and continue to participate in the meeting by audio means only.

036/21 – Present via Zoom

Cllr. D Hedgley - Chairman, Cllr. R Povall, Cllr. T O'Boyle, Cllr. S Povall, Cllr. A Watson, Cllr. M Woodhouse,

Apologies for absence were received and accepted from Cllr. Selina Thomas and Unitary Cllr. C Motley

In attendance - the Clerk, Unitary Cllr. Cecilia Motley and two members of the public, Mr Neden and Mrs Alison O'Boyle.

037/21 – Declarations of Interest.

Members were 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.

The Chairman declared an interest of planning application 21/01298/LBC and did not take part in the vote on the application.

038/21 – Public involvement session,

Mrs Alison O’Boyle stated how pleased she was to hear that the Chairman had been exonerated by the Monitoring Officer from the breaches of Code of Conduct allegations made against him. She assured the Chairman he had received a lot of local support and sympathy.

039/21 – Approval of the Minutes of the meeting on 24th March 2021

The Minutes of the above meeting held via Zoom had been circulated to councillors prior to this meeting and publicised on the website. No amendments were requested.

Cllr. Woodhouse **Proposed** that the Minutes of the 24th March 2021 be adopted as a correct record of the meeting’s business.

Proposal **Seconded** by Cllr. S Povall

Vote on Proposal: Passed unanimously.

The Chairman duly signed the Minutes.

040/21: Matters arising from the Minutes of the 24th March 2021 not dealt with elsewhere on the Agenda.

029/21: Cllr, Motley was going to chase the provision of the mirror on the B4368 by the Bache Mill junction and hedge cutting in the same area. However, there is still no progress in this matter.

034/21/3: It had been proposed by Cllr. O’Boyle that the Clerk should be paid the £100 compensation from HSBC as she had spent a large amount of time resolving the issue. It was agreed to defer this item until April to see if it was actually paid. £100 has now been paid into DPC’s account.

Cllr, R Povall **proposed** that the £100 be paid to the Clerk.

Proposal seconded by Cllr. Woodhouse

Vote: Proposal carried unanimously.

The Clerk will contact the payroll administrator accordingly.

041/21 – Reports

042/21/1 – Chairman’s Report

The Chairman reported he had attended a Zoom meeting re DVH car park resurfacing, which Cllr, Woodhouse will report on.

The Code of Conduct Complaint against him had been resolved in his favour. He outlined the complaints which had been made against him and the Monitoring Officer’s response to the complaints. It had been a stressful and time-consuming episode but sadly is part and parcel of public duty. The Chairman thanked his fellow councillors and all the members of the public who had sent letters supporting him to the Monitoring Officer. He was grateful and humbled by the support he was given.

A parishioner had suffered a fall on the steps up to the church. Mr Neden had contacted Highways who advised the step could be covered in concrete, which would look awful. The rails had been provided for pedestrian’s use.

He had received an enquiry from a Middlehope resident, concerned about development and he had discussed the matter with him.

He had contacted PC Steve Grant, the local policing team officer, and advised him the local issues were farm equipment/livestock thefts, property thefts and speeding on the B4368. PC Grant will attend a parish council meeting in due course.

He had obtained the schedule of works for the tree works application which had been absent from the portal and had discussed it with the Tree Warden, Cllr. S Povall.

He had contacted Mr Jack Wrigley as concerns had been raised about works at Law's Yard, and had ascertained the barns are being repaired to store materials for the Bach Mill development. He had been in discussion with Mr Neden and the Clerk concerning the FAG's insurance. He had also been contacted about the local connections letter sent by DPC in support of Mr Paul Middleton.

042/21/2 – Unitary Cllr. Motley's report

Cllr. Motley emailed a report advising Shropshire Council has been in election mode and council meetings are largely suspended until after 6th May. RSN (Rural Services Network) have however been very active, presenting a revitalized Rural Strategy to MPs, civil servants and DEFRA. On 10th May 2021 RSN are holding a seminar with the Dept. for Media, Culture & Sport on the subject of rural mobile phone coverage. The government is to be asked to improve coverage by altering planning law to allow higher masts (up to 5 metres) which can take more shared technology and improve mobile phone connectivity. Cllr. Motley hopes to be the Corvedale's Councillor after the May election, and wished all members of DPC well in the election.

042/21/3 – Diddlebury Village Hall Report

Cllr. Woodhouse reported on a meeting between DVH committee members, Cllr. Hedgley, Cllr. Motley and a lady from Shropshire Council called Ffion to discuss accessing DPC's CIL funds to resurface the car park. Ffion's attitude was very positive: she requested DVHC look at getting a quotation from SC's highways contractor to do the work

DVHC have been co-ordinating with WVH committee on events programming so there are no clashes. DVH is hosting the elections on 6th May, then Tai Chi and Pilates recommence from 18th May.: the Harvest Supper is on 9th October and a Christmas Fayre – date to be arranged. Flicks in the Sticks have not yet resumed operations.

042/21/4 – Westhope Village Hall report

Cllr. Watson advised she has been in correspondence with Ann Dyer: the delay in the solicitors responding to DPC's queries has been caused by a dispute over a piece of land: this has now been sorted out and it is hoped the information DPC requires will soon be available. A Toddlers Group is now up and running in the village hall and a full schedule of forthcoming events is in the Corvedale News.

042/21/5: The Clerk and Cllr. Watson had both attended a Zoom Seminar entitled "Handling Difficult Situations" led by Mr Mike Deegan. Both had found it helpful and insightful. Mr Deegan's emphasis was to avoid difficult situations arising in the first place for which numerous strategies were outlined, whilst acknowledging there are a range of personality types, which he named and described, who will always seek to cause trouble. Of importance is for parish council's to have an Unreasonably Persistent and Vexatious Complaints Procedure in place. A useful spin-off from the seminar was networking: the Clerk has spoken to useful contacts with first hand knowledge of and advice on difficult situation management.

The Clerk had circulated Mr Deegan's presentation notes to councillors and they are urged to have a look at them.

042/21/6 – Flood Action Group

Mr Neden reported he had met Andy Keyland of Highways at Peaton to discuss the flooding issues at Peaton Strand which flood two cottages and how best to solve them. Mr Keyland will take the issue up with Kiers.

Mr Neden also reported on his efforts to arrange suitable insurance for the FAG. He had invited other community groups to join in but all other groups had insurance in place already. With legal expenses cover the premium is £172.74 - £150 of which a parishioner had kindly donated: he asked DPC to fund the remaining £22.74: the Chairman confirmed the request was on the Finance Report for approval tonight. Mr Neden said he will now look at other ways for the premium to be paid in future years and thanked DPC members for its support.

043/21 – Planning applications

043/21/1 - 21/01606/FUL – application for conversion and extension of agricultural buildings to flexible Class E use (commercial, business and service) and associated operational development, erection of a bin/bike store, installation of package treatment plant, provision of parking and turning area and landscaping at Great Sutton Farm, Stanton Lacy, SY8 2AJ

The ramifications of this very well prepared and presented application were discussed at length, debating issues of visibility, lighting, increased traffic and the types of use the units would be put to. Overall it was felt it was a good scheme for bringing old buildings back into use and for creating employment.

Cllr. R Povall **proposed** that DPC should support the application, but with a request that the lighting at the site be as unobtrusive as possible and there be no permanent overnight lighting.

Proposal seconded Cllr. Woodhouse

Vote: Five members voted to support the application, one against. Proposal carried by a majority.

043/21/2 - 21/01296/LBC - Listed building consent application for replacement of 5 windows, re-tile roof, renovate & refit rainwater goods, replace bargeboards, repair and re-paint render to front elevation affecting a Grade II listed building namely 16 Corfton, SY7 9LE

Councillors discussed this application and had no objections to it: it was noted there were no public objections to it.

Cllr. S Povall **Proposed** that the parish council supports the application and raises no objections to it.

Proposal seconded by the Chairman

Vote: Councillors unanimously supported the proposal.

043/21/3 - 21/01298/LBC – listed building consent application for replacement of windows, re-form arch heads over windows to west elevation, increase length of window to north elevation, work to spindle on waterwheel and relocation of photovoltaic panels on to new metal ground floor level frame to rear of existing shed, affecting a Grade II listed property namely Bouldon Mill, Bouldon, SY7 9DP

It was noted the Heritage Dept. at SC had no objections to the scheme proposed. An objection from the Rambles Association had been removed from the portal and there were no public objections. Councillors were of the view that removing the photovoltaic panels from the roof of the Mill was aesthetically an excellent move.

Cllr. R Povall **proposed** that the [arish council should strongly support the application and raise no objections to it.

Proposal seconded Cllr. Watson

Vote: Five members voted in favour: the Chairman abstained as he had made a declaration of interest.

043/21/4 - 21/01597/TCA – various works to trees within the Diddlebury Conservation Area at The Old Vicarage, Diddlebury, SY7 9DH

The Chairman **Proposed** the following response from the parish council:

This application was treated as any other tree application and S211 Notice and viewed under the Guidance Offered to Parish Councils by the Tree and Woodland Amenity Protection Officer: the parish council has no issues regarding the S211 Notice regarding work going ahead.

Proposal seconded by Cllr. R Povall

Vote: Five members voted in favour of the proposal, one abstained.

044/21- Consideration of highways and environmental matters

044/21/1: Noting that the salt bins in Middlehope had not been filled with grit, enquiries were made of Mr Trim. He advised has given up being EMO for Culmington and Stanton Lacy but wishes to continue working for DPC and Munslow: he will get the bins filled shortly.

044/21/2: There is still no word from Highways about supplying and installing the mirror on the B4368/Bache Mill junction. Councillors are not keen to ask the EMO to do the work if DPC purchases a mirror as it is on the B4368. Cllr. S Povall offered to install the mirror himself. It was agreed the Clerk should order a multi-directional mirror from Barriers Direct and when it arrives write to SC Highways Depot, asking them to respond within five days if they have any objections to DPC making its own arrangements for installing the mirror on SC's existing post.

045/21 – To consider the following communications and correspondence received and to deal with any issues arising therefrom as appropriate.

1. Report from Mr Geoff Neden re insurance for Flood Action Group and any other interested Corvedale community groups.
2. Notification of A49 closures and diversions – to be carried out in phases commencing on 19th April 2021 and taking approximately 14 weeks.
3. Letter of introduction from PC 2693 Steve Grant advising he is the local policing officer covering this parish: he intends to work with the Safer Neighbourhood Team to look at local issues affecting this parish. Letter acknowledged by the Chairman advising local issues centre on farm/livestock thefts, property thefts and speeding on the B4368. Meeting to be arranged when DPC returns to open meetings.
4. Letter 25.03.21 from Luke Hall MP advising that the legislation permitting, inter alia, remote meetings, ceases on 7th May 2021 and for remote meetings to continue after that date would require primary legislation. Having reviewed the situation, the government is not minded to bring forward such legislation, so face to face meetings must resume after 7th May 2021.
NB: A group, including NALC, last week made a judicial review application to the High Court challenging the government's refusal to allow remote meetings to continue. The verdict from that judicial review is still awaited as at 26.04.21

5. 29.04.21 Letter from Shropshire Council confirming that DPC's Precept of £8,666 will be paid on 23rd April 2021.
6. Confirmation from SALC that four places have been reserved for DPC on the Code of Conduct Training Seminar to be held on 9th June 2021, 5pm – 7pm. Places will be allocated after the elections on 6th May have taken place.
7. Emails between concerned parishioners, Clerk, Chairman and Mr Jack Wrigley. Mr Wrigley confirms that no development is taking place at Law's Yard, Diddlebury. He is simply making safe the old shed/milking parlour and the environs. They are to be used to store wood and materials for the forthcoming Bache Mill development.
8. Notification from Highways that Mill Lane, Diddlebury will be closed for overhead cabling works on 1st and 2nd June between 8am - 6pm.
9. emails between Clerk, Chairman and Mrs J Vine of the footpaths team, concerning replacement of a collapsed stile with a new gate behind Corvedale School, near Larkfield Farm.
10. Email re Shropshire's Outstanding Community Competition. Cash prizes available. See shropshire@outstanding.community
11. Notification from the Munslow Parish Community Speed Watch Group seeking volunteers. Contact peter17bull@btinternet.com for further details.
12. Letter 25.03.21 from Mr M Waite to the Clerk commenting on Cllr. R Povall's statement at the meeting on 24th March 2021 that he did not want the meeting to be recorded, on which she had not passed comment. Mr Waite reminded the Clerk of the legislation specifying the parish councils are required by law to allow any member of the public to take photographs, film, audio-record and report on all meetings: he assumed Cllr. Povall was unaware of these regulations and that he had not intended to suggest the DPC should act unlawfully. He asked her to ensure all councillors are aware of these regulations and confirm that this has been done.
Clerk responded on 6th April 2021 that DPC is aware of the regulations, indeed they are incorporated in DPC's Standing Orders. SALC, who facilitated the DPC Zoom meeting on 24th March 2021, had been asked by DP+C to record it. Shortly before the meeting commenced Cllr. R. Povall advised the Chairman he had heard that recording Zoom meetings, which are in effect taking place in private homes, might breach data protection legislation. It was prudent therefore to rescind the request to SALC that the meeting be recorded. This rescission applied only to DPC and was not intended to prohibit any other person from recording DPC parish council meetings. DPC is seeking further advice on the recording of meetings to which the Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authorities and Police and Crime Panel Meetings) (England and Wales) Regulations, being the Regulations which apply to DPC's Zoom meetings.
13. Notification from Shropshire Council concerning Neighbourhood Fund payments to be made to parish councils in May 2021: DPC is scheduled to receive £5,523.98.

Responses

Item 8: The Clerk was asked to notify Highways that the school would be open on the dates they propose closing Mill Lane.

046 /21 – Finance Report for April 2021

1. **Precept balance at commencement of 2021/2022 financial year, which includes VAT refund of £655.24 from 2019/2020 and £100 compensation from HSBC bank** **£2,422.08**

Less: Cheques authorised to be drawn on Precept Funds in April 2021

1. Clerk's net salary for April 2021 £236.74
2. PAYE on Clerk's April 2021 salary £ 11.60
3. Information Commissioner – data protection annual fee £ 40.00
4. DM Payroll Services Ltd. – payroll admin 2021/2022 £ 95.00
5. S.137 donation to the Flood Action Group for the balance of their insurance cover 2021/2022 £ 22.74
6. Administrative expenses incurred by the Clerk in April 2021 on behalf of DPC
 - April 2021 contribution to telephone & Broadband @ £20 per month £20.00
 - A Holmes, IT assistance re Broadband failure on 29.03.21 £20.00
 - Stationery (ring binder, note book, A4 paper)£ 4.35
 - Travelling expenses claimed at 45p
 - 31/3/21 – to Bouldon for meeting with Chairman
 - 27/4/21 – Bouldon to see Chairman, Diddlebury to see Cllr. O'Boyle, Corfton & Westhope to put up Notices re Poll/elections on 06.05.21
 - 68 miles @ 45p £30.60

Total of administrative expenses	£74.95	£ 74.95	
Total claim on Precept funds in April 2021	£481.03		£ 481.03
Balance of Precept Funds c/fwd to May 2021			<u>£1,941.05</u>

2 Ring-fenced, reserves & third-party funds held by Diddlebury Parish Council

- **Community Infrastructure Levy /Neighbourhood Fund**
Balance b/fwd from March 2021 **£3,040.63**
- **Environmental Grant/Fund** – b/fwd from March 2021 **£ 833.10**
- **Transparency Code Grant fund** – b/fwd from March 2021. **£ 71.49**
- **Funds held for Flood Action Group** - bal. b/fwd March 2021 £200.09
 - Add: Donation from Mrs Waite £150.00
 - Add: S.137 donation from DPC 28.4.21 £ 22.74
 - £372.83
 - Less: Cheque Mr G Neden re insurance premium £172.74
 - Balance carried forward to May 2021 £200.09 **£ 200.09**
- **Ear-marked reserves for DVH car park resurfacing** **£4,723.39**

Cllr. R Povall **Proposed** that the cheques/donations listed above be approved for payment.

Proposal seconded by Cllr. S Povall

Vote: Councillors voted unanimously in support of the proposal

3. Balance held by DPC following authorisation of the payment listed above above listed payments on 28.04.2021

1. Precept	£1,941.05
2. Community Infrastructure Levy	£3,040.63
3 Environmental grant/fund	£ 833.01
4. Transparency Grant fund	£ 71.49
5. FAG third party funds	£ 200.09
6. Ear marked DVH car park reserves	<u>£4,723.39</u>
Total:	<u>£10,809.66</u>

4 Bank statement and cash book reconciliation

Verification by Councillors of the Clerk's reconciliation between HSBC bank statement numbered 344 and DPC's Cash Book. The verification was conducted by Cllr. T O'Boyle.

5. Approval of Schedule of all Receipts and Payments for the 2020/2021 Audit and consideration of Bank Statement/Cash Book reconciliation for the 2020/2021 Audit

The Clerk had circulated copies of the 2020/2021 Schedule of All Receipts and Payments and also of the Bank statement/Cash Book reconciliation prepared for the annual audit. Councillors raised o queries.

Cllr. O'Boyle **Proposed** that the two documents be approved.

Proposal seconded by Cllr. S Povall

Vote: Councillors voted unanimously in support of the proposal.

047/21 - Consideration of documentation for the 2020/2021 audit

The Clerk advised she had reviewed DPC's Strategic & Financial Risk Assessment, its Standing Orders and Financial Regulations. None needed revising this year, having been reviewed and revised last year. It was not considered worth amending the Standing Orders to include a protocol for Zoom meetings as the legislation permitting them ceases on 6th May 2021. The Register of Assets has been amended to include two new items and copies had been circulated to members. One tourist information notice board is missing – it used to be attached to the village hall in Diddlebury but was removed for the renovations. Cllr, Woodhouse was requested to locate it so steps can be taken in due course to reinstate it.

048/21 – To consider and adopt a revised version of DPC's Complaints Policy

It had been noted the Complaints Policy contained some out-of-date information. The Clerk had up-dated it and circulated revised copies to all members, which they duly considered.

The Chairman **Proposed** that DPC adopts the revised Complaint's Policy.

Proposal seconded by Cllr. Watson.

Vote: 5 members voted in favour, one abstained.

049/21 – To consider and adopt if agreed an Unreasonably Persistent & Vexatious Complaints Procedure

A draft Policy had been circulated by the Clerk, based on a template from SALC. The Chairman felt it would better to consider this document, along with any protocols for conducting parish council business, when the elections were over and following the induction of the new councillors.

050/21 – To consider protocols for the order of business at the Annual Parish Meeting, Annual General Meeting and ordinary business meetings on 19th May 2021.

Normally the Annual Parish Meeting is held first: the Clerk suggested holding the AGM first so that a Chairman can be elected, who can then conduct the business of the Parish Meeting. Since it is likely these meetings will be open meetings the Chairman felt wise to keep the meeting lengths to a minimum. He therefore proposed that all reports be paper reports rather than spoken and will be available on the website.

051/21 – Any Other Business (for dissemination only).

051/21/1: The Chairman offered his personal thanks and those of the parish council generally to the three councillors who are not standing for re-election on May 6th, namely Mervyn Thomas, Mike Woodhouse and Selina Thomas. He is very grateful for all their efforts and support over the years. Mervyn Thomas he believes has been a councillor for over 40 years. The Chairman is preparing certificates of service for them all.

051/21/2; Councillor O’Boyle stated following the complete exoneration of the Chairman in the successful outcome of the Code of Conduct complaint from a local parishioner he would like to **propose a vote of confidence in the Chairman from Diddlebury Parish Council in the following terms:**

Throughout his long term as Chairman Dave has given unremittingly of his time and effort to ensure the council responds as fully, openly and fairly as possible to all the issues raised, in contrast with the way in which the council was run some years ago. Allowing the public to put forward their views in the 10 minute briefing session, for example, has ensured that the workings of the council are now demonstrably more transparent than hitherto.

He has been thorough in his research and preparation to create a working environment where councillors and members of the public receive all required information to be able to discuss and vote on often contentious issues.

Under this successful leadership, as shown in the support received in recent weeks from many members of the community, councillors have been helped to reach sensible decisions to reflect local opinion. For these reasons I ask councillors to support this vote of confidence in the Chairman of Diddlebury Parish Council – David Hedgley.

Proposal seconded by Cllr. Watson

Vote: Councillors unanimously voted to supported the proposal.

The Chairman thanked Cllr, O’Boyle for proposing the vote of confidence and the other councillors for supporting it. He is very grateful for all their support.

051/21/3; The Clerk was asked to clarify with NALC their advice that individual councillors can decline to be filmed/videod/webcast during open parish council meetings.

051/21/4: Vote on the method for holding the APM, AGM and business meeting on 19th May 2021 if Zoom is still an option. After discussion the Chairman **proposed** that even if Zoom is still an option the meeting should be an open one in Diddlebury Village Hall.

Proposal seconded by Cllr. Watson

Vote: five in favour, 1 abstention. Meeting therefore to be held in Diddlebury Village Hall.

There being no further business to conduct, the Chairman closed the Zoom meeting at 9.40pm and thanked everyone for their attendance.

The next meetings are the Annual Parish Meeting, the Annual General Meeting and an ordinary business meeting and they will be held on Wednesday 19th May 2021 commencing at 7.30pm in Diddlebury Village Hall

Minutes signed by: David Hedgley

Dated: 19th May 2021