**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 28th March 2018 at 7.30pm at Westhope Village Hall**

**026/18: Present and apologies for absence**

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

**Apologies**

Apologies were received and accepted from Cllr. M Woodhouse and Unitary Cllr. Motley

**In attendance**:

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

**027/18: 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.

**028/18: Public involvement session:**

No matters were raised.

**029/18: Approval the Minutes of the Meeting held on 28th February 2018**

The Minutes of the Parish Council Meeting held on 28th February 2018 had been circulated prior to the meeting. Cllr. S Thomas questioned the veracity of Item 022/18 – the 20mph speed limit in Mill Lane and The Moors initiated by Cllr. O’Boyle. The Minutes stated the matter was to be heard at the March meeting when a proposal would be put to the council: this statement was misleading as the matter was not on the March Agenda and no prior warning had been given to councillors for its omission. The Chairman stated it had been put to him that this omission was as a result of a conspiracy between him, the Clerk and some councillors. He denied emphatically that there had been any conspiracy and as he has always endeavoured to be impartial and even handed, he was deeply upset at this allegation and was considering whether he wished to continue as Chairman. The Clerk stated she felt the same. She explained that after the Minutes had been typed, circulated and put on the website she had asked Cllr. O’Boyle for the wording of his proposal, so it could be included on the March Agenda: in discussing the matter with her and then the Chairman, he felt as the 20mph speed limit is a matter which essentially concerned Diddlebury residents, it was better if the matter was heard in Diddlebury rather than Westhope and so it was agreed by the Chairman that the matter should instead be on the May Agenda. When later drafting the synopsis of the Minutes for the Corvedale News the Clerk had included a note that the matter would be dealt with in May, not March. The Clerk apologised if this was not made clear to all councillors.

Cllr. S Thomas challenged the figures quoted in the last two lines of 022/18 when it was stated that Cllr. O’Boyle’s survey had received an 84% positive response. This was incorrect as the response was 63%, given that only 75% of residents had responded to the survey.

After discussion it was agreed that the Minute should be amended to read: “Cllr. Povall agreed that as a result of Cllr. O’Boyle’s survey indicating an 84% positive response of the 75% of residents who replied to it, a public airing of the matter was needed”.

Cllr. Worthington **proposed** that the amended Minutes be approved as a correct record,

Cllr. Watson **seconded** the proposal:

**Vote:** With two abstentions, the members voted by a majority to approve the Minutes and they were duly signed by the Chairman.

**030/18: Matters arising from the Minutes of the Parish Council Meeting on 28th February 2018 not dealt with elsewhere on the Agenda**

020/18/1: The problem with the business user of Rock Cottage, Bache Mill is continuing to cause problems: delivery vans continue to block the lane: one resident was blocked in for 10 minutes and so missed a rail connection at Craven Arms and had to drive to Shrewsbury. As the shop in Ludlow is now closed so the problem has been exacerbated: residents are pursuing the matter with Shropshire Council.

006/18/2: The parish council’s letter in support of the FAG to Philip Dunne MP about the proposed increase in fees sought by the Environment Agency had received a helpful response from him – the matter is being reviewed.

008/18/3: The Chairman has taken up with Highways the issue of a mirror where Bache Mill lane joins the B4368 but has not yet received a response.

012/18 – implementation of General Data Protection Regulations: The Chairman confirmed the Mr B Malley had now been appointed as DPC’s Data Protection Officer in line with the proposal of 28.02.18

028/18/1 – the “Silent Soldier” campaign. The Chairman had looked into setting up a public subscription fund to purchase a Silent Soldier and the Clerk had agreed to receive and account for the funds donated. However, he had raised with Reverend Beesley placing the Silent Soldier by the war memorial in St Peter’s Churchyard. The PCC had contacted Hereford Diocese and they have referred it to the Church Commissioners in London, so the campaign is on hold awaiting a response from London.

025/18/2 – the Chairman has spoken to the school about the proposed defibrillator and established that it was not intended it should be placed on the school but rather the village hall: investigations are continuing.

028/18/3 – The Chairman confirmed Mr Trim the EMO has been asked to get the Perspex on the door of the notice board in Mill Lane fixed.

 **031/18 – Reports**

031/18/1 – Chairman’s Report

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

* Discussion with Mr M Speight about the poor snow clearance which had taken place around the parish this winter and the lack of salt bins. Cllr. Watson advised she too had received complaints. This is a matter he is taking up with Highways Dept.
* He has had a discussion with Mr Trim, the EMO, about blocked drains and these are being attended to. He had also had discussion with the EMO and Mr Neden of the FAG about the damaged wall in the bridge in Mill Lane: the EMO will review it and give a revised estimate.
* He has had discussion with Mr Matt Jones at SC about DPC’s CIL entitlement.
* He has spoken to Glyn Shaw at Highways about the mirror on the B4368 by Bache Mill.
* He had considered a Broadband initiative and gave a resume of the scheme.

031/18/1 – Local Joint Council Report

Cllr. R Povall had attended the LJC meeting at Acton Scott. It is intended that no further LJC meetings will be called unless some substantial matter comes up. Cllr. Motley felt more was achieved by her Chairmens’ Meetings.

CIL had been discussed. It was emphasised that CIL can only be applied to infrastructure requirements detailed in structure plans. Based on current criteria it is unlikely that DPC can use its CIL receipts for the DVH car park.

The EMO grant has been capped at £75,000 and remains open to all the town and parish councils, so only small sums will be available plus whatever grants are awarded, they must have 50% match funding from the applicant council.

The implementation of the Data Protection Regulations were discussed. The picture was confused. Some parish councils are signing up with DPOs, others are taking no action at all in the belief parish councils will be exempted. Cllr. Lee Chapman stated that any parish councils which spent money signing up with DPO’s may well find themselves liable to refund the money. The Clerk pointed out that at the Clerks’ Meeting on 12th March Lisa Bedford’s advice to parish councils was to contact the Malleys.

Cllr. Povall advised that the solar panel enterprise at Acton Scott is setting up a charitable foundation. He will find out further information about it.

031/18/2 – Diddlebury Village Hall Report

Cllr. O’Boyle advised the income receipts generated by DVH were very encouraging. Quotations are currently awaited for landscaping and car park resurfacing. The AGM is being held on 23rd April 2018.

031/18/3 – Flood Action Group Report

DPC had received a written request for funds from the FAG linked to necessary repairs to the wall by the bridge and dredging of silt from the Diddlebrook. This issue was dealt with under Agenda Item 8 – awards of donations.

Mr Neden attended the meeting and thanked DPC for its support with the matter of the Environmental Agency’s proposed increase in fees.

031/18/4 – Clerk’s Report on Data Protection Regulations.

The Clerk reported that in line with the Proposal in February (012/18), following Lisa Bedford’s recommendation at the Clerks’ Meeting on 12th March 2018, Mr Ben Malley had been appointed as DPC’s Data Protection Officer and had attended with a colleague at her home on 21st March 2018 to carry out the necessary audit of her files and IT systems and to produce a Data Protection Impact Assessment and other relevant documents, which the Clerk is now working on to adapt to DPC and they will need adoption and approval at the next meeting.

They were satisfied with the security systems she had put in place (passwords, encryption, hard drive shredder, locked filing cabinets for sensitive documents). However, they had concerns about the website: they noted there was a public area on the website and advised that no photographs of people or names and addresses must appear in that section of the website without the prior express written authorisation of the people involved. The website also needs a privacy policy and a cookies policy and she is working on this with WebOrchard. Certain other items on the website need to be removed or redacted – this she has arranged to be done with Sara Thompson’s help.

They also had concerns about DPC’s policy of writing to planning applicants, inviting them to attend the meeting at which their application would be heard as this resulted in names and addresses being stored in correspondence and on the PC, plus the details were on the Agendas, Minutes and in Corvedale News. If the policy is to continue a privacy notice must be sent out with each letter, which the applicant is required to sign and return to the Clerk. After discussion it was agreed in future the Clerk will address such letters to “The Occupiers”, names will not appear on agendas or minutes, and will be redacted from documents downloaded from the planning portal. Where names and addresses appear in other files (e.g. the footpaths file) electronic correspondence will be encrypted and paper correspondence kept in a locked filing cabinet. Once all the documents have been finalised, the Clerk will register DPC with the Information Commissioner’s Office.

She is, naturally, concerned at the statements made by Cllr. Lee Chapman at the LJC meeting and noted that he had no suggestions about who should be appointed to role of DPO, which is central to the legislation.

**032/18 – Planning applications and matters.**

032/18/1 – 18/01254/TCA. Application to fell one yew tree at The Old Vicarage, Diddlebury.

The councillors considered the application and photographs in support. In his role at Tree Warden Cllr. R Povall had seen the tree and advised it did not fit the criteria for felling in a Conservation Area, namely diseased, damaged or dangerous. It was a significant and ancient tree on an ancient site. In his view the council needed to see a report from a qualified arboralist before a decision could be taken. Another option would be for SC to apply for a Tree Preservation Order, which again would need a report. The matter was discussed.

Cllr. R Povall **PROPOSED** that DPC must ask for a Arboreal Report prepared by an expert before it can take a decision on the felling or preservation of this yew tree.

Proposal **SECONDED** by Cllr. O’Boyle

**VOTE: unanimous**

032/18/2 – 18/00777/FUL. Application for the erection of an orangery at the rear of Diddlebury Cottage, Diddlebury.

The Chairman advised there were no objections from parishioners on the planning portal, but a Conservation recommendation that the brick plinth shown on the plans should be stone, to match the rest of the cottage. After discussion and consideration:-

Cllr. S Povall **PROPOSED** that DPC should support the application but with a recommendation that the brick plinth should be constructed in stone.

Proposal **SECONDED** by Cllr. Watson

**VOTE:** unanimous

**033/18 – Awards of Donations**

Cllr. S Thomas stated her objection to donations being made from DPC’s funds. The Clerk advised by S.137 of the LGA 1972 councils are allowed to spend up to £7.47 per elector to make grants and donations for the benefit of the community.

The Clerk had circulated to members prior to this meeting a Grant Awarding Policy used by another council and suggested it might be an idea for DPC to adopt such a policy. It was agreed the matter should be considered at the May meeting.

Two applications for donations had been received: one from the FAG and the other from the Clover Club.

It was **PROPOSED** by Cllr. Worthington that the Clover Club should be awarded £50.

Proposal was **SECONDED** by Cllr. Watson

**VOTE:** Carried by a majority

Mr. Neden of the FAG presented the FAG’s request. First, the Diddlebrook needs de-silting:

They have received a quotation of £100 for that work. That they can afford to fund as they have £106.27 held by DPC. Second, the mudstone wall adjoining the bridge over the Diddlebrook needs re-pointing and repairs. It is significantly worse now than last autumn and there is always the danger it will collapse into the stream, which could cause flooding to several nearby properties. Whilst it is likely the bridge belongs to Highways, they are refusing to repair it. The only place FAG can seek funds is from DPC: the work is likely to be in the region of £350 but once done should be good for 20 years.

The Chairman advised that the EMO Mr Trim has been asked to have another look at the bridge and give an estimate for the work. He then felt the work should be funded by the EMO grant rather than from the donations fund. It was agreed that the FAG should be awarded £50 towards its overheads for the coming year, with the right to re-apply.

The Chairman **PROPOSED** that the works on the bridge should be funded from the EMO fund and that a donation of £50 should be made to the FAG with the right to seek more during the 2018/2019 financial year if needed.

Proposal **SECONDED** by Cllr. Watson

**VOTE:**  Carried by a majority vote.

**034/18 – Minor Highways and Environmental matters**

The issue of potholes was discussed. It is hoped the situation will improve after 1st April 2018 when Kier take over the highways contract from Ringway.

The proliferation of notices and advertising signs on the verges, especially at Pedlar’s Rest was discussed. On being asked to move signs by Cllr R Povall the response given was that they were on Culmington land and had permission. The Clerk will raise the issue with Culmington’s Clerk.

**035/18 – Communications and correspondence to be considered**

The following items of correspondence were considered:

1. 28.02.18 – letter Philip Dunne MP to Chairman re Environment Agency’s proposed increase in charges.
2. 06.03.18 – email exchange Mr Martin Speight to Chairman re snow clearance and lack of grit boxes in Bache Mill and Middlehope. Response from Chairman confirming DPC will review the responsibility for snow clearance and grit bins.
3. 05.03.18 – notification of road closure: 5th to 7th May 2018 by Burwood Farm, Middlehope (Western Power Distribution)
4. 09.03.18 – Notification from Planning Dept. re application 17/04191/FUL, Little Sutton Farm, Little Sutton for the erection of one free range egg laying unit to house an additional 16,000 hens, associated feed bins and infrastructure.

Permission Granted

1. 07.03.18 – Local Plan Review Update from Shropshire Council
2. 13.03.18 – emails between Clerk and Chairman re appointment of a Data Protection Officer. Confirmation given for the appointment to be made.
3. 14.03.18 – emails Lisa Bedford/Chairman/Cllr. Motley re DPC’s CIL entitlement from the Neighbourhood Fund. £2,440.28 available in April, £11,713.37 to be applied for subject to infrastructure criteria.
4. 15.03.18 – Notification from Planning Department re application 18/00037/FUL – Great Sutton Farm, Great Sutton, Stanton Lacy for the erection of a general purpose agricultural building.

Permission Granted.

1. 14.03.18 – email Chairman to Glyn Shaw, Highways Dept. requesting a mirror to be placed on the B4368 at the Bache Mill access lane.
2. 13.03.18 – Notification via NFU of the relaxed planning rules for farm buildings and agricultural building conversions to housing.
3. 25.03.18 – email Clerk to Ms McFarlane, Footpaths Dept. requesting a response to DPC’s letter of 24th January 2018 about the correct route of Footpath 0525/26/1 in Diddlebury and the repairs needed to the footbridge.

Response received from Ms McFarlane: SC deny ownership of the bridge or that the footpath is incorrectly shown on their maps. They suggest DPC makes an application under the Wildlife & Countryside Act 1981 to add the oath to the definitive map, or ask the landowner to dedicate the footpath as a public right of way. Ms McFarlaane will however, on a “without prejudice” basis, ask David Hardwick to look at the bridge with a view to carrying out repairs.

1. 23.03.18 – email from Lisa Bedford with details of a small £500 grant scheme for communities to put on celebratory events at the end of June.
2. Notification from SALC of a “Planning from the Local Council Perspective” training course commencing 9.30am on Tuesday 19th June 2018: details of venue not given.

Fee is £65 and includes a light lunch.

It was agreed that n.o action be taken on Item 11 until DPC has heard from Mr Hardwick.

**035/18 – to review and adopt:** 2018/2019 revised Strategic & Operational Risk Assessment and a Retention of Documents Policy as required by the Data Protection Regulations.

Both documents had been circulated prior to the meeting and considered by the councillors and no objections or amendments were raised.

Cllr. R Povall **PROPOSED** that the reviewed and updated 2018/2019 Strategic & Operational Risk Assessment be adopted by DPC.

Proposal **SECONDED** by Cllr. Watson

**VOTE:** unanimous

Cllr. Worthington **PROPOSED** that the Retention of Documents Policy be approved and adopted by DPC.

Proposal **SECONDED** by Cllr. R Povall

**VOTE:**  unanimous

**036/18 - Consideration of Financial matters**

036/18/1 – Finance Report for March 2018

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

Cllr. O’Boyle **SECONDED** the proposal

**VOTE:** The proposal was carried unanimously

**024/18/2- Bank statement/Cash Book Reconciliation:**

Cllr. Woodhouse verified the Clerk’s reconciliation of HSBC bank statement numbered 306 with DPC’S Cash Book.

**025/18- Any Other Business (for dissemination of information only)**

025/18/1 – Silent Soldier Campaign. The Chairman explained the Silent Soldier campaign being organised by the British Legion. Lifesize figures of a WWI soldier are available for £250. It could be erected alongside the war memorial. Whilst councillors supported the idea they felt it should be funded by public donations rather than by the parish council. The Chairman will look into setting up such a fund.

+025/18/2 – Defibrillator. The Chairman advised the school had been approached by an organising selling defibrillators to schools. If they purchase one it would have to be mounted on the school wall. They may need to ask the parish council for a donation towards its cost: it would be available for parish wide use.

025/18/3 – Cllr. Worthington advised the Perspex door on DPC’s notice board in Mill Lane is broken. The Chairman will arrange for Mr Trim the EMO to fix it.

There being no further business, the Chairman closed the meeting at 9.10pm

Date and venue of the Annual Parish Meeting, the Annual General Meeting and an ordinary business meeting of Diddlebury Parish Council meeting will be held on

7.30pm on Wednesday 23rd May 2018 at Diddlebury Village Hall.

**MINUTES SIGNED BY David Hedgley**

**DATED 8th May 2018**