

# RUYTON XI TOWNS PARISH COUNCIL

## 7 NOV 2022 COUNCIL MEETING MINUTES

An ordinary meeting of the Parish Council was held at Victoria Room, at 6.30 pm on Mon 7th Nov 2022.

Parish councillors in attendance: Mr T Allison, Mrs T Bibow, Mrs K Coldwell, Mr S Denyer, Mr B Edwards, Mr M Eyles, Mr R Hamlett, Mrs A Lister (Vice Chairman), Mr L Penton.

Also in attendance: Lydia Bardsley (Clerk), Shropshire Cllr Nick Bardsley (arrived 18.36), Public: 4

Meeting started at: 6:33pm.

### **84/22: Welcome by Chairman**

In the absence of the Chairman, the Vice Chairman Cllr Lister took the Chair. She opened the meeting and welcomed everyone present to the meeting.

### **85/22: Apologies**

Apologies were received from Cllr Spicer (health concerns). It was **RESOLVED** to **NOTE** these.

### **86/22: Disclosure of Pecuniary Interests and Dispensation requests**

None received

### **87/22: Public session**

Members of the public spoke on the following agenda items: 93/22 Planning applications/enforcement (The Grange, Brownhill). The height of the land has been altered so it is now level with eaves of the neighbours' property, and the wall is now only 2m from the neighbours' boundary. Trees etc., have been removed, which was previously being used as a wildlife corridor for bats (though they were unsure if bats were nesting in that location). The planning application from 1997 was refused, and in the opinion of the speaker the works that are being undertaken are more extensive than what was previously proposed and refused.

There is no screening between neighbours and the concrete wall. Plans for the Grange are unclear, and there appear to be no drawings, and no engineering surveys have been done to their knowledge. There are concerns that there is no safety fencing, and that the work being done is unsafe. The speakers understood that the works were originally intended to shore up a garage that was slipping, but the garage has now been removed, and it appears the space is now intended to be used as a parking platform, or possibly a double garage. The speakers were concerned that there is insufficient space for screening, and that the lights of parked cars will shine directly into the neighbours' garden. They expressed concerns that irreparable damage has been done in terms of removal of trees (plum, ash, and hazel) and how this could be reinstated so it looks as it was before from the front and sides. They felt that the style of The Grange is not really in keeping with vernacular of other neighbouring houses anyway, but it was at least previously screened by trees, but this is no longer the case as the property can now be seen from the road.

It was **RESOLVED** to bring forward item 93/22: Planning applications/enforcement.

### **93/22: Planning applications/enforcement – Council to consider and agree response**

#### **1. Enforcement case, The Grange, Brownhill**

It was **NOTED** that an enforcement case was already in progress following resident reports to SC. Councillors discussed the case and considered that previous applications (for seemingly less extensive work) had been refused by SC, so there should be no argument that the current works would have been accepted if an application had been submitted. It was felt that the PC should be encouraging landowners to put in planning applications, or at least to consult with SC planning before commencing work. The Chairman Cllr Spicer was looking into whether contractors have any responsibility for putting in planning applications and is in contact with MP Helen Morgan to ask that obligations be put on contractors in planning law to ensure that there is some responsibility in the future.

SC Cllr Bardsley informed the PC that SC can serve a Stop Notice, but it is very rarely used by Planning Authority, as there are penalties if SC get it wrong. He was aware of which member of SC staff is looking at this case, and will ensure it is followed up. Cllrs felt that that the safety risk of a landslip was a major concern, and could lead to serious injury/accidents on the road.

After consideration and a vote it was **RESOLVED** to submit a report to the SC Enforcement team including the following points:

The PC supports the objections already raised and echoes those concerns. SC should consider issuing a Stop Order, given the serious safety risks of a landslip next to a busy road. The PC will also emphasise that this is not isolated case, it is the fourth case in recent years where the planning process has not been followed, and the PC does not want to set a precedent where landowners think it is acceptable to undertake work without the relevant permissions.

It was **RESOLVED** to resume the normal order of agenda items.

## **88/21: Minutes**

It was **RESOLVED** to confirm that the [Council minutes dated 11.10.2022](#) were an accurate and true record.

It was **RESOLVED** to bring forward item 91/22a SC Report.

## **91/22: Reports**

a) Shropshire Councillor Nick Bardsley (appendix A)

The report was **NOTED**. This covered:

- Planning enforcement case –covered earlier in meeting (item 93/22).
- Safer Roads Group – Nothing to add to the Chairman’s report. Re. the issue of coloured road surfacing, SC Cllr Bardsley has shared photos of Bicton coloured surfacing and sent it to WSP who have passed these on to Highways maintenance. The area outside school is also 20mph which is lower speed limit than in Bicton (40mph) so wear and tear should be less, and the benefits of the traffic calming measure should outweigh the potential maintenance costs.
- Bridge Inn field – SC Cllr Bardsley apologised as he had mistakenly thought this was PC-owned, and agrees that action for a possessory title claim has to come from SC as the leaseholders, rather than PC (who has no ownership/leaseholder claim on the land). He has an opportunity to talk to Cabinet Member Cecilia Motley directly on Weds. He has also been in touch with SC officer Nick Williams and will follow that up.
- Re-tendering bus service – Tanat Valley bus company will be taking over 576 service in Dec. Service is not due to change route, or timetable, and they seem to have a good reputation. There was some frustration that PCs were not informed about the change, and some concern that Tanat Valley buses in Oswestry are all mini-buses, and Cllrs asked for reassurance that they will provide full-size buses for 576 service, as on some journeys it is standing room only. SC Cllr Bardsley will find out and feed back.

The Chairman thanked SC Cllr Bardsley for his report. SC Cllr Bardsley gave his apologies and left to attend another meeting at 19.20.

### **89/22: Council vacancy**

It was **NOTED** that no by-election had been called for the vacant seat left following Cllr Gittins' resignation, so the Council should make arrangements to fill the seat by co-option as soon as practicable. It was **AGREED** to set a deadline for receipt of applications for midnight on Sunday 27th Nov, with a view to co-opting on 6th Dec. The Clerk would arrange for the necessary promotion.

### **90/22: Policies to review and approve**

It was **RESOLVED** to approve the below policies.

- a) Code of Conduct
- b) Remote meetings protocol
- c) Health & Safety Policy
- d) Business Continuity Plan
- e) Communications, Press, Social media Policy
- f) Safer Roads group Terms of Reference

There was some discussion about encouraging extra members to join the SRG so it represents the community more. Clerk will amend Terms of reference slightly and email round to the Council for approval.

### **91/22: Reports – Council to consider and agree actions**

- a) Shropshire Councillor Nick Bardsley (appendix A)

The report was covered earlier in the meeting.

- b) Local Police Report/Rural crime

It was **RESOLVED** to **NOTE** the report.

- c) Safer Roads Group

It was **RESOLVED** to **NOTE** the SRG report which included updates on Twenty's Plenty Campaign, Dairy pak HGVs, and Terms of Reference. It also gave an update on the CIL road safety project including the Project Group meeting on 18<sup>th</sup> Oct 2022, the School Rd junction and Stone Cross damage, and plans for community engagement. The next CIL Project Group meeting will be held on 15th Nov. Project Group members were awaiting visualisations from WSP of the Cross and School road junction, and examples of other road safety features that are being proposed as part of the project, but once these are received they can be displayed publically in the parish (hopefully Cafe XI and/or the School) followed by public meetings in the evening and at the weekend. The original proposed timeframe was for public meetings to take place in the w/c 21st November but this was contingent on receiving the necessary materials on time, so may be pushed back.

- d) Clerk's update report (appendix B)

This was **NOTED**.

### **92/22: Parish Matters – Council to receive updates and agree actions**

- a) **Remembrance Day**

Cllrs Penton and Lister had approached a local business who had kindly manufactured 50 x poppies free of charge for lampposts in the parish, and Cllr Denyer had arranged for new stickers to be printed with the names of soldiers. Cllr Lister thanked Cllr Denyer profusely for his family's efforts in putting up poppies, as this took a very long time, and there is a plan to make this easier next year. The clerk thanked Cllrs Lister, Penton, and Denyer for all their efforts on behalf of the Council. The Clerk had also purchased a new wreath for the War Memorial cave.

- b) **Coronavirus**

The Council **NOTED** the report shared by the Chairman Cllr Spicer on long-covid.

c) **Friends of St John's the Baptist School donation request**

Council to consider request for up to £1800 donation towards new play equipment

It was **NOTED** that even though it is a Church of England School, St John's primary school is not owned by the Church of England and is managed by Shropshire Council, so there are no legal restrictions prohibiting the Parish Council from making a donation. It was **RESOLVED** to make a donation up to £1800 to the Friends of St John's School towards the purchase of new play equipment. It was **NOTED** that the donation was not needed until January 2023. It was **AGREED** that the donation would be made using the CIL Neighbourhood Fund Earmarked Reserve, as long as there are no objections from SC. It was **NOTED** that the play equipment has not been updated since 2002.

d) **Cost of living crisis**

Council to consider ways of working with other organisations to support vulnerable people in the parish. The notes from the recent Cost of Living Crisis meeting were **NOTED**. Nesscliffe and Great Ness and Little Ness don't have properties that can be kept open, so perhaps communities could support transport to get people to Warm Hubs in West Felton/Oswestry instead. The local Vicar is going to ask Packwood Haugh school if their minibuses can be used for this. Some items could also possibly be purchased eg. Heated blankets. Cllr Bibow will contact Shrewsbury Ark for suggestions on possible purchases that are cost effective. The next Cost of Living Crisis Meeting will be held 15th November. One suggestion was to see whether the pub might be able to accommodate some people, perhaps PC could provide some logs, or an urn to give people hot drinks etc. The Cost of Living Group will ask the landlord about this.

e) **Council assets**

- i. Stone Cross damage - Council to receive update and agree actions, including potential communications with local community.

It was **NOTED** that instructions had been sent to Phil White Associates to Project Manage the repair project. They would be preparing a tender pack, which will include a specification for dismantling the Cross, repairing the pieces, and rebuilding the Cross in its current location, with the understanding that a decision on where to rebuild it is still to be made. The tender pack will be reviewed by Council before PWA will send it out to 3 suppliers to obtain 3 quotes, on the expectation that the value of contracts will not exceed £25,000. It was **NOTED** that if quotes came back above the £25k threshold, then the PC would need to restart the procurement process and follow the Contracts Regulations 2015, including advertising the contract opportunity on Contract Finder and Find a Tender.

It was **NOTED** that payments for certain things may need to be paid upfront by the Council and then reimbursed through the PC's loss adjusters (who will reclaim the final amount through the insurers of the party who caused the damage). The Loss adjusters had said that there is the option of them making interim payments to the Parish Council for larger expenditure amounts.

As noted in the SRG report (item 91/22c) the PC and SRG will plan community engagement on the Stone Cross as part of the broader CIL Road Safety Improvements Project, which will include displaying drawings and visualisations, public meetings, and some form of feedback method to gather opinions on the proposals (including the Stone Cross). It was **AGREED** that advance notice of the proposed community engagement would be sent out in a newsletter and shared on the website and local facebook pages.

ii. **War memorial name and info plaques**

Clerk had contacted SC Historic Environment team for approval for providing the explanatory info on the missing names in a format that is not physically secured to the structure of the War Memorial, but was still waiting for clarification on whether LBC is needed for the replacement plaque regardless of whether explanatory info is provided in a permanent, fixed format or not. Clerk will follow up.

f) **Cliffe –Local Nature Reserve**

Council to receive update, and approve request for volunteers to make improvements for butterfly habitats

**Nature Reserve.** It was **NOTED** that Clerk had finished the Local Nature Reserve Factsheet and submitted this to Natural England along with the Management Plan, declaration, and public notice. Clerk asked if any councillors could share some photos of the PC-owned part of the Cliffe that could be shared with Natural England. The factsheet info would be added to Natural England's Designated Sites database and website of Local Nature Reserves.

### **Butterfly habitats**

Clerk had received a request from a member of the public for permission for volunteers to do some work to improve habitats to address declining butterfly numbers. Work was anticipated to take place every month between Dec and March 2023. Volunteers had already approached SC Outdoor Recreation Team rangers for approval regarding other sites that are owned by SC, and the latter are happy for this work to happen. Volunteers will also get explicit approval from SC for work to take place on the PC-owned sites once sites have been identified.

It was **RESOLVED** to give permission for this work to take place as long as SC also approve the work in specific locations once identified.

Cllr Allison informed the Council that he had checked unofficial cycleways, but there are no serious problems.

#### **g) New email provider update**

As agreed previously, the Clerk had contacted SC to ask if they could recommend anyone to research the company, but had not received any recommendations. The Clerk was concerned that a decision would need to be made soon (as to whether to continue with the switch to Besthost or not) as the annual fee for renewal of accounts would be due in Jan 2023. After a discussion and a vote (8 in favour, 1 abstain), it was **AGREED** that PC will provisionally agree to stay with Besthost and arrange switch, pending discussions with former Cllr Shearan and SC.

#### **h) Land previously up for auction on Bridge Inn/QEII Field**

This was covered in SC Cllr Bardsley's report (item 91/22a).

#### **i) Mill Lane Arboretum (Appendix C)**

Council to consider and approve management agreement between owner of Arboretum and Parish Council

The draft agreement had been updated since the last meeting and circulated to the landowner and Cllrs, but it was **NOTED** that since its circulation the landowner had asked if the PC would consider taking on responsibility for the benches.

It was **RESOLVED** to approve the draft agreement with the following changes:

- PC agrees to take on responsibility for the three benches in the arboretum.
- Landowner should retain responsibility for all fences and gates.
- PC suggests 2 years for initial duration of agreement, and review maintenance arrangements after 1 year.

### **94/22: Shropshire Council Planning decisions – Council to note.**

It was **RESOLVED** to note the following decisions.

1. [North West Relief Road Scheme, 21/00924/EIA](#) – Pending consideration
2. **Appeal:** [Keppel Gate Farm, Elbridge, ref: 21/02595/FUL \(appeal ref: 22/03024/REF, Planning Inspector ref: APP/L3245/W/22/3293953\)](#) – Appeal allowed, permission granted
3. [Bandarawela, Church Street, ref: 22/03870/FUL](#) – Grant permission

4. [Land Adjacent To Melville House Station Road Baschurch, ref: 22/03752/FUL](#) - Pending consideration
5. [The Gables, Blackbow Hill, ref: 22/04188/FUL](#) - Pending consideration
6. [Meadow View Barn, Eardiston, ref: 22/04324/LBC](#) - Pending consideration
7. Enforcement case: Proposed Residential Development Land North Of, Olden Lane

It was **NOTED** that SC had concluded its review of the above enforcement case. The landowner had confirmed in writing that their intention was to bring the land into good working order in terms of replanting, remediation, and converting into a useful and productive paddock for wildlife-related activities and to boost the ecological value of the land. SC have stressed that planning permission will need to be sought if the land becomes active resulting in increased vehicular movements. The enforcement case is now closed.

A member of public left the meeting at 20.41.

### **95/22: Finance – to consider and approve**

It was **RESOLVED** to approve the following (a-d):

- a) Receipts & payments Oct 2022
- b) Bank statement Oct 2022
- c) Bank reconciliation Oct 2022
- d) Draft budget proposals 2023-24 (appendix D).

It was **NOTED** that these were first draft proposals and that the budget would need to be reviewed again after information on the Council taxbase became available in December. It was **AGREED** to defer this to the December meeting.

- e) Appointment of internal auditor

It was **RESOLVED** to appoint SDH Accounting to undertake the internal audit for the 2022-23 financial year at an anticipated cost of £185.00.

- f) Internal controls checks

It was **AGREED** that Cllr Eyles would undertake the 6 monthly internal controls checks. Clerk would email relevant spreadsheets over.

### **96/22: Payments – Council to consider and approve**

It was **RESOLVED** to authorise the following payments:

#### **a) Invoices/reimbursements - to be approved**

- Save our Shropshire CIO, Carbon Literacy training x 2, £110.00 (no VAT)
- Clerk, Nov staffing costs (salary, home allowance, expenses), £814.95 (of which £5.90 VAT - £2.40 non-recoverable)
- HMRC, Nov PAYE and NI contributions, £75.73 (no VAT)
- NEST (Direct Debit), Nov pension contributions, £61.24 (no VAT)
- Cllr Scott Denyer, vinyl name stickers for Remembrance Day poppies, £33.43 (of which £5.58)
- St John the Baptist Primary School Fund, room hire (7 x meetings April – Oct), £116.55 (no VAT)

- b) Urgent invoices received after publication of agenda

It was **RESOLVED** to ratify the following payments:

- Scottish Power, 2nd quarter streetlight energy, £514.47 (of which £24.50 VAT)

### **97/22: Correspondence received**

It was **RESOLVED** to note the following:

- a) SALC News in Brief

- b) Rural Services Network Villages Group bulletin
- c) Police update on County Lines arrests
- d) Police update on National speed enforcement operation
- e) NALC pay briefing
- f) Road works: Gildimoors junction A5 to Ruyton Manor B4397 (16-30.01.2023)
- g) Road works: Big Walls, Ruyton XI Towns (30.01.2022 – 01.02.2023)
- h) Road works: Brownhill B4397 06.02.2023
- i) Road works: Baschurch level crossing (overnight 21-22.01.2023)
- j) Road works: Baschurch level crossing (overnight 25-26.02.2023)

### **98/22: Future agenda items**

Councillors are requested to use this opportunity to report minor matters of information not included elsewhere on the agenda and to raise items for future agendas.

**Councillors are respectfully reminded that this is not an opportunity for debate or decision making.**

- Arboretum agreement
- Budget proposals
- Christmas tree – Cllr Lister will speak to Barncroft Nurseries
- Cllr Coldwell raised the issue of footpaths and maintenance of stiles (some missing, broken), signposts missing, Grug hill and down past school. It was **NOTED** that landowner is responsible for encroaching hedges and trees, and SC is responsible for maintaining surface of ROWs.

### **99/22: Next Council meeting – Council to agree**

It was **AGREED** that the next ordinary meeting would be provisionally scheduled for Tues 6<sup>th</sup> Dec 2022 at 6.30pm at Victoria Room (pending availability).

There being no further business, the Chairman thanked everyone for their participation and closed the meeting at 20.59pm.

Confirmed as accurate: \_\_\_\_\_ Chairman.      Date: \_\_\_\_\_