

BETLEY, BALTERLEY & WRINEHILL PARISH COUNCIL

Minutes of the meeting held on 22nd September 2011

PRESENT

Councillors Robert Bettley-Smith, Steven Ball, Mandy Berrisford, Karen Burton, Seb Daly, Dave Hales, Simon Harrison, Richard Head, Hayley Morris and Chris Watkin.

IN ATTENDANCE

County Councillor Frank Chapman
Eight members of the public
Gwyn Griffiths (Clerk)

222/11 Apologies for absence were received and accepted as valid reasons for absence under Section 85 of the Local Government Act 1972 from Cllrs Speed (work) and Thomas (holiday).

Apologies for absence had been received from Borough Councillors Becket (deputy mayoral engagement) and Wemyss (work).

223/11 Members considered the declaration of interests in agenda items.

The following members declared personal interests as follows:

Cllr Daly – Balterley snack bar, as the proprietor was a client.

Cllr Morris – Balterley snack bar, as a neighbour.

Cllr Berrisford – Balterley snack bar, as she was acquainted with the proprietor; planning application, Fields Farm, as neighbouring farmers.

Cllr Watkins – planning application, 21 Ladygates, as a resident of Ladygates but not an immediate neighbour.

Cllr Ball – planning application, 21 Ladygates, as the applicant was a distant relation.

224/11 The Chairman indicated that, subject to the approval of the meeting, he proposed to move the item relating to Laudy Croft to a later stage of the meeting, as it was likely to involve the exclusion of the press and public, and it would be helpful to take the planning items before that item. Members assented to this proposal.

225/11 **RESOLVED that, subject to the correction of a typing error ('benches' for 'nenches' in minute 212/11), the minutes of the meeting of 28th July 2011 be approved as a true record and be signed by the Chairman.**

226/11 The Chairman outlined the procedure to allow public participation, and then adjourned the meeting to allow public participation.

The first member of the public wished to comment under Area Issues, and stated that he had e-mailed the Clerk three times recently to raise an issue, and had received no response. He asked whether it was Council policy that the Clerk should not respond to communications from local residents.

The Clerk stated that he had no recollection of receiving the e-mails to which reference had been made, but that if he had overlooked them he offered an apology, which was accepted. The Clerk indicated that he would normally respond to communications from members of the public.

The member of the public indicated that the subject he wished to raise was that of broadband access in rural areas, specifically Wrinehill. He understood that grants were available through Staffordshire CC to provide fibre optic broadband access where it would not be provided commercially. Would the Parish Council consider checking if this could be actively pursued for the local area?

The Chairman thanked the member of the public for highlighting the matter, and assured him that the Council would consider the matter at the appropriate stage in the meeting.

The second member of the public commented on the operation of the Snack Bar at Balterley. She outlined her concerns regarding the highway safety, environmental and planning implications of the activity. She was aware that the County Council was now claiming that the site was not within their ownership, but had checked title deeds for her own property which indicated that the site had been dedicated to the County Council in 1937.

County Cllr Chapman commented that despite the doubts expressed he was satisfied that the County Council was the landowner, on the basis of the dedication of 26th April 1937. On the broader issue of the operation of the snack bar he had noted the complaints, had visited the site, and was prepared to take the issue forward in a vigorous manner with the County Council.

The third member of the public also wished to comment on the Snack Bar, and expressed concern regarding the impartiality of the Council, as he had seen members of the council using the snack bar.

County Cllr Chapman stated that while understanding the concern expressed he would take the matter forward as presented to him by residents, and that it was of no consequence who might or might not make use of the facility.

The Chairman stated that he had used the facility twice in order to gain an understanding of its use and operation.

The Clerk advised that in the normal course of events the fact that a member used a facility would not constitute a prejudicial interest, unless there was some stronger connection (e.g. a close business or personal relationship with the applicant or – indeed – with any objectors).

In the light of this advice the Chairman declared a personal interest as a two-time user of the Snack Bar.

The Second member of the public commented that although she had exchanged correspondence with the Clerk no councillors had taken the trouble to contact her regarding this matter. A member responded by stating that under the Code of Conduct

applied to councillors it was difficult for members to pursue such a matter prior to the full details being placed before the Council as a whole. The Clerk also indicated that procedurally members of the Council had to be cautious not to be seen as 'fettering their discretion' in an issue which could involve a planning application. The Council's response had also been delayed by the absence of an August meeting.

A fourth member of the public, the proprietor of the business, challenged some of the criticisms which had been made. In particular she stated that, in response to complaints, Staffordshire Highways had visited the site and had indicated that they had no highway safety concerns. In response to a request from County Cllr Chapman she clarified that she had contacted Staffordshire County Council prior to starting the business, and had been informed that it was 'their lay-by' and that they had no objection to trading from the site. They had indicated that it was not policy to confirm such arrangements in writing. She had started the business in response to comments that there was a lack of food facilities in the area.

The third member of the public challenged this statement, indicating that the village shop had suffered a loss of trade since the snack bar had been in operation. The Chairman indicated that he had heard a similar comment.

The proprietor responded by stating that people had indicated to her that the village shop did not offer what they wanted.

A fifth member of the public explained that he lived adjacent to the site, and had initially not been too concerned about the arrival of the snack bar. However he had not realised the potential hazard it posed, and was concerned about the smell, noise and traffic generated as a result.

[County Cllr Chapman left for another meeting at this point]

A sixth member of the public, the applicant for planning applications 11/00457 & 458, indicated that he was present to address any issues relating to the applications which members might raise. He also indicated that an officer from the Borough Council's Environmental Health Department had visited earlier that day, and had expressed satisfaction with the proposals.

A seventh member of the public wished to comment on planning application 11/00445, as an immediate neighbour. He was opposed to the application as he felt that enclosing the building would have a significant adverse impact on the adjoining listed buildings, and would obstruct views of those buildings and in and out of the Conservation Area. He also felt that the proposed justification for the work was questionable, as the existing open building had been used for fifty years without weather problems.

227/11 The meeting then resumed.

228/11 In presenting his report on activity since the last meeting the Chairman indicated that he had been unable to attend the September meeting of the Rural Transport Scheme as he had been on holiday. He had received some comments regarding various initiatives around the village, which would be dealt with later in the meeting.

229/11 **RESOLVED** that consideration of a potential Community Speed Watch Scheme be deferred to the October meeting.

230/11 Members considered the following planning application:

11/00409/FUL Two storey side extension, first floor rear balcony and canopy, and alterations to driveway, 21 Ladygates, Betley.

RESOLVED That the Parish Council has no objection to the application.

231/11 Members considered the following planning application:

11/00445/AGR Cladding of existing Dutch Barn, The Old Hall Farm, Main Road, Betley.

RESOLVED That the Parish Council objects to the proposal on the following grounds:

a) that the enclosure of the open barn will adversely impact on the Conservation Area, and on views into and from the Conservation Area, in breach of Planning Policies B.9, B.10 & B.14;

b) that the enclosure of the open barn will adversely impact on the setting and views of adjoining important listed buildings;

c) that the Planning Authority will need to assure itself that the design of the development is appropriate to the intended use.

232/11 Members considered the following planning application:

11/00457/FUL & 458/FUL Two agricultural buildings, to include housing of livestock (457) and produce and fodder storage (458), Fields Farm, Church Lane, Betley.

RESOLVED That the Parish Council considers the applications to be suitable and appropriate, and in view of the circumstances supports the application.

233/11 The Clerk advised members that he had learnt of two planning decisions:

11/00303/FUL Side and rear extensions, Grindley Cottage, Church Lane, Betley – REFUSED

11/00345/FUL Alterations to existing garage and stores to form games room and gym, link to main dwelling, extensions, balcony and orangery, Doddlespool Farm, Main Road, Balterley – REFUSED

234/11 Members considered three planning issues which had arisen since the previous meeting.

235/11 Members considered the operation of a snack bar at the roadside, Post Office Lane, Balterley. The Chairman referred to the necessity to be cautious in taking a view as this might prejudice the Council's position in dealing in a proper manner with any future planning application.

RESOLVED a) that the Council takes no substantive position in support of or in opposition to the use, in order to avoid compromising its ability to respond to any planning application;

b) that the Borough Council be urged to take steps to ensure that the operation is regularised by being subject to the planning process;

c) and that the County Council be asked to investigate and clarify the ownership of the site.

236/11 Members noted that a substantial wooden structure had appeared which was visible from Bowhill Lane, but appeared to be sited in the rear garden of a property in Ladygates.

RESOLVED that the Clerk write to the local planning authority asking them to investigate whether a planning application was necessary in respect of the structure and any removal of trees which might have taken place.

237/11 Members noted that works had taken place at Tudor House, Main Road, and that concerns had been expressed that the necessary permissions may not have been obtained. The Clerk advised that the planning authority was aware of the work, and was investigating any necessary actions.

238/11 **RESOLVED that the press and public be excluded during consideration of the next item under the provisions of the Public Bodies (Admission to Meetings) Act 1960 and Section 100A (Schedule 12A Part I (8, 9 & 12)) of the Local Government Act 1972, in that it relates to potential contractual arrangements for the supply of goods or services, and/or potential legal proceedings by or against the authority, and that the Council feels exclusion to be in the public interest.**

239/11 The Clerk advised members that the Parish Council's proposed amendments to the Draft Agreement regarding use of the Laudy Croft site had been submitted to the Borough Council, but that no response had yet been received.

240/11 **RESOLVED that the press and public be readmitted.**

241/11 Members considered the potential future of the Laudy Croft site in the light of advice offered at the meeting between representatives of the Parish Council and officers of the Borough Council. It was clear that the options for future use would be influenced by planning policy, and the balance between the nature of the use and the likely costs of further investigation and any necessary remediation work. Building on the site would be very strictly limited under planning policy; use as a sports facility would be acceptable in planning terms, but was likely to require significant additional expenditure; use for informal public open space on the disturbed area of the site, with a use such as allotment plots on the undisturbed part, was likely to require a low degree of investigative and remedial work. However a range of other options might be considered.

RESOLVED that further consideration of future use of the Laudy Croft site be deferred pending a response from the Borough Council regarding the proposed legal agreement.

242/11 The Clerk reported a further delay to the completion of the community website as certain documents had been required in hard copy to be scanned into the site. This was in hand and he undertook to ensure that the website would be live by the date of the next Parish Magazine, in which its availability could be advertised.

243/11 Members considered a nomination to the Management Committee of the Village Hall in light of a response received from the committee's Chairman regarding the terms under which a member might serve.

RESOLVED that Cllr Richard Head be appointed, to serve to the next annual meeting of the Parish Council.

244/11 The Chairman advised members that the Parochial Church Council had now formally advised the Parish Council that they were no longer seeking formal closure of the Old Churchyard, and that there would therefore be no requirement for the Parish Council to respond under the conditions of the Local Government Act 1972 Section 215 (2) & (3). The PCC would continue to be responsible for maintenance, with a financial contribution from the Borough Council.

RESOLVED that the Clerk write to the Parochial Church Council noting their decision not to proceed under Section 215, thanking them for their assistance in keeping the Parish Council advised throughout the process, and asking that in the event of their considering cancellation of the agreement with the Borough Council, and seeking to progress under Section 215, that they notify the Parish Council immediately of that intention.

245/11 Members considered whether to nominate to the Borough's Joining Big Society Group in light of further information obtained by the Clerk.

RESOLVED that Cllr Robert Bettley-Smith be nominated on behalf of the Parish Council.

246/11 Members reviewed progress on initiatives undertaken by the Parish Council.

247/11 The Clerk advised that he had been assured that the Highways Neighbourhood Gang would be in the area in early September, and would be clearing pavements in the Balterley area, but there seemed no indication that such work had been carried out.

RESOLVED that the Clerk seek clarification from the County Council regarding the work promised, and if necessary obtain quotes from other contractor(s) and to carry out the work up to the budget held for this work.

248/11 Epicormal growth at Main Road, Balterley which had been obstructing visibility from the bus stop had been cut back, though it was unclear by whom the work had been done.

249/11 Members considered the provision of appropriate plaques on the benches provided by the Parish Council.

RESOLVED that the Clerk bring a costed scheme to the next meeting.

250/11 Members considered the possibility of gateway treatment signage within the parish.

RESOLVED that the Clerk seek advice from the County Council on what options were available for such signage.

251/11 Members considered area issues raised by members or during public participation.

RESOLVED a) that the Clerk seek further information regarding broadband provision for the October meeting if possible;

b) that the Clerk be asked to obtain information regarding the use of highway hydrants/ standpipes for the next meeting.

252/11 Members considered highways issues.

RESOLVED a) that the County Council be asked to provide a replacement grit bin at Church Lane/ Bowhill Lane to replace the current bin was totally non-functional and unfit for purpose because of its damaged condition;

b) that the County Council be asked to correct the spelling error (Balterly for Balterley) on a recently-installed sign at Wrinehill.

253/11 The Clerk tabled correspondence received since the last meeting.

RESOLVED a) that the Bonfire Committee be granted permission to erect signs on the Memorial Garden in accordance with the policy of the Parish Council;

[Note. Cllr Daly declared a prejudicial interest in this matter as an office-holder on the bonfire committee and withdrew from the meeting during consideration of this item. Cllrs Ball, Burton, Hales, Harrison & Head declared personal interests due to their involvement with the bonfire committee]

b) that details of the Queens Award for Voluntary Service be e-mailed to members;

c) that further consideration of the Staffordshire Parish Councils Association AGM and the Queens Award be deferred to the next meeting

d) that Cllr Head be authorised to attend the CPRE open meeting in Lichfield on 6th October on behalf of the Parish Council.

254/11 Members considered an application which had been received under the Borough Council's Community Chest grants scheme.

RESOLVED that in respect of the application received from the Betley Village Hall a grant of £400 be recommended, to fund the purchase of a single picnic bench within the complete scheme proposed.

[Cllr Head declared a personal interest in this application as the Parish Council's representative on the Village Hall Management Committee]

255/11 The Clerk submitted to members a list of invoices to hand and payments due, and the Financial and Bank Statements to date.

256/11 **RESOLVED** a) that the Council authorises payment of the following:

G Griffiths	salary & expenses	£ 625.29	882
G Griffiths	reimbursement – website	£ 91.18	883
Mh-p	website	£ 840.00	884
Community Consultation	insurance premium	£ 517.42	885
Betley Village Hall	hall hire	£ 24.75	886
F Speed	plants for Memorial Gdn	£ 269.76	887
Lampholder 2000 Ltd	Christmas lighting	£ 835.20	888

b) that the Financial Statement be received;

c) that the Bank Statements be noted, and the reconciliation verified and signed by the Chairman.

257/11 Members of the Laudy Croft Working Group advised that no maintenance work was required.

258/11 Members considered issues relating to council communication, and items to be included for the November issue of the Parish Magazine.

259/11 The Clerk advised members that the connection to the mains water supply had been completed by Severn Trent Water. Members considered arrangements for the switching-on of Christmas lighting at the Memorial Garden.

RESOLVED that the Christmas lighting switch-on be held on Friday 25th November.

260/11 In considering potential items for the Agenda of the October meeting of the Parish Council a member reported a comment he had received regarding the impact of the large tree on the appearance of the Memorial Garden.

RESOLVED that members of the Memorial Garden Working Group be asked to consider options for the management of the large conifer on the Memorial Garden, and that the matter be considered further at the October meeting.

261/11 Date of next meeting: Thursday 27th October.