Oswestry Rural Parish Council

Minutes

of a Parish Council meeting

held at 7 pm on Thursday 15 December 2022 at Trefonen Village Hall

### Present:

### Cllr. Martin Jones (Chairman), Cllr. Martin Bennett, Cllr John Davies, Cllr. Iain Campbell, Cllr. Roger Jones, Cllr. Bob Kimber, Cllr. Jas Singh, Cllr. Steve Watts, Cllr. Mike Weston, Chris Woods,

### Clerk to the Council:

### Kathryn Lloyd

### In attendance:

### No member of the public

### 

**1563 Chairman’s Welcome**

The Chairman welcomed everyone to the meeting. He asked members to keep the meeting as brief as possible given the weather conditions and with the Clerk living the other side of Wrexham. He advised members that unless anyone had any objections, in the event of adverse weather condition in January / February the Parish Council meetings can be held online via zoom.

### 1564 Apologies for Absence

### Apologies were received from Cllr Peter Richardson, (Illness), Cllr Peter Davies (work commitments), Cllr Paul Milner (work commitments), Cllr Joyce Barrow

### 1565 Councillor Co-option – Morda and Sweeney Vacancy

### Cllr Martin Jones advised members that the applicant for the Morda and Sweeney Ward Councillor vacancy had withdrawn their application due to family health issues.

**1565 Police Report**

Cllr Martin Jones read the Police report received from Oswestry Rural South Safer Neighbourhood Team.

* 01/12/2022 – Two vehicle Road Traffic Collision on the Mile End Roundabout. All occupants safe and well.
* 02/12/2022 – Two vehicle Road Traffic Collision on the Mile End Roundabout and all occupants are safe and well.
* 03/12/2022 – Single vehicle Road Traffic Collision on the Mile End Roundabout and the occupant of the vehicle was safe and well.
* 14/12/2022 – A Drone has been used/seen flying around/close to certain houses in Morda.

### 1566 Shropshire Council Report

### There was no Shropshire Council report.

### 1567 Public Participation

### None

**1568 Minutes**

### The minutes of a Parish Council meeting held on 24 November 2022 were considered for approval.

### It was PROPOSED, SECONDED and RESOLVED that the minutes be APPROVED and ADOPTED as a true record.

### 1569 Disclosure of Pecuniary Interests

### In accordance with Section 29 of the Localism Act 2011 Members were informed they are personally responsible for deciding whether they should disclose an interest at this meeting. Members were also reminded they should not make decisions with a closed mind and must declare a bias and not vote on matters where their decision could be pre-determined.

### Cllr Steve Watts made a declaration of interest in Weston Mill, Oswestry (Planning item b)

### 1570 Dispensations

### None requested.

### 1571 Declarations of Acceptance of Gifts and Hospitality

### None Declared

### 1572 Planning Matters

a) Planning Decisions

### The following planning decisions were NOTED:

| **Planning Application Details** | **Planning Proposals** |
| --- | --- |
| 22/03691/VAR Morda C Of E Primary School, Morda, Oswestry, Shropshire, SY10 9NR | Variation of condition no.4 pursuant of 12/02905/FUL - to allow for the retention of the demountable accommodation for a further temporary period of ten years. Decision: Grant Permission |
| 22/04803/FUL Lower Hendre, Maesbury Marsh, Oswestry, Shropshire, SY10 8JG | Change of use of land for the siting of 3No. tourist glamping pods plus associated access, parking, landscaping, and servicesDecision: Refuse |
| 22/04681/TPO  16 Kingfisher Way, Morda, Oswestry, Shropshire, SY10 9LX TPO 1977 (Ref: OS/00007/71) | Pollard down to approx. 15ft 1no Oak protected by The Council of the Borough of Oswestry (Morda House, Morda, Oswestry) TPO 1977 (Ref: OS/00007/71) Decision: Grant Permission |

**b) Planning Applications**

### The following planning applications were considered for comment:

| **Planning Application Details** | **Planning Proposals** |
| --- | --- |
| 22/05399/FUL  Blue Court Cottage, Brookside, Morda, Oswestry, Shropshire | Erection of ground floor extension Cllr Martin Bennett advised members he had reviewed this application. It is in an isolated area and proposed materials are in keeping with the existing building.  **It was PROPOSED, SECONDED and AGREED not to comment on this application.** |
| 22/05434/FUL  6B Mile Oak Industrial Estate, Oswestry, Shropshire, SY10 8GA | Change of use of existing building for B2 purposes for maintenance and repair of motor vehicles including MOT testing. Members discussed this application at length. Concerns were raised regarding illegal parking, blocking of access and highways congestion within the vicinity of the application site.  Members **AGREED** to support this application on the condition a provision be made so that all vehicles awaiting or having undergone testing are contained within the site curtilage. Members also required their suggestion be shared with Highways as a matter of concern in officers preparing their response. |

***NOTE:*** *Planning applications not listed above that are received after the issue of this agenda and included on Shropshire Council’s website will also be considered to meet response timeframes.*

Cllr Steve Watts left the room prior to members discussing the application for Weston House Mill. He returned once discussions had ended.

| **Planning Application Details** | **Planning Proposals** |
| --- | --- |
| 22/05430/FUL Tramway Farm, Crickheath, Oswestry, Shropshire, SY10 8AH | Installation of a 1108 kw ground mounted solar array and all associated works. **It was PROPOSED, SECONDED and AGREED not to comment on this application** |
| 22/05442/FULWeston House Mill, Weston, Oswestry, Shropshire, SY10 9ET | Erection of additional commercial building and extension to existing building and all associated works Cllr Martin Bennett advised members that the application met all the requirements under the National Policy Framework for Shropshire Council except for Policy CS6 on sustainable design and development which is a material consideration. He read out a prepared response which had been circulated to all members by the Clerk. Members raised concerns including lack of contamination assessment, disposal of surface water, production, storage, and disposal of hazardous products / materials including trade effluent and waste.  **It was PROPOSED, SECONDED and AGREED to object to this application on the basis the application fails to address Shropshire Councils own planning policy and issues regarding health and safety. Members agreed for an additional paragraph to include in the response prepared by Cllr Martin Bennett and for this submitted to the Clerk for inclusion on the planning portal.** |

### 1573 Clerk’s Report

1. Members **NOTED** a written report from the Clerk on action taken following decisions made at previous council meetings. Cllr Roger Jones requested that 1549 in the action report be updated in the comments section to include his name.

**1574 Financial Matters**

**a) Income and** Expenditure

Members considered for approval income and expenditure to 30 November 2022.

### It was PROPOSED, SECONDED and AGREED that income received to date of £46,204.14 and gross expenditure to date of £41,981.09 be APPROVED.

### b) Bank Reconciliations

Members considered for approval the bank reconciliation at 30 November 2022. Cllr John Davies requested that this be deferred until the finance committee meet on 23 January 2023.

**It was PROPOSED, SECONDED and AGREED to defer approval of the bank reconciliation until all bank statements had been received.**

### c) Payments for November 2022

### Members considered for approval provisional payments for December 2022

### It was PROPOSED, SECONDED and AGREED that the following payments for December be APPROVED.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date | Supplier | Details |  | Gross £ |
| 02/12/2022 | ICO | Annual License Fee |  | 35.00 |
| 15/12/2022 | EE | Wifi Mini mobile broadband |  | 16.39 |
| 16/12/2022 | Kathryn Lloyd | Reimbursement – postage Trefonen Posters and December papers |  | 28.10 |
| 21/12/2022 | HSBC | Bank Charges – 30 October – 29 November 2022 |  | 8.00 |
| 22/12/2022 | EE | Monthly mobile charge |  | 12.00 |
| 30/12/2022 | A G Royce | Grounds Maintenance |  | 570.00 |
| 30/12/2022 | Mark Evans | Bus Shelter Cleaning |  | 60.00 |
| 30/12/2022 | Colin Turner | Bus Shelter Cleaning |  | 25.00 |
| 30/12/2022 | Kathryn Lloyd | Clerk’s Pay and expenses December 2022 |  | 1,455.74 |
| 30/12/2022 | HMRC | PAYE / NI – December 2022 |  | 181.84 |
| 30/12/2022 | SLCC | SLCC Membership – 1 January – 31 December 2022 |  | 187.00 |
| Total |  |  |  | 2,579.07 |

d) Members considered the Clerk to be named as a signatory on the HSBC bank account. It was PROPOSED, SECONDED and AGREED for the Clerk to be a named signatory on the HSBC bank account. The bank mandate was completed and signed by Cllr Martin Jones. The Council will be looking to move from HSBC.

**1575 Finance Committee**

### Cllr John Davies advised members that the Finance Committee had met on 12 December 2022 via zoom and he had been elected as Chair and Cllr Peter Richardson as Vice Chair. By the next meeting being held on Monday 23 January 2023, the Finance Committee should have agreed Terms of Reference and provided a formal response to the External Auditors following their report of 5 October 2022. The Committee will review reserves and figures allocated to various projects and review the financial position in conjunction with the Strategic Plan. The committee will then make recommendations to Full Council.

**1576 Trefarclawdd Farm**

a. Cllr Roger Jones advised members that of seventy-seven complaints and enquiries made about Shropshire Council to the Ombudsman last year, the majority related to planning issues and developments. This reinforces the Parish Council’s thoughts to pursue this through the Ombudsman. He advised he had not received a response from the planning officer regarding his questions. The Clerk confirmed she had not received any response to date. Cllr Martin Bennett reiterated that the Parish Council had to go through the formal complaints process with Shropshire Council before taking this forward with the Ombudsman.

Cllr Martin Bennett advised members he had received a response to his letter from the planning officer Mr Mullineux. This was a curt response which failed to address Mr Mullineux’s own report. Members were disappointed with the manner of this response particular given the Parish Council had asked Cllr Martin Bennett to take this forward. Members **AGREED** for a letter to be sent to the Leader of Shropshire Council expressing their disappointment in the officer’s response. Cllr Roger Jones suggested he could prepare a letter setting out where he believed the planners had been inept and where they had failed to meet their own guidelines. This will be forwarded to the Clerk to send to the Ombudsman.

b. Cllr Iain Campbell commented that concerns are not just within this Parish. More people was raising concerns where there are failings and decision-making is being forced upon. The Parish Council should challenge the process as without doing so there cannot be any change or influence in the future. Members considered in principle seeking legal advice for a Judicial Review. **It was PROPOSED, SECONDED and AGREED to seek expert / legal advice for a Judicial Review**

c) Members considered the setting aside of funds for a potential Judicial Review. There was a discussion around funds which have already been set aside for legal advice. **It** **was PROPOSED, SECONDED and AGREED to set aside £30,000 for a potential Judicial Review.**

**1577 Morda and Sweeney Village Hall**

### a. Cllr Martin Bennett requested with Councillors permission, due to confidentiality, item 16a Morda and Sweeney Village Hall be moved and discussed under Part 2 (exclusion of press and public). Members AGREED for this to be discussed in closed session.

b. Members **NOTED** a Freedom of Information request from Mr Robert Milton relating to Morda and Sweeney Village Hall. The Clerk advised a response is due by 4 January 2023.

**1578 HGV Update**

a. Cllr Bennett advised members that this issue was being taken forward by Shropshire Association of Local Councils (SALC) on behalf of the Parish Council. He suggested writing to Shropshire Council seeking assurance that any further applications for HGV licenses will be treated as a planning application; that the Parish Council be notified and that any comments made by the Council be passed back for consideration. Members **AGREED** for a letter to be sent to Shropshire Council requesting this.

**1579 Consultation**

Members considered the Consultation on The Local Government Boundary Commission for England - Electoral review of Shropshire/ divisions. Cllr Martin Bennett commented that the website was not helpful as the electoral numbers cannot be downloaded due to the excel spreadsheets being too large. Members **NOTED** the consultation.

**1580 Cost of Fuel in Oswestry**

Cllr Martin Jones advised members of his concerns with the cost of fuel in Oswestry, noting locally there has been little reduction in prices over the last few months despite crude oil being at its lowest level and the five pence VAT being removed. Members discussed the issues and suggestion for letters to be sent to:

1. Oswestry Town Council to challenge Local providers
2. Helen Morgan MP, raising concerns
3. Morrisons asking for a representative to attend the next Parish Council meeting to provide an explanation for the prices

**It was PROPOSED, SECONDED and AGREED for the letter to be sent to challenge costs / provide an explanation for the prices.**

**1581 Oswestry Asylum Seekers – Dispersal Centre (Lord Moreton)**

Cllr Martin Jones advised members that the Asylum Seekers Dispersal Centre at The Lord Moreton Hall in Oswestry was no long going ahead. Members discussed various concerns with the main issue being lack of consultation and inadequate notification to Local Authorities. Members **AGREED** to draw up their own individual questions for review early next year.

**1582** **Date for Next Meeting**

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### Councillors NOTED that the next meeting will take place on Thursday 26 January 2022 at Trefonen Village Hall subject to weather conditions.

### PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960

### Pursuant to Section 1(2) of the above Act and due to the confidential nature of the following business to be transacted it was PROPOSED, SECONDED and RESOLVED that the public and press should not be present

### 1583 Planning Enforcement

### Members NOTED a planning enforcement case.

**1584 Morda & Sweeney Village Hall**

Members noted a FOI request in respect of the Morda & Sweeney Village Hall.

**It was PROPOSED, SECONDED and AGREED to:**

* The Council would as Custodian Trustee raise its concerns about issues arising from the examination of the Trust Deed (May 1966) with the Charity Commission.
* Instruct a solicitor to proceed to first registration with the Land Registry in the name of The Oswestry Rural Parish Council.

### The Chairman thanked everyone for their attendance and wished everyone a safe journey home. The meeting closed at 20.43 pm.

### Signed: Date:

### Chairman