

## Cleobury Mortimer Parish Council

**Parish Council meeting held on Monday 3<sup>rd</sup> September 2012 at 7pm in the Market Hall, Cleobury Mortimer.**

**Present:**

Cllrs M Reiner (Vice Chairman), B Davies, D Brown, K Reynolds, G Hainsworth,

Clerk: Mr M Sheehan

Locum Clerk: Mrs F Morris

Public: 7

The Vice Chairman welcomed Councillors and members of the public to the meeting and asked if anyone would like to speak.

**0.09.0 Democratic 15 minute Public Time:**

Mr McCrorie said he was the secretary of the Parish Plan and was looking to the Council to make provisions of £2,400 - £2,500 towards the costs of creating the Parish Plan and was also looking for funding from the Local Joint Committee.

Next Mr Barnes Vice Chair of School Governors, Cleobury Mortimer Primary School, said that a meeting had taken place about the Playing Fields, which Councillor Hainsworth attended. There were minutes that were sent out, which did say that a letter would be written by the governors to request money from the Council towards the cost of cutting and maintaining the playing fields. It has not been done yet as no governors meeting has taken place.

The Clerk said he had seen the minutes and confirmed he was waiting for a letter, but there were issues about the playing fields he was looking into, which would be explained in the Agenda item later on.

Mrs Gwen Sidaway raised the question, if anything was being done by the environment agency about the flooding.

Cllr M Shingleton said it would be covered later in her report.

Cllr G Hainsworth explained that he had informal news that the Cricket Field would take on responsibility of mowing the cricket pitch.

Vice Chairman asked Mr Barnes who cuts the field now.

Mr Barnes said it was a private contractor for the School.

Mrs Griffiths said that precedence could be set that the Cricket Club does cut their own grass.

Cllr D Brown asked if it was a formal offer.

Mrs Griffiths said it was an offer in kind from the Cricket Club.

The Clerk said that Mrs Griffiths was correct, they already cut the grass.

**0.09.1 Apologies for absence:**

Cllr J Griffiths (work),

Cllr G Butler (Holiday)

Cllr S Thorogood (Holiday)

Cllr K Woodfield (Work)

Proposed Cllr B Davies, Seconded by Cllr D Brown. **RESOLVED to accept all apologies.**

**0.09.2 Declaration of interests:**

The Clerk again reminded the councillors to register their interests with the monitoring officer if not already done so.

**Disclosable Pecuniary Interests:**

Members are reminded that they must not participate in the discussion or voting on any matter in which they have a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate, whether or not the interest is entered in the register of member's interests maintained by the Monitoring Officer.

Name	Personal	Prejudicial
Cllr D Brown	0.09.4 Finance Nightingale Nurses	

**0.09.3 To approve the minutes of the meeting dated 9<sup>th</sup> July 2012**

It was proposed by Cllr G Hainsworth and seconded by Cllr B Davies that the minutes be approved.

4 in favour 1 Abstained (Cllr Reynolds) **RESOLVED** to accept minutes and were signed by Chairman.

**0.09.4 Matters arising from the minutes**

**Clerks Progress Report for Aug/Sept 2012 read out by Clerk:**

1) Queens Diamond Jubilee bench has been fitted outside St Mary's Church.

2) Quotes to repair the rest of the railings have been asked for.

The Clerk explained that he was still waiting for two other quotes.

Cllr G Hainsworth raised concerns that something is done in the meantime to warn the public.

Cllr B Davies said something should be done now.

The Clerks discussed using special powers but it was concluded that because of the cost, two other quotes must be obtained.

The Clerk to put up warning tape and notices until rectified.

**Clerk will chase the quotes.**

3) A recorded letter was sent to Mr Jordan and no reply received.

4) No mugs have been returned from Mumfords.

The Clerk asked the Parish Council to authorise a letter to be sent as Cllr Griffiths still had not returned the mugs.

Cllr G Hainsworth proposed a letter to be sent for the return of all mugs left and any monies collected, seconded by Cllr M Reiner

**RESOLVED that a letter is sent to Mrs Griffiths asking for the return of the unsold mugs and any money received for mugs already sold.**

5) Copies of relevant e-mails have been sent to Cllr Reynolds and Cllr Griffiths to keep them up to date, also Cllr M Reiner, Cllr D Brown, Cllr G Hainsworth, Cllr G Butler and Cllr B Davies have visited office to be updated on issues and CiLCA progress. This is going well and on course to finish by end of September. Made appointment for 2<sup>nd</sup> October set to take CiLCA portfolio to Shire Hall for Karen at ALC to do final check.

Chairman updated daily.

Cllr K Reynolds said he had been asked by Cllr Griffiths to get his password for council e-mails.

The Clerk raised concerns and said he could post it.

Cllr M Reiner proposed giving details to Cllr Reynolds for Cllr Griffiths, Seconded by Cllr B Davies.

**RESOLVED that the password is given to Cllr Reynolds in a sealed envelope to pass onto Cllr Griffiths.**

Cllr Reynolds also raised concerns that local builders may not be given the chance to quote for the new toilets.

The Clerk pointed out that this was questioned and answered at previous meetings and the Parish Council decided on Shropshire Council to oversee the project and could not go back, all in minutes he has received. Memorial Gardens work is a good example of what can happen.

Locum Clerk Freda Morris also added that SC confirmed they would put the tender out to 7 builders on their approved list with 3 in South Shropshire.

6) After Western Power denied responsibility to tidy up the brambles outside the substation down the Tenbury Road, contacted Phil James Highways who had it done as a favour.

7) Had a request from external Auditor for information on accounts Safe Custody fee from bank. Satisfied request.

8) Bank accounts have now been changed from 3 accounts to 2. Information on Savings account is on its way.

9) Problems with blocked drains and dropped kerbs have been reported to Highways.

10) New benches and work on a grave in the Cemetery have been resolved. New Rules & Regulations have been sent to concerned parties. Quotes sourced for Cemetery administration software.

11) Work in High Street from the Cross roads at Tuffins, down to the bus shelters is 99% probable to be started in January 2013, which will cause some disruption as the Western Power dig up along the edge of the road to lay an electricity cable. Also a 4 way light system will be in operation on the crossroads.

12) Have requested answers to some questions about a defibrillator from Betsy Pratt, have had a reply today.

13) Talked to Street Scene and Highways on following:  
1. Hedges and pavements on road into Cleobury from Blount and they are looking at traffic management to clear through properly. Will keep me updated.  
2. Plaque or sign either end of Cleobury for Clean Britain Award. May need planning but will be kept updated.

**CiLCA Update ( Freda Morris)**

Freda Morris said that she was quite proud that Matt had put a lot of work into his portfolio in a short time and was working towards getting all together by the end of September, to be checked by Association of Local Councils at Shrewsbury, before submitting to the National Association of Local Councils.

Cllr M Reiner thanked Freda for all of her hard work helping Matt with his work.

**Nightingale Nurses:**

Agreed to leave until October meeting as Chairman unable to attend tonight's meeting.

**Any other matters arising:**

None.

**0.09.5 Councillor's reports and items for future agendas**

Cllr G Hainsworth said there had been no more issues with Parish Hall right of way although the issues had not been resolved.

Cllr B Davies raised concerns over a crack in the wall at Orchard end and Pole on top.

Cllr M Reiner confirmed that the pole is 5ft below ground. **Clerk to look into.**

Cllr Reynolds mentioned the hedge opposite the Parish Hall is starting to look overgrown again. **Clerk to get in touch with who did this work before.**

### **0.09.6 Unitary Report (Cllr G Butler / Cllr M Shineton)**

Cllr Shineton asked that a request for benches in the alcove outside the Parish Hall be put on the October Agenda.

She has received complaints of speeding in Mortimer Gardens.

Training on the new Pecuniary Interests is at Castle Hall Bridgnorth on the 25<sup>th</sup> Sept at 7pm, which is free, all parish councillors are invited. Councillors have to be aware that they could be committing a criminal offence.

There will also be a meeting in Ludlow, important for all councillors to attend.

To answer Cllr Reynolds question regarding approved lists, people put their names forward and then checked both financially and quality of work etc is ok before being accepted onto the list.

Regarding Eagle Lane toilets Cllr Shineton explained that SC had a legal responsibility to ensure the disposal of public assets was Best Value and that the wording of the proposed agreement was as far as they could go in any form of negotiating. Cllr Shineton pointed out that there was no reason why a planning application could not be put in for change of use. Cllr Hainsworth said that the PC have had legal advice and are not keeping them as toilets. Cllr Shineton said she was on Shropshire Councils side and would not move on this.

The Clerk said that he had been dealing with Justin Parker on this and would explain when reached on the Agenda.

Cllr Shineton said that Justin Parker may not understand the procedures SC have regarding disposable assets.

Cleobury Mortimer Place plan involves all surrounding parishes with a meeting on October 3<sup>rd</sup>, 7pm in the Parish Hall. Cleobury Mortimer is the Hub for the rest of parishes.

An election in November for a Police Commissioner and Bill Longmore, Adrian Blackshaw, and Simon Murphy will be contesting. November 15<sup>th</sup> elections.

12<sup>th</sup> October consultation Health and Wellbeing strategy. Need Public comments.

Floods are a deep concern, brought together Severn Rivers Trust as the River Rea and surrounding brooks have debris causing flooding. Speakers will be at the LJC meeting, village hall, with various speakers, in Neen Sollers on 23<sup>rd</sup>.

New leaflet out, Living on the Edge, also on Shropshire Council website.

Cllr Reiner thanked Cllr Shineton for the update.

### **0.09.7 Planning applications:**

a) Erection of a detached dwelling (Resubmission) –

Land at 4 Castle Hill, Cleobury Mortimer, Shropshire DY14 8DA.

Application number: 12/03271/FUL

Applicant; Mr & Mrs Ireland.

This application was discussed. Cllr M Reiner and Cllr B Davies Objected because of Access. Cllr K Reynolds voiced no objection.

Cllr Davies proposed to Object due to Access, seconded by Cllr M Reiner. **RESOLVED.**

b) Erection of a Shed & Summer House affecting a Grade II Listed Building (retrospective) – 38A Lower Street, Cleobury Mortimer, Shropshire DY14 8AB.

Application number: 12/03299/FUL & 12/03230/LBC

Applicant; Mr Richard Butler.

Cllr D Brown proposed No Objection, Seconded by Cllr M Reiner. **RESOLVED.**

c) Internal alterations and construction of a lightwell affecting a Grade II Listed Building. – 21 High Street, Cleobury Mortimer, Shropshire DY14 8DG.

Application number: 12/03130/LBC

Applicant; Mr a Greenway.

Cllr B Davies proposed No Objection, Seconded by Cllr D Brown. **RESOLVED.**

d) Erection of a double garage with attic store room above –  
Enderby, High Street, Cleobury Mortimer, DY14 8DN.  
Application number: 12/03398FUL  
Applicant; Mr T Singh.

Cllr M Reiner proposed No Objection, Seconded by Cllr K Reynolds. **RESOLVED.**

b) Planning permissions/refusals – weekly planning list from SC

c) Any others received after issue of the agenda – no further plans received.

#### **0.09.8 Finance:**

##### Account to be paid:

Shropshire Council - Wages

Cheques for payment –

N Power – Street lighting £775.56

R M Price - £570 (July), £100 (July)

J McGrath – Skip Cemetery £123 (July)

Dave Short – Church Gardens £48

Market Hall – July, August Toilets £200

Woodtappers – (Notice Board St Mary's) £1,260

R M Price - £65 Repairs Play Area

R M Price - £50 Fitting of New Jubilee Bench

##### Payments Received:

Cemetery - £690

Any others received after issue of agenda

Parish Hall - £4,860.84 Cllr Brown pointed out that the PC had agreed to pay 50% of the costs **up to** a maximum of £5000, this was seconded by Cllr Hainsworth. **RESOLVED that a cheque for £4,860.84 be signed.**

Cleobury Country - £500 – Shop and Save Scheme

D J Supplies - £300 – Market Hall PA System

R M Price - £570 (Aug), £100 (Aug)

**Proposed by Cllr D Brown, seconded by Cllr G Hainsworth. RESOLVED that the accounts be accepted and payments be made.**

#### **0.09.9 Correspondence:**

E-mail ALC – Training for Councillors 11/07 – forward to Councillors.

Shropshire Parking Consultation 2012- e-mail 11/07 - forward

Les Stephan Planning – SAMDEV Consultation - forward

First City – Proposed Development Vaughan Road – Reply by e-mail, forward

Shropshire Hills – Walkers are welcome booklet

Shropshire Council – Review speed management policies - forward

Mr P Jordan – Letter sent ref railings Memorial Gardens – Recorded Delivery

Letter Gwen Sidaway– Thank you to Parish Council

Shropshire Council – Road closure (Remembrance Sunday Parade) - Posted

Country Skills – Invoice Grass cutting

Reply sent to Kate Pearce ref Scouts and Guides Councillor joining committee

Invoice Shropshire Council, Lime Trees – Already paid

Invoice N Power, Street lighting - £775.56 – Agreed and PAID

E-mail updates sent weekly to Cllr K Reynolds, Cllr J Griffiths – Recorded

E-Mails Stephen Brown Shropshire Council ref Eagle Lane Toilets – Reply, forward, take

Legal advice from J Parker.

E-mail Severn Rivers Trust ref meeting – forward

First City Consultants – Jag Site proposals – Informed all councillors

Cheques received Cemetery - £690 – paid in.  
 Street Scene - Dog Fouling notices  
 Shropshire Council – Occupier Labels – Passed to Cllr Shingleton  
 E-mail Andrea Ford – Sewage works Yieldside – Reply, Forward.  
 Send out Disclosable Pecuniary Interests.  
 E-mails Cllr Shingleton Grass verge Vaughan Rd – Forward and sort out.  
 E-mail Cllr Shingleton ref Skate Park Bins – Forward and reply  
 Planning Application 21 High Street – Agree with Planning to reply after Sept meeting  
 E-mail Western Power brambles Tenbury Rd Substation – forward and sort out.  
 Invoices RM Price – Grass Cutting, repairs Play Area  
 Phone call Bewdley Co Op Funeral directors – Sent Rules & Regs.  
 E-mail Aviva Ins – Claim Parish Hall – Forward and Reply 8/08  
 Invoice R M Price - Play Area Damage.  
 E-mail M Bates – Quote Memorial Railings – sent Specifications.  
 Invoice R.M Price – New bench installation.  
 Planning Application – Enderby, High Street  
 Planning Application – 38A Lower Street  
 Planning Application – Land at 4 Castle Hill  
 Fields in Trust News – 21/08  
 Any others received after issue of the agenda  
 e-mail from Betsy Pratt ref Defibrillator – **Agreed to put on Oct Agenda**  
 Shropshire Council Community ‘Right to Challenge’ workshop (7pm 4<sup>th</sup> Oct Guildhall, Shrewsbury)  
 Grant application Plough Dukes F.C. - **Agreed to put on Oct Agenda**

#### **0.09.10 Cemetery Issues – Cllr D Brown**

*Cemetery extension, Cemetery administration on computer.*

Cllr D Brown asked that a working group be set up to talk to the Evans’s about extending the Cemetery and also look at software to have all Cemetery information on the computer.

**RESOLVED** that Cllrs D Brown, M Reiner, K Reynolds, G Hainsworth form Working group with Cllr B Davies reserve.

#### **0.09.11 Eagle Lane Toilets Update (Clerk)**

The Clerk read out the following advice given by Solicitor Mr Justin Parker. Clerk had also talked to Steve Brown who was to speak to SC Legal Dept and get back to Justin Parker but no call had been received prior to the meeting.

The problem covenants are as follows:

##### **11.4.1 To forever after maintain the Property in good condition throughout.**

This requires CMPC to put and keep the property in perfect condition. The property is poor now and deteriorating. This covenant cannot be performed by the CMPC nor is it desirable to accept this risk and obligation. It is not quantified and likely to be expensive to perform. What if it takes 5 years to sell the toilets? It is not reasonable to expect CMPC to take on an obligation that SC itself has not performed.

##### **11.4.2 Not without the prior written consent of the Transferor (such consent not to be unreasonably withheld) to use the Property for any purpose other than as a public convenience with associated landscaping and not to erect any building thereon.**

This provision may concern potential buyers. It would be helpful to have an indication of what alternative use SC would approve now.

Additionally, if the sole purpose of the restriction is to give SC a reason to be paid more money to relax the covenant, then so be it, but SC should formally confirm that on payment of overage they will release the covenant.

It would also be appropriate for it to be stated unequivocally that, to leave the property empty and unused is not a breach of the covenant.

I strongly recommend that there be an amendment to the effect and intent that should CMPC part with its interest in the old toilets then the liability of CMPC the SC stops completely at that point too.

After discussions regarding the present condition of the toilets etc Locum Clerk suggested that a letter be sent to Cllr Shineton asking her to seek clarification regarding this document from Steve Brown at SC and to put this on the next agenda.

It was proposed by Cllr G Hainsworth, seconded by Cllr M Reiner and **RESOLVED** that Cllr M Shineton represent our views as Unitary councillor with Shropshire Council, working with Clerk and Justin Parker to sort out the issues.

#### **0.09.12 Wells (Clerk)**

*Agree tidy up and upkeep.*

The Clerk read out the following email from Street Scene.

The Wells site and I would estimate it should cost you less than £100 to maintain the shrub and hard standing area on an annual basis (this includes weed spraying, sweeping/litter picking and the shrub bed maintenance). To add this onto an annual order for our contractor, Ringway, we will need to ask them to do a scoping visit to confirm that they are happy with the site.

I haven't included the pond area in this calculation.

As the site is currently quite untidy and in need of some maintenance we would need to ask the contractor to undertake some work before the annual order can be placed i.e. so they take on its annual maintenance when it is the condition they are expected to maintain it at.

I would put this through as a time charge order and I would estimate this to cost approx. £42 an hour. So you may be looking at a charge of £300 just to get the site tidied up initially. If you could organise this work through volunteers etc then this would obviously help your budget.

After some discussion Cllr B Davies proposed to get it tidied up now while Cllr Hainsworth got more information about Scouts and Guides possibly looking after area. This was seconded by Cllr K Reynolds. **RESOLVED**

**To be put on October Agenda.**

**Cllr B Davies proposed to move item 0.09.15 (Playing Fields Fence / Church Walk) forward in order members of public to listen and leave afterwards if desired. Seconded by Cllr D Brown. RESOLVED. Item brought forward.**

#### **0.09.15 Playing Fields Fence / Church Walk – Cllr G Hainsworth**

Cllr Hainsworth raised the point of dog fouling on the playing field and suggested a fence and gates to be erected, with signs on the entrance gates for dog owners to keep dogs on leads and clear up dog mess.

The Clerk said that he had found the Deeds for the Playing Field and discussed them with Justin Parker. They clearly state that the field next to the School belongs to Shropshire Council and in that document dated 1973, Shropshire Council should have erected a fence, which they did not. So any decisions regarding the bottom field are not ours to make and we now need to contact Shropshire Council to move on with all the issues once and for all.

Cllr G Hainsworth proposed writing to Shropshire Council for a representative to have a meeting with our full council, to move forward. Seconded by Cllr B Davies **RESOLVED.**

Monday 1st October Cllr G Hainsworth said that for the overgrown trees and bushes up the Church Walk, which the Clerk will work with him to cut it and tidy it up but will check with neighbours that they have no objection to this work.

#### **0.09.13 Adopt Donations Policy – Cllr B Davies**

Agreed to put on October Agenda. Clerk to forward copies of the policy to all Councillors.

**0.09.14 Historic Core Project update – Cllr Butler**  
***Agreed to put on Oct Agenda***

**0.09.16 To confirm date of next meeting:**  
1<sup>st</sup> October 2012

**Cheques written:**

N Power – Street lighting £775.56  
R M Price - £1,455 (July, Aug)  
J McGrath – Skip Cemetery £123 (July)  
Dave Short – Church Gardens £48  
Market Hall – July, August Toilets £200  
Woodtappers – £1,260  
D J Supplies - £300  
Parish Hall - £4,860.84  
Cleobury Country - £500

**There being no other business the meeting closed at 9.05pm**

**Signed: Chairman**



**Date: 1<sup>st</sup> October 2012**