

# **Whixall Parish Council**

**Chairman: David Edgerton**

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**Minutes of the Annual Parish Meeting (AGM) and Monthly Meeting held on  
Wednesday 14<sup>th</sup> May 2014 at  
Whixall Social Centre starting at 7.00 pm**

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**Present:**

**Chairman:** D Edgerton

**Councillors:** Vice Chair- S Beer, D Evans, J Spenser, J Jarrett, P Poole, I Mercer, S Marlow, C Mellings,  
P Dee

**Clerk:** K Hatton

**Public:** Approx. 83 people- (See attached list)

## **Annual Parish Meeting**

### **49/14 Apologies for absence**

C Platon- Holiday

### **50/14 Report by Chairman**

The chairman thanked the Clerk and all the councillors for their support over the last year. He welcomed Cllrs Platon, Mercer and Marlow who were co-opted on to the Parish Council in July 2013 and Cllr Poole who was co-opted in September 2013.

The Chairman welcomed all members of the public to the meeting and acknowledged that there was a huge turnout, he was therefore keen to move on to the subject that they were there to discuss and moved forward with the meeting.

### **51/14 Invitations for nomination of Chairman**

The Clerk invited the Council to propose nominations for Chairman

### **52/14 Election of Chairman**

Cllr Beer nominated Cllr Edgerton.

Cllr Jarrett seconded the proposal.

All Cllrs present agreed.

**Resolution: Cllr Edgerton was re-elected as Chairman.**

### **53/14 Invitations for nomination of Vice Chairman**

The Clerk invited the Council to propose nominations for Vice Chairman.

### **54/14 Election of Vice Chairman**

Cllr Poole nominated Cllr Beer.

Cllr Marlow seconded the proposal.

All Cllrs present agreed.

**Resolution: Cllr Beer was re-elected as Vice Chair.**

### **55/14 Election of other officers**

Cllrs Spenser, Evans, Jarrett, Poole, Mercer, Marlow and the Chairman and Vice Chairman declared their acceptance of office for the coming term.

**Monthly Meeting**

**56/14 Disclosures of Pecuniary Interests**

None

**57/14 Minutes of the meeting of 16<sup>th</sup> April 2014**

The Clerk raised an error made in the 'Outstanding accounts' table- which states that the Clerk's wages for March were received by standing order- this is incorrect, no wages were received. (See Clerk's report). Therefore, the total amount of outstanding accounts was incorrect and should read £425.18. These amendments were highlighted by the Clerk.

It was proposed by Cllr Spenser that these amendments be approved, seconded by Cllr Poole.

It was proposed by Cllr Poole that the minutes were an accurate record of the meeting. Seconded by Cllr Marlow and agreed by all present.

<b>It was resolved</b> that the minutes be signed by the Chairman as an accurate record of the meeting.
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**58/14 Public Session**

**The Chairman introduced the subject of the public session:** The Waggoners Inn- An exercise to measure the level of interest and support of the local community in relation to the re-opening of The Waggoners.

The Chairman explained the reason for this being the subject of the public session and the purpose of advertising this in the recent Parish Council newsletter: In September 2013 Whixall's Community Led Parish Plan was published and distributed. This document was based on responses by parishioners to a questionnaire seeking the views of Whixall people about the Parish; it was clear from the survey that the subject of The Waggoner's pub was the one to which respondents to the questionnaire felt most strongly. One of the Plan's objectives is to 'Explore the practicality of a village pub'. It is the responsibility of the Parish Council to put into action the objectives of the Parish Plan. The Chairman handed over to Cllr Poole to explain the work that had taken place in this context.

Cllr Poole began by thanking Cllr Mellings (Shropshire Councillor) for his help and support in the matter. She explained that the purpose was to fill everyone in on work to date and establish the level of interest in the prospect of The Waggoners being re-opened. Cllr Poole also stated the expected processes of the meeting with regard to questions and comments from the public.

Cllr Poole explained that The Parish Council had met with Mr and Mrs Huxley who have agreed that the following information can be shared:

- Mrs Tracy Huxley is the current owner of the pub and the car park, the land at the back of the pub is currently under dispute and not owned by Mrs Huxley.
- Mr and Mrs Huxley are clear about their intention to see the pub up and running again and do not have plans to sell.
- Mr and Mrs Huxley have had plans drawn up to include a pub with facilities to provide food, accommodation to let (to aid sustainability) and a community-run shop attached. These plans have not been validated by Shropshire Council due to technicalities; this would constitute a new build, not a rebuild.

Cllrs Poole and Mellings have met with planners (at Shropshire Council) and planning officers support the project in principle but certain reports are required before plans can be ready for validation.

Cllr Poole clearly stated that the Parish Council cannot compulsory purchase the pub or insist that the owner does anything (neither can Shropshire Council).

Cllr Poole went on to explain that there is a Community Asset Register and, on behalf of the community, the Parish Council can apply to register The Waggoners as a 'Community Asset'. Once on the Community Asset Register the Parish Council, on behalf of the community, has:

- The right to bid for the property if it goes on the market.
- The opportunity to apply for grants and/ or sell community shares as the property cannot be sold to anyone for six months.

Cllr Poole stated that the next step would be to apply to register it subject to all present being in favour of doing so.

Cllr Poole handed over to the Chairman to receive questions from the public.

**Brief overview of questions and discussion that followed:**

- Are there assurances that owner has finance in place?- Not privy to such info.
- There are currently no plans to view: Planners need detailed plans/ footprint would be different.
- Timescale?
- The pub was busy in years past and potentially viable as a business.
- Alternative sites: community grants for different projects.
- Can we look at removal of the building?- No powers to demolish.
- Is it a health and safety risk?- Enforcement have inspected it and consider it safe.
- Owner has right to take it down.
- Community shop viability?- No plans to comment on.
- Cllr Poole has list of other community projects.
- Owner does not want to run the shop- community run project.
- Owner does not have to sell to Parish Council if funds are raised.
- Meeting a bit premature?
- Mr Huxley- passionate about bringing pub back.
- Planning officer in principle supports with accommodation subject to reports and detail.
- Location, good food, good beer is what will make it sustainable.
- Is there any disadvantage to the community registering it as 'community asset'?- All it gives is right to bid.
- Can the Social Centre be used as an alternative venue?- Cllr Beer invited members of the public to attend the Social Centre's AGM on 3<sup>rd</sup> June.
- Other criteria for successful application to become a Community Asset?- once have been a sustainable business.

The Chairman reiterated that the Parish Council exists to represent the community, he acknowledged people's frustration.

The Chairman invited people to vote: he asked those in favour of registering the pub as a Community Asset to raise their hands- it appeared that all present raised their hand.

The Chairman asked all those who were against the proposal to raise their hand- nobody raised their hand.

Crime report from PC Stuart Le Clere

PC Le Clere attended to provide the Parish Council with the crime figures relating to the ward of Whixall: There were 22 recorded crimes in the period 01/04/2013 to 31/03/2014.

PC Le Clere also explained that the mobile Police Station trial had come to an end and will be discontinued for now as the number of visits it received does not warrant it continuing.

He also shared details of the shop radio link in operation in Whitchurch.

**59/14 Clerk's Report**

The Clerk reported on the following:

- The Internal audit of financial records is complete and satisfactory: further details to be shared under item 60/14 of the agenda.
- Clerk's appraisal and remuneration: The Clerk explained that as per her employment contract- her annual salary increment (Scale LC1-SCP 18) is due from April 2014 subject to satisfactory performance. **Cllr Evans proposed that the increment be approved, Cllr Spenser seconded the proposal and it was agreed by all.**
- The Clerk explained that wages had not been received for March as the standing order was made for a set number of payments but as not a signatory the Clerk is unable to discuss with the bank. The Clerk presented invoices for hours unpaid.
- Whixall Bowling Club had been sent an invoice for the peppercorn rent.
- All actions from previous meeting complete.

**60/14 Financial Matters**

- Outstanding accounts and balances

The Clerk listed the invoices received: see table below.

- Insurance renewal

The Council were informed that the insurance premium is due for renewal.

**Cllr Beer proposed that the premium be paid, seconded by Cllr Poole and agreed by all.**

DATE	CHEQUE NO.	DETAILS	AMOUNT
14.05.14	100992	K Hatton- Clerk's pay for March	£189.52
14.05.14	100993	Community First Trading- Insurance	£180.09
14.05.14	100994	SALC- Annual Affiliation Fee 2014/15	£287.05
14.05.14	100995	J & E Ford- grass cutting	£252.00
14.05.14	100996	K Hatton- Clerk's pay for April	£193.25
		<b>Total</b>	<b>£1,101.91</b>

- Orders for the payment of money as per the financial report of the Responsible Financial Officer were proposed by Cllr Edgerton, seconded by Cllr Beer and agreed by all present.

**It was resolved** that the outstanding accounts should be paid and cheques were signed by the Chairman, Cllr Edgerton and Vice Chair, Cllr Beer.

- Balances

**The Clerk informed the Council that the precept payment of £6,461.00 (inclusive of £361 CTS Grant) had been credited to the nominated bank account (Community Account) on 22<sup>nd</sup> April 2014.**

DATE	ACCOUNT NAME	AMOUNT
30.04.14	Community Account	£7,839.85
31.03.14	Business Saver Account <i>(quarterly statement)</i>	£3,918.51
<b>TOTAL</b>		<b>£11,758.36</b>

The Clerk confirmed that all Parish Cllrs present had received a copy of the balance sheet via email.

- Audit Commission Annual Return- Financial Regulations Review

The Clerk presented the Council with the Financial Regulation Review that addresses Section 2 – Annual Governance Statement 2013/14 of the Annual Return.

The Council acknowledged their responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. They reviewed each statement and confirmed their agreement with each statement, to the best of their knowledge and belief.

**Cllr Beer proposed that Section 2 be signed by the Chairman- Cllr Edgerton and the Clerk. Cllr Poole seconded the proposal and it was agreed by all.**

- Cllr Marlow signed the bank statements to acknowledge that these balances were accurate.

## 61/14 Planning Issues

### Applications to be viewed at meeting

- Ref: 14/01637/VAR - Variation of conditions 2, 3, 4, 5, 6, and 7 attached to application 12/04791/FUL for the conversion of redundant agricultural buildings to create one dwelling with detached double garage.  
Conditions(s) Removal: Variation of condition no. 2 for minor material amendment and conditions nos 3, 4, 5, 6 and 7 to address details required in original approval at Ladywell House, Whixall, SY13 2RR.

### **Decision/ response for submission to Online Planning Register-public access:**

Object/ **Support**/ Representation

**Comment:** No comment.

- Ref: 14/01639/OUT- Outline application for the erection of an agricultural workers dwelling with detached garage (All Matters Reserved) at The Farms, Whixall.

### **Decision/ response for submission to Online Planning Register-public access:**

Object/ **Support**/ Representation

**Comment:** No comment.

### Applications received too late to appear on the agenda:

- Ref: 14/00151/FUL- Application under Section 73a of the Town & Country Planning Act for the conversion to outbuilding to form self contained living accommodation at Outbuilding Adj. 4 Platt Lane, Whixall, Whitchurch, Shropshire, SY13 2NX.

### **Decision/ response for submission to Online Planning Register-public access:**

Object/ Support/ **Representation**

**Comment:** Whixall Parish Council would like to state their disinclination to support retrospective applications, however in this case they do not object to the application providing that the existing treatment plant is adequate in size to accommodate the new dwelling (as they are not aware that the new dwelling has its own foul treatment plant).

### Planning Decisions:

- Ref: 13/03412/FUL- Application under Section 73a of the Town and Country Planning Act 1990 for the rebuild and alteration to agricultural building to make structurally sound and secure at Land Opposite Greenacre Farm, Abbeygreen, Whixall- **Permission Granted**

- 14/00825/FUL - Erection of a single storey extension to side (amendment to previous permission 13/01826/FUL) at Newhaven, Cumberland Lane, Whixall, SY13 2NJ- **Permission Granted**
- Ref: 14/1239/VAR- Removal of Condition No.9 (attached to 12/00649/FUL) to allow for residential conversion without business tie at The Smithy, Stanley Green, Whixall.- **Permission Granted**
- Ref: 14/01015/FUL- Erection of single storey extension; formation of new vehicular access at 2 Malt Kiln Lane, Whixall, SY13 2QH.- **Permission Granted**

## **62/14 Parish Matters**

### a) Notice boards

The Clerk and the Chairman- Cllr Edgerton agreed that this item be moved to the next agenda due to time constraints.

- **Under the Parish Matters heading the Chairman- Cllr Edgerton proposed that in response to the discussion and community support as per agenda item 58/14- The Waggoners, that the Parish Council apply to register the pub as a Community Asset, the proposal was seconded by Cllr Spenser and it was agreed by all present.**  
**Resolution: Cllr Poole with support from the Clerk will complete the application to register the Waggoners Inn as a Community Asset.**

### b) The Marlot

Cllr Spenser reported on the meeting that took place on 13<sup>th</sup> May 2014 between representatives of Shropshire Wildlife Trust and Natural England, Cllr Spenser and Martin Spenser to discuss shared management of the Marlot site; she tabled a number of action points that were established at the meeting, these relate to the Parish Council registering the ownership of the Marlot and confirming a ruling relating to the boundary of the Marlot.

Cllr Spenser also raised the issue of the fallen tree that now crosses the ditch/ boundary of the Marlot and Mr Dulson's adjacent land; she reported that Mr Dulson has removed the crown of the tree as agreed. The trunk of the tree still remains and it is under discussion as to what will be done with the trunk. Cllr Edgerton agreed to speak to Mr Dulson to explain that if he works on the Marlot using a chainsaw or other machinery to remove the trunk then he must have insurance and relevant qualifications to ensure that the Parish Council is not liable.

Cllr Spenser reported that it was agreed that up until ownership of the Marlot is established Pete Bowyer and Martin Spenser will meet to decide what work needs to be undertaken, who will do it and who will pay for it.

Cllr Spenser reported that she had received a request for permission for wildlife training to be undertaken on site at the Marlot: the Parish Council was in agreement to allow this to take place subject to appropriate insurance and risk assessments being in place.

Also, Cllr Spenser explained that she had received a request from someone wanting to study the Marlot from a wildlife perspective; again, the Parish Council is happy providing study methods are appropriate.

## **63/14 Highways**

Cllr Mercer reported on the poor state of Browns Brook Lane; he agreed to approach Mr Pugh (resident on the lane) to establish the location of the drain so that the Highways dept. can be informed.

**64/14 Website- Comments and updates**

The Chairman- Cllr Edgerton requested that the Clerk ensures that up to date agenda's are posted on the web site in advance of meetings.

**65/14 Correspondence**

No correspondence received.

**66/14 Councillors Reports**

Cllr Poole

On 24<sup>th</sup> April Cllr Poole attended a briefing session on Making Decisions on Planning Applications and the Presumption in favour of Sustainable Development, delivered by Mr Hugh Richards, Barrister. The Core Strategy, Local Development Plans and the National Planning Policy Framework are the key reference documents for decision makers. Key issues to consider are precedent, consistency, planning history and emerging policy/plans. Judgement must be used to give weight to each factor and out of date documents cannot be relied upon. Until Shropshire Council has submitted their 5 year land allocation, a presumption in favour of granting applications that are sustainable is expected. Economic, Social and Environmental factors determine sustainability and only if there is a significant and demonstrative adverse impact should permission be denied, examples include really poor design, really poor housing mix, serious highways issues and really isolated from existing services.

Cllr Edgerton

Cllr Edgerton informed the council that a well respected Whixall parishioner has recently passed away; Mr Geoff Bishop was a church warden, school governor and had strong church ties. He will be sadly missed.

The meeting closed at 9:55pm

<b>DATE OF NEXT MEETING: Wednesday 12<sup>th</sup> June at 7.30 pm</b>
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