

# Cyngor Tref Llanandras a Norton PRESTEIGNE AND NORTON TOWN COUNCIL

**MINUTES OF THE MEETING HELD ON 19TH MARCH 2014  
AT THE SHIREHALL, BROAD STREET, PRESTEIGNE**

**Present:** Cllrs. Ms B. Baynham (Mayor), C. Kirkby MBE ( Deputy Mayor), G. Banks, Ms. N. Humphreys, J. Matthews, H. Owens, Ms. F. Preece, B. Price, P. Robinson, P. Smith, J. Tennant-Eyles, J. Wilding

## **Apologies:** Cllr. Ms. H. Marchant

**In Attendance:** Mrs T. Price, Town Clerk; Members of the Public

**Declarations of Interest.** Members were requested to declare any personal and/or prejudicial interests they may have in matters to be considered at this annual meeting in accordance with the terms of the Local Authorities (Model Code of Conduct Order) (Wales) Order 2008.

Personal

*Cllr. Banks PCC LDP Committee, Governor Presteigne Primary School and John Beddoes School, PCC Cabinet Member Planning Applications, LDP and Primary School Matters*

*Cllr. Price acquaintance of applicant, P2014/0067 & Governor Presteigne Primary School  
Planning Application 00067 and Whitton School*

## *Personal and Prejudicial:*

*Cllr. Ms. Baynham                  Related to Objector/future planning applicant  
re. planning agent letter community land, letter of objection to P/20140067 and Letter from Norton  
Civic Society re LDP*

Cllr. Kirkby                              Friend of applicant Planning Application P20140067  
re. planning agent letter community land, letter of objection to P/20140067 and Letter from Norton  
Civic Society re LDP

*Cllr. Owens neighbouring farmer, distant relation to applicant  
re. Planning Application P/2014/0202*

Cllr. J. Wilding                      Applicant Planning Application P2014 0067  
re. planning agent letter community land, letter of objection to P/20140067 and Letter from Norton  
Civic Society re LDP

Cllr. Ms Baynham welcomed the members of the public to the meeting.

**MIN 2798**

The Minutes of 19th February were approved without amendment. The Mayor then duly signed the Minutes.

## **MIN 2799 CLERK'S REPORT/UPDATE**

- (1) Work Appraisal of Clerk:** Cllr. Kirkby confirmed the amount to be paid in consideration of additional hours worked by the Clerk.
- (2) Station Road, Condition of Surface:** The Clerk confirmed that she had reminded the County Council of the need for immediate repairs.
- (3) Overgrown Hedge/Verge, Norton:** It was confirmed that the landowner had trimmed the area.
- (4) Ownership of Land at Entrance to Industrial Estate:** The Clerk had no progress to report.
- (5) County Council Budget for 2014/15:** Members noted that the County Council budget had now been set and that the resulting Council Tax increase was 4.5%.

## **MIN 2800 FINANCE**

- (1) Donations:** Members considered two requests for donations and the following amounts were agreed unanimously :

<b>Victim Support</b>	<b>£50</b>
<b>Presteigne Fire Service First Responders</b>	<b>£400</b> To be paid in April. The Clerk to provide the fire service with details of the grant scheme which would provide the balance needed (as advised by the Wales Ambulance Service).

- (2) Payments:** The following payments were approved -

T.A. Price (including 15 hours additional pay as agreed February 2014)	<b>£798.01</b>
HMRC (tax and Ni due on above)	<b>£319.41</b>
Npower (electricity account toilets)	<b>£11.93</b>
Lyreco (stationery)	<b>£13.55</b>
Npower (electricity account)	<b>£39.00 MEADOW ACCOUNT</b>
N. Close	<b>£100.00 MEADOW ACCOUNT</b>

- (3) Receipts:**

Allotment Rent	<b>£525</b>	Noted.
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- (4) Risk Assessment Annual Review:**

(including review the of Council's financial regulations and control systems)

Members approved the updated Risk Assessment.

- (5) Asset Register:**

Members approved the updated Asset Register.

- (6) Bank Balances:** The following bank balances were noted -

High Interest	£15,363.34	Treasurer	£26,912.62
Meadow	£5544.52	Allotments	£422.24

- (7) Precepted Donation to Leg Club:** Members had received a copy of the letter from the Leg Club explaining in detail why it was not possible to relocate occasional meetings to Presteigne. It was agreed unanimously that given the explanation provided the condition be removed from the grant for 2014/15.

**(1) Planning Applications**

**P/2014/0202** full, erection of two poultry buildings to include a control room, feed bins, new access and hard standing (resubmission of P/2013/0671) at **Upper Heath Farm, Presteigne**.

Cllr. Owens left the room for the duration of this item. Cllr. Banks took no part in the discussion and vote having already written a letter of objection in his capacity as County Councillor.

The Minutes of the County Council Planning Committee referring to the withdrawal of the reasons for refusing the application in December 2013 were read to the meeting. Members were also reminded of the Town Council's comments on application P/2013/0671.

Following discussion a vote was taken and with nine votes for and one abstention the following comments be made -

*The Town Council wishes to strongly object to the granting of planning permission on the following grounds:-*

**1. Waste management plan: Manure Disposal**

*. It is stated that there is 86t per flock cycle – given 7 flock cycles this generates some 602 tpa per shed, making 1204 tonnes in total In the opinion of the Town Council the application does not adequately address the management of these wastes. Particular concerns include: the impossibility of ploughing in the waste within seven to ten days after every cleaning out as recommended by Defra given the year round nature of the poultry unit; the fact that waste removal is declared as being under tractor/trailer transport indicating local spreading which would place an excessive burden on the area through which the watercourses Lugg and Hindwell flow, which will increase the phosphate levels of these rivers beyond the target for such levels; the lack of any indication of a formal arrangement for storage of the waste before spreading which means concerns on leaching of nutrients, smell etc cannot be fully considered; the need to not exceed the good practice guide for spreading manure issued by DEFRA which states 'there should be a limit of 250kg of 'total nitrogen' per hectare in any twelve month period for the spreading of organic manure', a target which it seems it would be impossible to meet given the size of the farm available on which to spread the waste generated; given the above issues it seems that waste must be sold off the farm resulting in greatly increased vehicle movements and further concerns for the areas to which this waste is then spread.*

**2. Preservation of Water Quality in nearby Rivers**

*The Town Council is aware of the already high levels of phosphates in local watercourses the Lugg and Hindwell and extremely concerned that if granted this application would add to this and raise levels to an totally unacceptable level, particularly given the recent extreme weather conditions which have led to considerable flooding in the area with the associated contamination.. The volume of waste is such that the Town Council feels that specialist advice needs to be sought on the effect on phosphate levels on the rivers not only in the immediate area of the proposed unit but downstream and into England also. As the Hindwell feeds the Lugg some 2km below the site any additional loading needs to be very carefully considered particularly given the large number of such units already on both the Hindwell and the Lugg catchment areas. The Water Framework Directive (which the UK is obliged to comply with by 2015) requires that levels of phosphate are below certain levels and we have been shown evidence from the Wye & Usk foundation that the Lugg at this point is already at twice the permitted level. The County Council's own policies require that water and soil quality are protected (UDP - DC9,10,11) and that flood risk is considered (UDP - SP14, DC13 and DC14)*

*There appears to have been no consideration of the surface water pollution and this should be addressed.*

**3. Visual Impact both to the Landscape and Nearby Listed Buildings**

*The Town Council feels that there will be considerable impact on the landscape and on the nearby listed buildings contrary to Powys and Welsh policy. (UDP GP1, Env 14, Env16, Env17, Env18). Three grade II listed buildings are in the close vicinity and the ancient monument, Wapley Hill has views across the proposed site. Nearby Broadheath Common is designated a village green and much used by local people.*

**4. Disturbance to Nearby Residents**

*Development should only be permitted when the amenities enjoyed by residents will not be unacceptably affected. The granting of this permission would mean unacceptable levels of noise, dust and smell to those living nearby. Whilst it is noted that under the ideal conditions in the study these levels are stated to be just below recommended levels it was felt that ideal conditions are almost impossible to achieve and that in reality levels could easily exceed those stated due to weather conditions, management problems etc. It was also noted that the averaging for smell levels included figures from the very start of the cycle when the birds will be on clean bedding and there is little waste and it was felt that this brought the averages down*

*considerably given that the most smell is produced towards the very end of the production cycle and when the buildings are cleaned out.*

**5. Inadequate Consultation**

*The Town Council would like to see full and detailed consultation with the relevant bodies, in particular it is concerned that the Council for British Archaeology, English Heritage, Herefordshire Archaeology and the Historic Gardens Society have not been consulted and would request that this now be done. No decision should be made on the application until such bodies have had the opportunity to make a full response.*

**6. Highways Issues**

*The Town Council was astonished to see that the Highways Department had chosen to make no comment given the large number of vehicle movements that would arise from the development. It feels that the department should be re-consulted on this issue particularly given that a previous planning application in the area was refused in part due to Highways objections.*

**7. Procedures**

*There has been considerable local concern at the processes and procedures at the County Council during the handling of both this application and application P/2013/0671. It would address local concern if a full written explanation could be given. There was considerable concern that the democratic decision of County Councillors to refuse the application has been reversed. We are extremely concerned that the officers refused to support the planning Committee. We understand that the Committee would not wish to represent the LPA themselves as they are not qualified to do so, but we cannot see why the option to obtain expert witnesses was not pursued. This would not be excessively costly as the parties have stated they are content with a written appeal. It seems to the Town Council that the procedures adopted by the County Council have undermined the democratic process.*

**8. Local Opposition**

*The Town Council has received a large number of letters and emails of objection (which have also been sent to the County Council) and asks that the concerns included within these communications be fully considered and addressed. Given that this application is a re-submission it would also be sensible to re-examine the letters submitted in connection with application P/2013/0671.*

The letters of objection to the Application were formally noted.

**P/2014/0099** outline, erection of a former dormer bungalow and creation of access at **Plot 1, Fold Farm Lane, Presteigne**. **No objections providing checks are made to ensure a covenant does not exist on the site. Local knowledge indicates that the land was left as a bird reserve.**

**P/2014/0228** for householder, demolition of toilet/utility and erection of two storey extension at **Brooklyn, Slough Lane, Presteigne**. **No objections raised.**

**P/2014/0219** full, erection of new storage building at **Seconds & Co, Presteigne Industrial Estate, Presteigne**. **No objections raised.**

**P/2014/0248 Adv:** Replacement of fascia signage lit by an overhead trough light, **48 High Street, Presteigne**. **No objections raised providing the comments of the built heritage officer are taken into account.**

**P/2014/0252**, LBC replacement of fascia signage lit by overhead trough lighting at **48 High Street, Presteigne**. **No objections raised providing the comments of the built heritage officer are taken into account.**

**(2) Planning Appeal Bowdler Farm, Knighton: Noted.**

Cllrs. Ms Baynham, Kirkby and Wilding left the room for items (3), (4) and (5) and Cllr. Tennant-Eyles assumed the Chair.

**(3) Letter from Planning Agent re community land, Norton:** Cllr. Tennant-Eyles read the letter to the meeting. The Agent was asking for a Council response to the offer of community land He reported that following an invitation to all Council Members he and the Clerk had met with the developer in order to view the site. He stressed that the offer was for land only and gave a short description of the site. He made it clear that even if the Town Council accepted the land, there was, and would not be, any obligation on the

Council to provide a community hall at any point in the future. He reminded Members that only limited feedback on the proposal had been received at present and asked that Members consider organising a community survey. Cllrs. Price and Robinson, as the other Norton Members, (Cllr. Wilding having a prejudicial interest) both agreed that this would be a sensible way forward and agreed to help draft the survey and with the delivery of the survey forms. Delivery would be by hand to most properties but outlying addresses would need to be posted. Names and addresses of respondents would be requested on responses in order to confirm that they were residents and to prevent duplication. Cllr. Tennant-Eyles read some draft questions to the meeting stressing that these would need to be considered in more detail before finalising.

It was then proposed by Cllr. Tennant-Eyles and seconded by Cllr. Price and agreed by all that a survey be organised as above.

- (4) **Letter of Objection to Planning Application P/2014/0067 (Norton) and Consultation Leaflet on Land at Wills View, Norton:** Noted.
- (5) **Letter from Norton Civic Society re planning/LDP in Norton:** The copy letter to the County Council was noted. Those Norton Councillors present stated that they had been invited to join the Society but that they had decided that against this as they did not wish to prejudice their participation in future Council discussions on Norton.
- (6) **Letter from Resident re. Candidate Site Assessment (Site 414):** Members had also received a copy of the reply from the County Council and agreed no further response was required.
- (7) **Letter re Wind Turbine Access Application Llanshay Lane:** Noted.

## MIN 2802 HIGHWAYS, HOUSING AND ENVIRONMENT

(1) **Tennis Courts Progress Report:** Cllr. Robinson reported on the site meeting held with the County Council and the contractor to discuss the proposed works on the tennis courts which would be completed prior to the transfer of ownership to the Town Council. He explained that if works were carried out as planned then the lower rebound fence on the road side would need to be placed one metre in from the existing fence resulting in lost space. It was not possible to position the two fences closer together due to the need to consider trap hazards. The contractor had supplied costings for alternative options and the most reasonable in cost was to replace the complete perimeter fence; the Muga court would be fenced with rebound fencing, the tennis court will be fenced with the same style of fence but would only have single wire. The cost of this would be £4750 plus VAT.. The Clerk confirmed that this work would have to be added to the County Council contract and that despite going out to formal tender the County Council had been unable to get any others to submit prices. Under these circumstances it would not be possible to obtain three quotes for the work and the contract would be exempt under Council financial regulations. There was some concern at the additional cost given that the County Council had undertaken to transfer the courts in good condition and that the schedule of work was now reduced due to increased costs since the transfer had first been discussed. However on balance it was felt that it was better to take over ownership of the site with the fencing renewed and that it would be more cost effective to have it included in the main works. Cllrs. Ms. Baynham and Robinson were authorised to continue negotiations with the County Council and the contractor and to agree additional works up to the sum of £4750 plus VAT. The Clerk was asked to request that the County Council meet at least a proportion of the additional cost.

- (2) **The Scallions, replacement sign:** The Clerk confirmed that this sign had now been ordered by the County Council.
- (3) **Defibrillators:** The Clerk confirmed that she had spoken to Welsh Hearts and the Wales Ambulance Service in an effort to speed up delivery of the two units.

**(4) Town Regeneration:** The Clerk stated that she had reminded Powys County Council of the actions they had agreed to take. Cllrs. Kirkby and Smith had not yet made progress on the consideration of 20mph zones.

**(5) Closure of Public Conveniences:** The County Council had not yet been in touch to arrange a meeting to discuss the transfers.

**(6) Cycle Route, Norton to Presteigne:** Deferred to the March Meeting.

**(7) School Transport Post 16:** Cllr. Alexander had confirmed that charges for post 16 transport would not be introduced in 2014/15.

**(8) Church Close Street Lights:** Powys County Council had confirmed that the lights on the site were not yet adopted. This was due in August 2014.

**(9) Warden Road Ditches:** Members had received the information supplied by a local resident and were aware of other users that had problems. It was agreed to support the request to have the ditches piped and that the Clerk would write to the County Council to confirm this.

**(10) Footpath Issues:** Deferred to April meeting.

**(11) Allotments:** The Clerk confirmed that there was now no one on the waiting list and that one plot was presently vacant.

A letter had been received from one plot holder requesting that his tenancy be transferred into joint names (himself and his wife). It was agreed that this would be done but the Clerk was asked to formally record that this would only be done for husbands/wives/partners. Any other request for changes to the tenancy document would only be considered in exceptional circumstances.

In addition the need for plot holders to be members of the PNAA had also been questioned. The Clerk was asked to respond confirming that this was a requirement of the allotment garden rules and outlining the benefits of membership.

**(12) Highway Repair Items:** Matters noted for reporting were

Road to Presteigne Cemetery, bad potholes

Station Road, deteriorating rapidly and in urgent need of attention

waiting times in High Street, (a query was raised on whether Presteigne was the only town with a 20 minute limit)

## MIN 2803      NORTON

**(1) Email from Resident:** An email had been received from a resident raising concern that the Town Council had not carried out a consultation into planning application P/2014/0067 and also commenting on the work towards improving mobile phone signal and the recent repair of potholes in Mynd Lane, Norton. The Clerk was asked to reply explaining the situation on consultation, outlining the Council's work on mobile phone signal and commending the resident for reporting the potholes.

**(2) Road Safety:** The Clerk was asked to chase the County Council for a reply on the issue of horse riders using the narrow stretch of road at the Knighton side of Norton.

**(3) Potholes:** The Clerk was asked to report potholes in Newton Lane and Killhorse Lane.

**(4) Welcome to Norton Sign:** The Clerk was asked to report that this had been damaged in the recent high winds.

**(5) Funding towards Community Facilities at Norton Church:** Cllr. Price reported that works were in progress and agreed to provide a copy invoice for the April meeting in order to claim the grant money precepted.

## **MIN 2804 WENT'S MEADOW / EDDIE'S MEADOW**

- (1) Barn:** Cllr. Kirkby reported that there had been more vandalism at the Barn and that the police had been asked to keep an eye on the area.
- (2) Skateboard Park:** Cllr. Tennant-Eyles confirmed that he had met the firm on site and that a formal order had now been placed. The exact location had not yet been confirmed as he was hoping to get further feedback from young people using the park.
- (3) LEQ Grant Scheme:** This was now open for new applications. Cllr. Kirkby stated that he did not intend to reapply this time.

## **MIN 2805 YOUTH MATTERS**

Councillor Tennant-Eyles confirmed that the final Sheep Music Project night had been held very successfully and that the Service Level Agreement with the County Council, which is vital to the project, had been signed for a second year from April

## **MIN 2806 CORRESPONDENCE/GENERAL ITEMS**

- (1) Town Emblem Update:** Nothing to report.
- (2) Memorial Hall Progress Report:** Cllr. Tennant-Eyles reported that three estimates for the proposed works had now been received and that local contractors had been the cheapest. The total grant to be applied for was slightly under £70,000. Match funding was not essential but the Hall Committee was contributing £2500 and Presteigne Players £500.
- (3) Presteigne War Memorial Cleaning:** Following a site meeting it was agreed to attempt an initial clean of the Memorial. Should this prove unsuccessful then specialist help would be sought.
- (4) Disposal of Local Authority Playing Fields Welsh Government Consultation:** It was agreed that the Clerk reply supporting the implementation of the measures including the increased requirement for consultation prior to disposal.
- (5) Closure of Whitton School Powys County Council Consultation:** It was agreed to make no comment.

## **MIN 2807 TOWN COUNCIL SURGERIES**

March Surgery:

Two matters had been raised and these were -  
the need for a footpath from Kings Turning to John Beddoes School: It was agreed that this should be dealt with as part of the consideration to re-route the footpath across the school playing field if this was progressed by the School.  
the planting of a large number of trees in Norton: the resident had since emailed the Council indicating that the matter had been dealt with.

Cllrs. Ms Baynham and Price agreed to man the April Surgery.

## **MIN 2808 INFORMATION ITEMS**

Noted.

## **MIN 2809 URGENT ITEMS**

**Home Presteigne:** It was agreed that subject to her consent Cllr. Ms. Marchant be appointed the new Town Council representative on this organisation.

**Hands Up for Uganda:** Fund raising dinner to be held.

**Mayor's Lunch/Dinner:** To be arranged in April.

**Knighton Hospital:** Cllr. Banks reported that the hospital was presently having problems recruiting nursing staff.

The Meeting closed at 10.15 pm.