

# **LUSTON GROUP PARISH COUNCIL**

MINUTES OF THE LUSTON GROUP PARISH COUNCIL MEETING HELD AT 7.30 PM ON MONDAY 4 DECEMBER 2017 AT CAWLEY HALL, EYE, LUSTON

**PRESENT: I STEVENS (CHAIRMAN), J COATES (VICE CHAIRMAN), A BRANDISH, P EDWARDS, A EGERTON, K WOOD, C PEARSON, R WOOLLEY AND G POULTON.**

**IN ATTENDANCE: WARD COUNCILLOR S BOWEN; R HEWITT (CLERK); AND 13 MEMBERS OF THE PUBLIC.**

**1. Acceptance of apologies for absence – None.**

## **2. Declarations of Interest**

**2.1** Disclosable Pecuniary. None.

**2.2** Non-disclosable Pecuniary. None.

**2.3** Non-Pecuniary. Cllr. Egerton declared a non-pecuniary interest in planning application 174097 Mile End.

**2.4** Written requests for dispensation. None.

## **3. Approval of minutes from 6 November 2017**

**DECISION:** The minutes of the meeting were agreed and signed.

## **4. Co-opt a new member of the group parish council**

**DECISION:** Emma Coates of Eyton House, Eyton was co-opted. Ms. Coates signed the Acceptance of Office and joined the meeting.

## **5. Matters raised by local residents**

A member of the public asked whether the bus service which goes down Eye Lane was under threat, said the 'Slow Down' sign on the A49 at Ashton is not working, and asked for the ditch on Eye Lane towards the A49 to be cleared. Ward Cllr. Bowen said there were no cuts to the bus service to his knowledge, and that the 'Slow Down' sign has been reported to Highways England. The Clerk said the 'Slow Down' sign also has been reported by the parish council. The meeting agreed to remind the landowner of their riparian responsibilities with reference to the ditch.

A member of the public said the pavement by the Chapel at Luston still becomes impossible to use at times of heavy rain, forcing pedestrians into the road. Ward Cllr. Bowen kindly offered to follow this up with Balfour Beatty. The defect will be re-reported by the Clerk.

Cllr. Poulton said Welsh Water is installing filters at the pumping station, and the work will go on to Christmas. The meeting decided to consider a request to ask residents to think about what they flush down the toilet, and to liaise with Yarpole Group Parish Council on this. The outcome will be included in 'Council Matters', the regular article on group parish council activities published in Community Eye.

## 6. Ward Councillor S Bowen's Brief Report (for information only)

Ward Cllr. Bowen provided a written report which was noted by the meeting.

## 7. Highways and environmental matters

**7.1** Maintenance of brook above Luston by riparian owners. The school has asked a contractor to look at the brook and provide a report on work required. The landowner above the school has confirmed the brook will be cleared of obstructing trees, though a date has yet to be scheduled. **DECISION:** Follow up with both riparian owners in the New Year.

**7.2** Lengthsman and P3 footpaths. The Clerk said moss needs to be cleared from the pavements at Luston, but the work is likely to be expensive as the advised solution from the locality steward is "Jeyes fluid and elbow grease". Weedkiller does not work with moss. Cllr. Egerton said a cost-effective alternative is to use a laundry powder, which she has found to work well. **DECISION:** Request the lengthsman clears moss from pavements at the entrance to the Willows and at Lilac Grove using laundry powder.

**7.3** Highways – Matters to bring to the attention of Balfour Beatty. The patch of road at Red Hill is to be resurfaced shortly. The raised manhole cover on the pavement at the Willows has been re-reported with a photo kindly provided by Cllr. Brandish. **DECISION:** No further action required.

**7.4** Consider proposed cost of village gates and associated works at Luston. The meeting noted the senior engineer at Balfour Beatty believes chicanes at each end of Luston would not be effective because there is insufficient traffic on the B4361. The risk is that drivers would get accustomed to there being little to no oncoming traffic, and pull out automatically to clear the chicane without properly checking the way ahead. **DECISION:** Request a meeting with Balfour Beatty for the traffic working group to discuss the chicanes proposal.

**7.5** Volunteers and insurance cover. According to the group parish council's insurance brokers, volunteers have the same protection as employees, and care needs to be taken that they have the appropriate skills to do what has been requested. Conversely, contractors are responsible for their own activities, and should have their own insurance cover. **DECISION:** Group parish council activities which involve volunteers need to be risk assessed and the appropriate equipment and guidance provided.

## 8. Finance

### 8.1 Payments for consideration:

- D C Gardening Services, lengthsman – £672.00
- D C Gardening Services, footpaths – £710.04
- The Clerk, expenses April-November 2017 – £417.95
- The Clerk (salary, November 2017) – £478.81

An updated breakdown of lengthsman and footpaths expenditure shows £708.00 remaining in the lengthsman budget and £274.70 left in the P3 footpaths budget. Outstanding lengthsman charges include the repair of potholes identified with the locality steward in October 2017, and cost of materials. This year materials have been purchased with Leominster Town Council, and other parishes to minimise the cost. Leominster Town Council will invoice the group parish council.

**DECISION:** Payments were approved and cheques signed. Proceed with the repair of the potholes.

### 8.2 Review direct debit payments:

- Airband, broadband service December 2017 – £60.00

**DECISION:** The agreed direct debit payment was noted.

8.3 Review external auditor appointment for financial year 2017-18. PKF Littlejohn LLP has been appointed external auditor for 5 years commencing with financial year 2017-18. The appointment has been made by Smaller Authorities Audit Appointments Ltd. Councillors are asked to advise if there is any potential conflict of interest relating to this appointment.

**DECISION:** No action required.

## 9. Planning

9.1 174097 – Mile End, Broad Lane, Leominster, HR6 0AL. Retrospective permission for the use of the land for wood chipping with wood storage yard and buildings to include; office building, chip stores, drying floor, fan house and boiler house with biomass plant to generate 80Kw of electricity.

**COMMENT:** The group parish council agreed to object to the application on the grounds of noise and disturbance caused to nearby residential properties from the scheme. The noise and disturbance come from the operation of the chipper, drying floor and boiler house, and the movement of vehicles in the yard (such as reversing hazard beeps) which move the wood chippings about – for example to the drying room and then on to storage. The scale and size of the operation means the noise and disturbance generated by these activities is effectively on an industrial scale and inappropriate for the location.

Policy LG1 of the Luston Group Neighbourhood Development Plan states new development should “not have a detrimental effect on residential amenity by reason of noise or other nuisance” (LG1, b), and that: “Agricultural and commercial buildings or uses that are likely to give rise to noise or other pollution shall not be located where they would have an unacceptable adverse impact on existing or proposed housing (LG1, g).

The ongoing development of the operation is believed to affect the character of the hamlet of The Broad adversely contrary to paragraph 5.2.8 and vision statement in the Luston Neighbourhood Development Plan. In addition, Policy LG8 of the NDP states the development of small scale employment premises should: “Not have a detrimental impact on surrounding residential amenity”.

The highlighted provisions in the Luston NDP are supported by the NPPF (s123, clause 109, clause 111, para. 75 ROW, and NPSE – SOAEL) and the Natural Environment and Rural Communities Act 2006.

The group parish council is concerned that the River Lugg may be polluted by water run-off from the piles of wood chippings in the yard entering the water table and seeping into the adjacent brook. There is a significant PROW, the Herefordshire Way, which passes through the yard, and although currently closed at this point due to a defective footbridge, proper consideration should be given to ensuring the footpath is safe to use or appropriately diverted. The wood chippings are believed to be a significant fire hazard inappropriate to a residential area like The Broad. The group parish council would like reassurance that water run-off is not polluting the nearby water courses, including the Lugg, and that the necessary fire risk assessments and other relevant checks are in place.

For the reasons set out Luston Group Parish Council urges that the application is REFUSED by the planning authority.

The group parish council disapproves of retrospective planning applications.

**9.2** 173759 – Broad Farm, Leominster, HR6 0AN. Proposed erection of small ancillary buildings and change of use from agricultural usage to provision of a play area, sandpits, car park signage and petting area. (Retrospective). **COMMENT:** The group parish council supports the application subject to confirmation that the septic tank will not adversely affect the River Lugg, and that the necessary fire risk assessments and other relevant checks are in place. The group parish council disapproves of retrospective planning applications.

**9.3** 173760 – Broad Farm, Leominster, HR6 0AN. Retrospective erection of sign at entrance 1.2m x 1m - 1.2m to bottom of sign above ground level. **COMMENT:** The group parish council supports the application and disapproves of retrospective planning applications.

**9.4** 174128 – 2 Westland View, Luston, HR6 0EA. Leylandii L1 & L2 - Fell due to excessive shading, excessive moisture removal from lawn, proximity to power cable (see attached photos) and rats nest situated below them. **COMMENT:** The group parish council supports the proposed tree work subject to replacing the trees with two indigenous trees.

**9.5** 174359 – 2 Westland View, Luston, HR6 0EA. Proposed removal of existing oil tank, replacing with 1200 litre tank in front of house. **COMMENT:** The group parish council opposes the planning application on the grounds of design and appearance. The proposed location of the oil tank will be to the detriment of the streetscape on Westland View, which is within the village conservation area.

**9.6** Update on planning decisions/ enforcement by Herefordshire Council. Consent for works to trees covered by a tree preservation order (173634 Guernsey Cottage).

## **10. Neighbourhood Development Plan**

The meeting noted the referendum result on 23 November 2017 was in favour of the Luston Group Neighbourhood Development Plan. The plan will now be adopted formally by the planning authority, Herefordshire Council, and will have full weight in consideration of planning proposals. **DECISION:** The steering group will be kept in place pending the making of the plan by Herefordshire Council.

## **11. Consider proposal from Eardisland to name rights of way as Memorial Walks**

The meeting reviewed the proposed memorial walk set out by Eardisland's footpaths officer. It is likely that it concerns Lucton parish, as the proposed walk does not pass through the Luston parishes. **DECISION:** Refer Eardisland to Yarpole Group Parish Council, which includes Lucton parish.

## **12. Travellers' Sites Development Plan consultation**

**DECISION:** The consultation was noted.

## **13. Boundary Commission consultation on revised proposals for West Midlands parliamentary constituency boundaries**

**DECISION:** The consultation was noted.

**14. Consultation: Leominster Neighbourhood Plan (Reg. 16)**

**DECISION:** It was agreed to offer full support for a well thought through neighbourhood development plan.

**15. Review options for siting a post box on Eye Lane at Ashton**

A reproduction post box has been donated anonymously. Royal Mail has yet to respond to a request to confirm whether the reproduction post box is suitable for collections. Cllr. Edwards said Royal Mail offered an alternative post box when the original post box on the A49 was closed for safety reasons. **DECISION:** Royal Mail to provide guidance on the reproduction post box and/ or provide a suitable post box to use for collections from Ashton.

**16. Review membership of group parish council working groups**

**DECISION:** Cllr. Brandish kindly agreed to join the traffic working group, and Cllr. Poulton kindly agreed to join the finance and management working groups.

**17. Clerk's Report and reports on meetings attended by parish councillors**

The Vice Chairman provided a report on the HALC Conference and Annual General Meeting on 25 November 2017, including the news that the group parish council has been awarded the free in-house training session which has an equivalent value of £200.00. The Chairman's presentation at the conference on the initiative to enable residents to listen to meetings remotely over the internet was well received and may lead to other parishes doing the same thing. Cllr. Brandish reported on the neighbourhood development plan event for parishes with adopted plans, which was held on 1 December 2017. There are 31 adopted plans in Herefordshire, including Luston Group's, and 109 town and parish councils have committed to putting a neighbourhood plan in place. The Clerk's report was noted.

**18. Matters for consideration at the next meeting (no discussion)** – Proposal to apply for the Old Forge on the A49 at Ashton to be added to the National Heritage List for England (NHLE) by Historic England. Review order of regular agenda items.

**19. Date of Next Full Council Meeting**

**DECISION:** The next meeting will be at 7.30pm on Monday 8 January 2018 at Cawley Hall, Eye.

There being no further business, the meeting closed at 9.48 pm.

Signed as a true record \_\_\_\_\_

Date \_\_\_\_\_