

REF/2016/0879

**IN THE PROPERTY CHAMBER (LAND REGISTRATION)
FIRST-TIER TRIBUNAL
(TITLE NUMBER SL147821)**

MICHAEL MOORE

Applicant

-and-

**(1) ANTHONY LIGHTFOOT
(2) HELEN LIGHTFOOT**

Respondents

IMPORTANT DOCUMENTS – J

This is Important Document “J” referred to in the Applicant’s Statement of Case.

MINUTES OF WOORE PARISH COUNCIL

MONDAY 14th OCTOBER 2013

HELD AT WOORE VICTORY HALL

PRESENT

Cllr Clifford, Cllr Allison, Cllr Helen Blake, Cllr Malcolm Blake, Cllr Hammersley, Cllr Lightfoot, Cllr Moore and Cllr Woodcock

The Clerk Mr S W Knobbs

Harvey Morgan - Shropshire Council Paths and Recreation Officer

13109 APOLOGIES FOR ABSENCE

Apologies for absence received from Cllrs Cartwright and Ford due to work commitments, these apologies for absence were accepted

13110 DECLARATIONS OF INTEREST

Cllr Clifford declared an interest under agenda item 13124 - Cherry Tree Farm, Cherry Tree Lane - Wind Turbine discussion as a resident of Cherry Tree Lane

13111 TO CONFIRM & SIGN MINUTES OF MEETING 9th SEPTEMBER 2013

Resolved to accept, Chairman signed the minutes

13112 TO DISCUSS MATTERS ARISING FROM THOSE MINUTES

13097 MATTERS ARISING

Monies invested in bonds, the Clerk has checked with the bank and they are effective

13101 TREE AND PARISH PATHS WARDENS' REPORTS

Parish Christmas Tree - offer from Paul Hawkins has been formally accepted by the Clerk

13102 PLANNING MATTERS

The Clerk has written formally to Richard Denison - Senior Planning Officer - Shropshire Council outlining concerns as raised at meeting of 9th September 2013 and issue of recirculation of planning application at New Farm, Knighton where he was told we could comment but the application was then approved regardless under delegated powers. The Clerk had spoken to Richard Denison upon his return from holiday 8th October 2013 who is to reply formally

13105 COUNCIL NEWSLETTER

This item appeared on the agenda at item number 13118 and is covered more fully there

13106 MEMBERS TRAINING

This item appeared on the agenda at item number 13119 and is covered more fully there

13113 PRESENTATION BY SHROPSHIRE COUNCIL PATHS AND RECREATION OFFICER

Harvey Morgan made a presentation, he said he was part of a small team working in a very large county of 4,500 km of rights of way, he likes to promote the partnership scheme (P3 group), in Woore there are 38 public footpaths being 23km in total. He distributed handouts of parish paths network and parish paths partnership agreement which are to be uploaded to the website. He said that Shropshire Council can provide equipment and training for Parishes to maintain and improve their public footpaths. Cllr Moore said we want a P3 group organiser and asked for any questions to Harvey. Paul Hawkins asked if there was a plan that could be displayed and if one could be displayed on the blank side of the noticeboard at Pipe Gate. Cllr Woodcock asked what the cost of a kissing gate was, Harvey said it was approximately £250 plus labour to install which his department could meet the cost of

13114 REPRESENTATIVES REPORTS

Given that SC Cadwallader was not in attendance no Shropshire Council report was presented

WOORE VICTORY HALL

It was reported that the next Woore Victory Hall committee meeting is scheduled for 15th October and Cllr H. Blake's nomination had now been received to the satisfaction of Gordon Nichol

OLD WOORE SCHOOL TRUST

No report tabled, although it was reported that no meeting has been held for the last seven or eight months as no applications for support had been received by the Trust

LOCAL JOINT COMMITTEE

The Chairman reported that the next LJC committee meeting was to be held 23rd October at which the Tim Stokes defib appeal was to be discussed for an application for funding support from the LJC

NEIGHBOURHOOD WATCH

Cllr Hammersley presented a neighbourhood watch report to be circulated in Clerks correspondence

13115 TREE AND PARISH PATH WARDENS' REPORTS

Cllr Moore did not present a formal Tree and Parish Path Wardens' report but again thanked Harvey Morgan for his attendance and presentation at the meeting

13116 COMMUNITY INFRASTRUCTURE LEVY

The Chairman reported that the Community Infrastructure Levy first Neighbourhood Fund payment of £1,094.14 is to be made by Shropshire Council on 28th October 2013, after discussion it was resolved to put the monies into the Recreation fund. Cllr Woodcock asked what Shropshire Council do with the 75% balance of the monies? Resolved the Clerk write to Shropshire Council to establish greater details

13117 RECREATION

There was a long discussion on the subject of recreation. Following the open meeting discussion Cllr M. Blake said it was difficult to know how to proceed if people object. Cllr Clifford said that we have been given the go ahead for equipment for primary school age children on St. Leonards Way. Cllr Woodcock said there are always problems with what you decide and he thought decisions should be delayed until the next meeting to give time for Cllrs to gain views of residents. Cllr Allison said it was good that Parishioners had come forward at the open meeting and there was the support expressed for the purchase of equipment for the young children. Cllr Hammersley thought that to give full consideration of the alternatives all the possible schemes should be put together. After discussion, it was resolved to spend up to £10,000 from the Recreation Fund on toddlers and infants play equipment at St. Leonards Way and approach neighbours close to the Village Green to attend the next meeting of 11th November 2013 for discussion on potentially site older children play equipment and adult exercise equipment on the Village Green. Cllr Woodcock presented a cheque for £1,000 to the Parish Council from the ex owner of the Phoenix Rubber Company, who he explained had sold his remaining assets in the village and wished to give a donation for the benefit of the community. It was resolved that the Clerk would write to the benefactor, thanking him for his kind donation and saying that the monies would be used for the benefit of the community. Cllr Lightfoot reported that she and her husband had bought the public open space in Pipe Gate from the ex owner of the Phoenix Rubber Company and planned to maintain it as public open space. It was resolved that the Clerk would write to Cllr Lightfoot thanking her for commitment for the area to be maintained as public open space and expressing the view that it was very public spirited of her and her husband

13118 COUNCIL NEWSLETTER

The provision of a Council newsletter was discussed, with the printing deadline of 10th November 2013. Cllr Hammersley distributed a 2014 calendar as previously produced, Cllr Woodcock asked if the dates could just be listed rather than producing a full calendar. Cllr Lightfoot thought it would be useful to include signposts to the website. After discussion it was agreed that proposals for inclusion in the newsletter would be sent to the Clerk by 25th October 2013 and the newsletter to include at least calendar, full list of Councillors and contact details, Clerk contact details, parish path scheme, grants made in the year, planning decisions since May 2013 and details on the proposed play area

13119 MEMBERS TRAINING

It was discussed that a members training course has been arranged with SALC to be run at Woore Victory Hall on 28th October 2013 commencing at 7.30 p.m. at a cost to the Parish Council of £20.00 per attendee, excepting Cllr Clifford and Cllr Moore, the six other Cllrs present said they are able to attend the training. Representatives from the Victory Hall spoke to say there may be a problem with availability for the room booking for the members training of 28th October 2013, it was agreed that the Clerk would speak to the bookings secretary of the Victory Hall to try and resolve. Subsequent to the meeting it was confirmed that there was room availability for the members training of 28th October 2013

13120 LENGTHSMAN'S DUTIES

At the request of Cllr Woodcock to discuss inclusion of tidying up of recycling facilities sited at the Swan Public House with the duties of the former Lengthsman. The Clerk reported that had spoken further to the former Lengthsman - Gary Cooper, who says he spends 2 hours per week in the village and the duties he undertakes are work to footpaths around the village, remove litter and rubbish and weed treat kerbs and gutters. He said he has undertaken the duties for a number of years principally without instruction or direction and has undertaken the work as he sees required, charging £100 per month. Mr. Jeffries (Parishioner and former Chair of Woore Parish Council) said that Mr Cooper had applied many years ago to undertake the Lengthsman's role and a job specification was drawn up for him. He thought it was a difficulty that nobody liaised with him and he mainly concentrated on the A51 between Pipe Gate and Woore and thought it would be in order given the common interest that Village Pride liaise more closely with him. After discussion, it was resolved to continue with the former Lengthsman's role with greater supervision through Village Pride including tidying up of recycling facilities at the Swan Public House and to budget for expenditure in 2014 - 2015 precept

At the request of representatives from Woore Victory Hall and after suspension of standing orders to allow them to speak, Gordon Nichol outlined that recycling facilities previously provided on a free of charge basis had been withdrawn with only a weeks' notice,. After discussion, it was resolved that the Clerk would write to the contactor Veolia on behalf of Woore Victory Hall to express concern at this decision and it being detrimental to the facility at Woore Victory Hall

13121 PAYMENT OF ACCOUNTS

Former Lengthsman's Charges	June - Sept 2013 (4 months)	£400.00
S W Knobbs	Expenses - September 2013	£172.96
S W Knobbs	Salary - October 2013	£299.21
HMRC	Tax - October 2013	£74.80
nPower	Electricity - July - Sept. 2013	£223.43

Resolved to pay accounts

13122 2014 MEETING DATES

The proposed 2014 meeting dates of 13th January, 10th February, 10th March, 14th April (Annual Parish Meeting), 12th May (Parish Council AGM), 9th June, 14th July, 8th September, 13th October, 10th November and 8th December were discussed. It was outlined that a meeting will be required in January 2014 to discuss the Precept 2014 - 2015, because information will be provided by Shropshire Council too late to be considered at 9th December 2013 meeting. Shropshire Council timing is that their decisions will be made at the Cabinet Meeting of 11th December 2013 and letters notifying Parish Councils will be sent out on 20th December 2013. After discussion it was agreed that full business meetings would be held on each of the dates as above excepting Annual Parish Meeting of 14th April

13123 CLERK'S CORRESPONDENCE

- 1) Email re Community Infrastructure Levy - Neighbourhood Fund 2nd October 2013, circulated
- 2) Email re Sustainable Communities 3rd October 2013, circulated
- 3) Letter and poster dated 3rd October 2013 from David Wilson Homes Mercia re Public Exhibition at Woore Victory Hall on 16th October 2013, circulated
- 4) Document detailing Judicial Review Process received 3rd October 2013, circulated
- 5) The Public Law Project - What is Judicial Review? Document received 3rd October 2013, circulated
- 6) Email from Cllr Moore 6th October 2013 re Items to be covered in newsletter, circulated

13124 PLANNING MATTERS

To discuss the following planning matters:

At the request of Cllr Moore members discussed David Wilson Homes Community Consultation. Cllr Moore said he had visited the consultation exercise undertaken by David Wilson Homes on 11th October 2013. Cllr Allison said that there were 420 dwellings in 2006, thought that after recent developments there was only 6 dwellings to be allocated and that by identifying the Parish as a hub it had made the area attractive for developers and by not being a hub we would be considered as countryside. Cllrs Clifford and Hammersley thought we should write to David Wilson Homes stating the August 2013 SAMDev position, but stressing that every application is viewed on its merits. Cllr Woodcock thought that a Parish Plan is the best way to thwart undesirable developments. At the end of this discussion Cllr Clifford left the meeting

At the request of Cllr M. Blake to discuss 13/0532/FUL - Cherry Tree Farm, Cherry Tree Lane, Woore - Wind Turbine - As Cllr Clifford had declared an interest in this item and had left the meeting before discussions were held, Cllr Hammersley chaired discussions in this matter. Cllr Hammersley outlined that a Judicial Review could only be considered if the decision made by Shropshire Council was unlawful and reviewing the documentation did not consider that the decision was unlawful. Cllr M. Blake said that Parishioners had contacted him to raise the matter of a Judicial Review because they did not feel they had been informed sufficiently. Cllr Woodcock said that an individual could pursue a Judicial Review and he does not think that the Parish Council should consider undertaking a Judicial Review. Cllr Moore said the Parish Council could consider contacting the Local Government Ombudsman, after discussion it was resolved that the Clerk write to the Local Government Ombudsman on behalf of residents that there had not been sufficient consultation undertaken in the planning matter

DATE OF NEXT MEETING 11th NOVEMBER 2013

MEETING CLOSED AT 10.15 P.M.

1350