

**CLERK'S INFORMATION SHEET FOR
PARISH COUNCIL MEETING ON 9 JANUARY 2020**

- 4.1 Get in touch: Tel: 101 to talk to your local SNT or report a crime. Email: kw.snt@westmercia.pnn.police.uk
Website: www.westmercia.police.uk Facebook /Twitter @NHfdShireCops
Useful information: Please find the links to the Fly Tipping prevention guides, currently viewable on the NFGP website. Always worth a read if you ever have the misfortune to encounter such waste.
Householder - <http://www.tacklingflytipping.com/Documents/NFTPG-Files/NFTPGAdviceforHouseholders.pdf>
• Businesses - <http://www.tacklingflytipping.com/Documents/NFTPG-Files/NFTPGAdviceforBusinesses.pdf>
• Landowners - <http://www.tacklingflytipping.com/Documents/NFTPG-Files/NFTPGAdviceforLandowners.pdf>
Dean Wall PC 07773 053846
Emma Dune PCSO 07971 051474
Felix Rawlingson PCSO 07971 051480
Report a crime Police 101 Ext 61216

4.2



JANUARY UPDATE

PEMBRIDGE, SHOBDON, LYONSHALL, EARDISLAND &
TITLEY GROUP PARISHES

From your local County Councillor

Roger Phillips. Email: rjphillips@herefordshire.gov.uk

Dear Residents,

Hope you are all surviving the festivities and ready to welcome the new year and new decade. The last four months have seen a great quality of rainfall and I'm afraid the impact on our highways is beginning to show with the erosion of surfaces and potholes emerging. Please can I encourage you all to report any EMERGENCIES Defects by phone 01432 261800 or for non-emergency defects, by logging on the Herefordshire Council website <https://myaccount.herefordshire.gov.uk/report-a-pothole> We have had very few frost this winter but with this amount of water around our roads are dangerous. There is field water run off causing significant water on the carriageway. I am grateful to Edward Bulmer for his plans to reduce some of the pressure but until we get drier weather no meaningful work can be done.

Some better news this month, following pressure from our MP that a legal agreement has been reached between Taylor Wimpey and the previous owners of Bateman close to allow the roads in the development to be adopted by Herefordshire Council. The next move now is to get Gigaclear to arrange their Broadband fibre optics into the estate.

A new contract has been signed between Herefordshire Council and Gigaclear to help get better broadband into our rural areas. They are significantly behind their timetable in Shobdon although they are planning works apparently in Pembridge in future months. From our Shobdon experience we will need to keep an eye on their progress and plans but they were the only company that showed any real interest in supplying the contract.

Last month not only saw the general election but also the Lyonshall Neighbourhood Plan referendum which I was pleased to see had a turnout of 48.37%, and the NP passed with 232 (82.3%) in favour, 50 against (17.7%) and no spoil papers. These Plans will hold some weight for a some years to help us stop aggressive developers in our villages.

Sadly in recent weeks we have seen some rural crime in our area with both Eardisland Dovecot village shop and Pembridge Church broken into. Please be vigilant and report anything suspicious to the Police contacts at the end of the report.

In this month's update I summarise the annual vehicle volumes and types in the our larger local villages, update on phosphates and highways, view a new compact fire engine and prepare for the annual budget setting.

A happy, healthy and peaceful new year to you all and as ever if I can be of any help please do hesitate to contact me.

ROGER

Useful numbers and contacts

Did you know that can get tweets automatically to [@HfdsStreets](https://twitter.com/HfdsStreets) 24/7 to let road users know when conditions are bad and we will be out gritting. Get family, friends and colleagues to follow so they know when to take extra care.

Herefordshire Council website is the one-stop-shop for up to date information

Go onto Herefordshire Council website and download the pothole App to help report potholes. Maps and timetables for grass cutting and pot holes are now available on the Council's website. **Please report** any problems on highways or footpaths using the following links or phone 01432261800.

<https://www.herefordshire.gov.uk/transport-and-highways/maintenance/potholes>

<https://myaccount.herefordshire.gov.uk/report-a-pothole>

<https://www.herefordshire.gov.uk/transport-and-highways/footpaths-byways-and-bridleways/cg-report-prov-problem>

if you wish to make a claim as a result of damage to your vehicle please use

https://www.herefordshire.gov.uk/info/200196/roads/206/highway_claims

Report fly tipping – it will be dealt with in a much quicker time frame, by either calling the Contact Centre on 01432 261800 or by logging the fly tipping via the council website on the links below as your enquiry

https://www.herefordshire.gov.uk/info/200226/report_a_problem/98/fly_tipping

If you want to discuss a planning matter, please contact Adam.Lewis@herefordshire.gov.uk

If you have an enforcement concern, mttansley@herefordshire.gov.uk

Parish Council CONTACTS.

Pembridge – clerk@pembridgeparishcouncil.gov.uk Shobdon - shobdonparishclerk@gmail.com Lyonshall – lyonshallparishclerk@gmail.com Eardisland - parish.clerk@eardisland-pc.gov.uk Titley Group – rachaeljones.titleypc@gmail.com

PHOSPHATE UPDATE: a challenging year ahead I have requested an invite to observe the next Nutrient management planning meeting at the end of January in Hereford. I am pleased to say that Merry Albright from Border Oak who lives in Eardisland will be attending the meeting representing businesses affected by this problem. There are many sectors and representatives round the table but Merry will be able to give the practitioner's advice on any emerging thinking. I have been particularly concerned on the impact this will be having on residents and businesses wanting to build an extension, develop their businesses even in the most modest ways let alone the development of building sites. While battling with planners trying to get a downstairs bedroom and ensuite built for one of my residents I engaged the council's head of Adult social care who didn't seem to have this on his radar. The consequences for people not able to adapt their own homes will be severe on our hard pressed nursing care system and clearly the wider impact is not understood across the council. There is a proposal to establish wetlands to help defuse the phosphate but I'm not sure that this, or it's the timescale will help us too much. I am lobbying our re-elected MPs to put pressure to get some resolution of this otherwise we will be in paralysis for years. In the meantime the levels of phosphate in the river Wye remain dangerous near the trigger point but the upper catchment areas of the Lugg in Powys remain unaffected!

HIGHWAYS

In 2005 working with my colleague from Eardisley we had installed grey monitoring boxes which record every day the number, type and speed of traffic through our main villages. Every year I report the October figures to my Parish councils in full (including speed and timings) and summarise the number and type of vehicles in my updates. I choose October as it also reflects a busy time of year agriculturally and have included the figures for the last four years as held by Herefordshire Council. Eardisland, Titley and Staunton do not have any boxes. Although not in the Arrow ward I have included Eardisley figures which helps give an overall picture of the traffic movements of this part of the area.

Important also to remember that the grey box in Pembridge is sited on the west end so traffic from Bridge street turning east is not recorded.

Combined traffic flows summary- October 2016-2019

	2016	2017	2018	2019
Shobdon	4643	4602	4639	4380
Lyonshall	2393	2271	2149	2472
Eardisley	4394	4222	4643	4434
Pembridge	2699	2851	2830	2824

Combined vehicle classifications- All villages 2019 (5-day)

	Shobdon	Lyonshall	Eardisley	Pembridge
Motorcycle	25	9	13	4
Car or Light Van	3306	915	3301	990
Car + trailer	66	23	70	19
Rigid, Heavy Van or Mini bus	722	191	794	296
Articulated HGV	252	34	246	98
Bus or Coach	10	12	10	2

The figures show that Shobdon and Eardisley continue to have the highest volumes of traffic and the most HGVs and heavy vehicles. I continue to press for this monitoring to be done as it demonstrates the development of traffic movements in this part of the County. The two largest HGV sources will of course be Kingspan and the Quarries just over the Welsh border. When the opportunity arises I would like to get some figures for the Rhyse lane.

I continue to work with officers on the Lawton crossroads new roundabout and keep the pressure on the Council's cabinet to implement the design. Below is the aftermath of the recent heavy rain in Titley.

2020/21 BUDGET

The December general election has delayed the announcement of the government settlement to local authorities but hopefully in the new year the announcement will continue with the rural grant, worth 5million to Herefordshire last year, which I fought for in previous years.

Locally I will be pushing for investment in adult and children's care services but also a review of the school transport policy. I believe with our passing of the climate emergency motion last February, changes in legislation and some years after the introduction of the nearest school policy it is time to evaluate and build a sustainable solution to support rural schools.

On highways while pushing for investment in our maintenance budget I also want to see some improved investment in drainage as the recent heavy rainfall demonstrates. The Council cabinet are due to make an announcement on the future of the bypass in January. The map shows the western bypass scheme, which allows a proper sustainable long term transport solution to Hereford City for local businesses and residents. It was ranked as the second highest priority in the east and west Midlands after the Newark bypass with a clear expectation of delivery but sub contractor work was halted last summer. The building of the southern link road between the A49 and A465 surely must be done. The land is all purchased and secured, planning permission granted and government funding supplied. Not to proceed is utter nonsense resulting with continued traffic delays, poorer business investment, lack of decent paid employ and the continued outward flow of economically active people.

New compact Fire Engine for our times

This month as Chairman of Hereford & Worcester Fire Authority I inspected our new Fire Station Hub in the Wyre Forest and at the same time viewed the new smaller compact fire engines we are introducing to our fleet in January. Station Commander Phill Sanders outlined the innovation and stowage, manoeuvrability, and environmental advantages of the two new appliances and answered questions about when and where they will be stationed during the pilot phase in early 2020. The design and innovation of the latest addition to the HWFRS fleet is extremely impressive – fitting 93% of the equipment of the standard Scania onto the new compact appliance means it will be a tremendous asset to the fleet and to our

communities. At 11 tonnes lighter than the traditional engine this 7 tonne addition is more agile in both urban closely parked streets and narrow rural lanes. The lower fuel and water consumption, means that we're adding the very latest technology to the fleet as we enter this new decade.

WARNING FROM THE POLICE ABOUT TELEPHONE SCAMS

62% of courier fraud victims were aged 75 - 89

Recently, there has been an increase in courier fraud offences, in particular in Herefordshire and Worcestershire. These despicable crimes mostly impact upon vulnerable people within our communities, who are often convinced to hand over large amounts of money or expensive items such as designer watches.

What tends to happen is that the victim is cold called by the criminal who falsely claims to be a Police Officer, saying that there has been fraudulent use of their bank card/account. They are advised that they need to withdraw large sums of money from their bank to protect it, and then return home. They are told that a "Police Officer" will come round and collect the money to keep it safe. Often they are advised to ring 999 to report to the local police. The line is kept open and a different offender will persuade them to withdraw their money ready for collection.

➤ If you are suspicious or feel uncomfortable with the caller's questions, end the call.

➤ If in doubt hang up, wait 10 minutes, then report the call to **Action Fraud on 0300 1232040**.

➤ Report it to the police 101 if the crime is still happening and the suspect is in the local area, or if you are vulnerable and/or unable to contact Action Fraud, **NEITHER THE BANK OR THE POLICE WILL EVER :-**

• Phone and ask you for your full PIN or full banking password • **Ask you to transfer money out of your account**

• Ask you to hand over any money or purchase vouchers • Send someone to collect cash, PIN's, cards or cheque books

For Crime Prevention advice contact: **Paul Crumpton**, Rural & Business Crime Officer (Crime Prevention)

HEREFORDSHIRE, West Mercia Police Email: Paul.crumpton@westmercia.pnn.police.uk Tel: **07773 044781**

DATA PROTECTION ACT

The Data Protection Act places obligations and responsibilities on any company, organisation and individual who hold and process personnel information. The new General Data Protection Regulation (GDPR) that supersedes the Data Protection act came into force on the 25th May 2018. I hold a list of emails of local people that I have built up over the years which I retain and use on my council computer and email. I can give you all the reassurance that I do and will not share those email addresses with any third party. In seeking legal compliance I am requesting that if anyone is unhappy with me holding your email contact please advise me and I will remove you from the list. Otherwise I will retain your email contact and continue to send you monthly updates and occasional key information.

7.1 Work in December: replacing wooden platforms on climbing frame and removing fencing and gates from round play area, making good and putting up posts and plywood for notices; finding and repairing broken drain in village hall car park.

7.2 Email received from Balfour Beatty:

We are considering our approach to verge maintenance for the coming year to try to improve the biodiversity on our roadside verges. As you'll know, we generally cut rural roadside verges twice a year in May/June and again in August/September. We omit the first cut where there are sites of special interest, ie where there are special plants, or habitats. We can also omit the first cut where parishes request it, although we still cut where there are junctions or other safety concerns, like the presence of an accident cluster site.

Several parishes have already contacted us to request that we leave verges on C and U roads within their parishes uncut until August/September in 2020, and I am writing to ask if your parish would like to consider this. Please reply to herefordshireparishes@bblivingplaces.com ideally by the end of January so that we can begin to compile a programme for our teams. Plantlife have recently published information about improving biodiversity in our roadside verges, and your parish may wish to read this

https://www.plantlife.org.uk/application/files/8315/7347/2498/Road_verge_guide_17_6.pdf before discussions take place. Although we aren't able to implement all of their recommendations at this time, omitting the first cut (where safe to do so) has tangible benefits for wildlife and is an important step in the right direction.

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7.3 Emails received from parishioner re suggested PROW non-compliance on permissive path from Hay Bridge and ED7 last field before Pembridge boundary. Both matters reported online, discussed with and visited by Locality Steward. Permissive path is not under 20-year rule, it is a permissive path and may closed at any time by the landowner. Although the landowner can be requested to keep the path open and walkable, they are not required to provide a 1.5metre path as suggested by the parishioner. At the time of the visit before Christmas, the field in question had not been ploughed as suggested as the ground was much too wet for ploughing but the crop had been harvested, leaving a lot of mud behind. The Locality Steward considered the field on the boundary had been put to grass not planted with a crop as suggested and was perfectly walkable and acceptable. The Locality Steward would advise the landowner of the requirements to keep a suitable path open.

7.4 Gas heaters in EVH condemned and disconnected before Christmas. Oil-filled heaters purchased by EVHMC as temporary measure but too expensive to run long term and Committee unable to provide volunteers to turn on and off as required.

Quote to replace with like-for-like gas heaters obtained by EVHMC £3,426 +VAT, but units come from Netherlands and take some weeks to come. Also plan for renovation is to put in air-source heat pump for heating.

- 7.5 Fawns Playtime unable to reduce quote as 2 people needed for installation. Following site visit from Fawns Area Manager, 3 options for getting work on aerial runway done:

1. Commission Fawns to undertake full job, £1,359
2. If fawns agree, provide one person to assist, which will reduce installation cost by approx.. £400-450
3. Undertake repair using supplied Installation Instructions (not very helpful document unless have previous experience!), should reduce cost by £900

Area Manager has confirmed other issues raised by Inspector on Fawns equipment (aerial runway, bouldering wall, football net and multipurpose play unit) all within acceptable limits and fully compliant with BS EN1176 and EN1177.

Email from parishioner: asking for copy of Inspection Report, upset that fencing removed as involved with Rospa when equipment originally installed and does not believe fencing damaged.

Clerk confirmed with Rospa that fences are now not recommended or required around play equipment unless there is direct access to a road.

- 7.6 Cost of 4 gates – 2x 800mm and 2x 1000mm and 2m70 posts – now £640 including delivery, +VAT. Installation cost by Lengthsman £496. Sites agreed with highways and planning.
- 7.9 Laptop purchased in 2012 – Samsung, model P02AAN.014.CP (6GB RAM, 64-bit operating system, Windows 7). Advice from parish website manager that cannot install solid state drive or upgrade, needs new laptop to improve capacity, memory and access.
- 7.11 Policy drafted by magazine editor in 2011, believed to have been agreed by PC. Although policy states that ‘charities or matters of common interest’ will not be charged for inserts, previous Churchwarden has regularly given £13 donation for Christmas card inserted for parish church. Suggest policy: updated into format of EPC current policies; with inserts not encouraged and only exceptionally agreed when from PC, church such as Christmas card or parish organisation when agreed by editor and PC; no insert included for personal or business financial gain.

- 7.13 **REPAIRS TO PROPERTY RELATING TO AFFAIRS OF THE CHURCH** NALC Legal Update – December 2019

We have received some requests recently about the 2017 ChurchCare document, which suggests that councils can fund repairs to church property that would otherwise fall within the Local Government Act 1894 prohibitions. The NALC legal advice is that section 8 of the Local Government Act 1894 prohibits grants for works on property relating to the affairs of the church or an ecclesiastical charity. ChurchCare is part of the Church of England.

The purpose of this email is to confirm NALC’s legal view. NALC has seen the ChurchCare document previously and it does not alter our view. The ChurchCare document includes a number of statements which they have partially put in bold text. If one reads the bold text it seems clear that a grant can be given, but if you read the entire sentence the opposite is true. For example, the first sentence quoted from the 2017 English Cathedral and Church Buildings Sustainability Review (the Review) says in the bold part “local authorities are not prohibited from awarding funding to churches” which seems clear. However, the whole sentence in the original document stated “The law should be clarified, whether through legislative change or the issue of guidance, to establish that local authorities are not prohibited from awarding funding to churches” which makes it clear that even that body thought that changes to the law may be required to enable parish councils to make grants.

It is, to say the least, unfortunate that ChurchCare has highlighted the parts of a number of sentences in order to put forward a view that is misleading but financially beneficial to itself. The most that can be said for the conclusions of the Review is that they thought the law on this point was unclear and needed change. Our view is that the terms of section 8 of the 1894 Act are clear as it enables a local council to execute or contribute to the cost of works “in relation to any parish property, not being property relating to affairs of the church or held for an ecclesiastical charity”. There is no need to highlight part of the wording to understand the message.

In summary, our view is that the ChurchCare document is misleading about what the Review stated about the law and does not alter NALC’s view as set out in Legal Briefing L01-18. In early 2019 MHCLG indicated informally that they agreed that the 1894 Act prohibited spending on church property although they did say that a view from the Government is not conclusive as only the courts can finally decide what a law means in detail.

Jane Moore. Senior Solicitor and Legal Services Manager. National Association of Local Councils

9. Correspondence – as follows:

From parishioners

- Emails – re permissive path and ED7
- Email – re removal of fence round play equipment
- Emails – thanks from retired PFOs for thankyou cards
- Emails – re EVH heating

From other sources

- From Herefordshire Council (HC) – Come and sing concert
- Powerforpeople – request to support Local Electricity Bill
- From BB – Parish Paths survey
- From BB – reduced mowing of verges
- From HC – support for homeowners and businesses flooded in Oct-Nov – sent to parishioner
- From HALC – dates for Great Collaboration Herefordshire Green Network workshops, Ledbury 20 Jan, Ross-on-Wye 27 Jan, Leominster 6 Feb

Alison Sutton – Parish Clerk

7 John Davies Place, Westcroft, Leominster, Herefordshire HR6 8JD. Tel: 07789 322771. Email: parish.clerk@eardisland-pc.gov.uk