

CLERK'S INFORMATION SHEET FOR  
EARDISLAND PARISH COUNCIL MEETING ON 16 FEBRUARY 2017

- 4.1 Safer Neighbourhood Teams work with local people and partners to identify, tackle and solve issues that matter to the community where you live. Your team: PC 3911 Jo ELLIS Mobile 07977 098394; PCSO 6115 Dick ALLFORD Mobile 07968 462523; PCSO 40067 David BODEN 07970 176814.  
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](http://www.westmercia.police.uk) Facebook /Twitter @NHfdShireCops  
News/Appeals:  
**Weobley** Ois reference: 0201S 070117  
Three sheds situated in Hereford road in Weobley have been damaged. Extensive damage has been caused to the frame of the doors to gain entry but nothing stolen.  
**Lyonshall** Ois reference: 0361S 140117  
A quad bike has been stolen from a detached workshop in Lyonshall between the 10th and 11th of January. The quad bike is described as an Arctic cat quad, no model or chassis number known.  
**Kington** Ois reference: 0270S 210117  
Between the 20th of January and the 21st of January an electric fencing unit has been stolen from a field adjacent to Lower Hergest road.  
**Community Messaging Service (CMS)**  
This new service comes with lots of new and interactive features, and those signed up to the CMS will receive messages of their choosing direct via email. It's easy and straight forward to sign up and takes just a few minutes. Anyone can sign up, so click on one the links to the Warwickshire Police website or the West Mercia Police website and register your details now!  
**Useful information:**  
Please find the links to the Fly Tipping prevention guides, currently viewable on the NFPG 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>

4.2 Roger Phillips, Email: [rjphillips@herefordshire.gov.uk](mailto:rjphillips@herefordshire.gov.uk)  
It is always pleasing to see the arrival of snowdrops giving a hope of warmer weather and lighter evenings. I joined Eardisland Parish Council last month on their annual winter walk of the banks of the river arrow identifying any potential issues that could impact on drainage and flooding. While several issues came up the most worrying is the erosion of the river bank very near to the highway. Given the speed of this erosion this could become an urgent matter sooner than we think. Every year the County seeks nominations for Community Champions and last year Anne Kent-Phillips was rightly honoured for her vast contribution over many years to Shobdon. Sadly within weeks Ann died but I was so pleased that she had been recognised in her lifetime. There are several categories and the details can be found at this link  
<https://www.herefordshire.gov.uk/government-citizens-and-rights/democracy/chairman-of-herefordshire-council/herefordshire-community-champions>  
This time of year the council goes through the process of setting the budget. Following my summary in the last update you can get all the details as presented to the February Council meeting via this link  
<http://councillors.herefordshire.gov.uk/ieDocHome.aspx?bcr=1>  
As ever if I can be of any help please do not hesitate to contact  
Roger  
**HIGHWAYS**  
I meet up with the West Mercia Police Commission John Campion last month to discuss the issues of road safety on the A44. We discussed better enforcement of speeding on the highway and I was informed that the A44 is designated by the police as a "high harm route". The priority established, following the tragic death of a young mother, was the extension of the 50 mph on eastern end of Monkland with improved signage. In addition I am working on improved road surfacing at Rosehill bank on A44 at Lyonshall by the junction to the Whittern.  
Last month the Local Enterprise Partnership consulted on the future of freight transport in the Marches sub region. As we have a high level of freight and agricultural vehicles going through and generated in the ward I replied to that consultation. I referred to the impact on local villages, infrastructure and communities, highways safety, length of vehicles, and Sat Nav issues. Raising also the concerns of local businesses operating in our rural area. If you want the full submission let me know. Please report any problems on highways or footpaths using the links below or phone 01432261800.  
<https://www.herefordshire.gov.uk/transport-and-highways/maintenance/potholes>  
<https://www.herefordshire.gov.uk/transport-and-highways/footpaths-byways-and-bridleways/cg-report-prow-problem>  
**PLANNING**  
Following the adoption of the Eardisland Neighbourhood Plan last year both Shobdon and Pembridge NPs are maturing fast with Shobdon NP becoming a strategic document and part of the determination of planning applications on the 20th February. Lyonshall and Titley NPs are both actively being developed.  
One of the concerns nationally was if Councils had not got a 5 year land supply (70% of English councils) there was little option other than to grant applications on the edge of development lines irrespective of what the County or Neighbourhood plans stated. The recent Ministerial statement below gives direction on this strengthening Neighbourhood Plans.  
The Ministerial Statement issued on the 12th December 2016 is also considered to be of relevance. It states the following; Neighbourhood planning was introduced by the Localism Act 2011, and is an important part of the Government's manifesto commitment to let local people have more say on local planning. With over 230 neighbourhood plans in force and many more in preparation, they are already a well-established part of the English planning system. Recent analysis suggests that giving people more control over development in their area is helping to boost housing supply – those plans in force that plan for a

housing number have on average planned for approximately 10% more homes than the number for that area set out by the relevant local planning authority.

The Government confirms that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted. However, communities who have been proactive and worked hard to bring forward neighbourhood plans are often frustrated that their plan is being undermined because their local planning authority cannot demonstrate a five-year land supply of deliverable housing sites.

This is because Paragraph 49 of the National Planning Policy Framework states that if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites relevant policies for the supply of housing should not be considered up-to-date, and housing applications should be considered in the context of the presumption in favour of sustainable development.

As more communities take up the opportunity to shape their area we need to make sure planning policy is suitable for a system with growing neighbourhood plan coverage. Building on proposals to further strengthen neighbourhood planning through the Neighbourhood Planning Bill, I am today making clear that where communities plan for housing in their area in a neighbourhood plan, those plans should not be deemed to be out-of-date unless there is a significant lack of land supply for housing in the wider local authority area. We are also offering those communities who brought forward their plans in advance of this statement time to review their plans.

This means that relevant policies for the supply of housing in a neighbourhood plan, that is part of the development plan, should not be deemed to be 'out-of-date' under paragraph 49 of the National Planning Policy Framework where all of the following circumstances arise at the time the decision is made:

- This written ministerial statement is less than 2 years old, or the neighbourhood plan has been part of the development plan for 2 years or less;
- the neighbourhood plan allocates sites for housing; and
- the local planning authority can demonstrate a three-year supply of deliverable housing sites.

This statement applies to decisions made on planning applications and appeals from today. This statement should be read in conjunction with the National Planning Policy Framework and is a material consideration in relevant planning decisions.

#### Parish clerks contacts

Pembridge rebeccabissell.pembpc@gmail.com

Shobdon shobdonparishclerk@gmail.com

Lyonshall rebeccabissell.lpc@gmail.com

Eardisland eardislandclerk@gmail.com

Titley Group rachaeljones.titleypc@gmail.com;

If you want to discuss a planning matter please contact [simon.rowles@herefordshire.gov.uk](mailto:simon.rowles@herefordshire.gov.uk)

If you a planning enforcement concern [Debbie.Crowley@herefordshire.gov.uk](mailto:Debbie.Crowley@herefordshire.gov.uk)

#### 6.1 Lengthsman work in January – none.

List of defects identified on the drive-round on 31 January:

1. Church Road/School Lane (93028/90312) – x23 potholes logged for Richard Mills  
Long patch x1 logged for BB  
Lara chase up 'Give way' marking – again!
2. School Lane (90312) – scrape off pavement and cut-back as required and remove waste – Hitrees (log as storm debris)
3. Clean out grips on Burton Lane – Hitrees
4. Scrape and widen footpath from village hall to church – Hitrees (log as storm debris)
5. Clean off all daintops through village, including by entrance to recreation ground, plus on 93010 dip by A44 junction – Hitrees
6. When action 5 complete – Lara arrange jetting through village including by recreation ground
7. Richard Kirby speak to landowner re damaged railings on riverbank opposite Arrow Lawn – landowners responsibility, need to claim on insurance – BB can remove the damaged railing but it will be scrapped and not replaced – **Update, owners reported BB gritter lorry to HC and awaiting insurance assessor**
8. Footpath fingerpost missing from end of Home Farm drive – placed by Hitrees following last drive-round
9. Letter to owners of Church Cottage re cutting down of tree without planning permission – Clerk to draft letter for next meeting
10. 93010 by Hardwick Rise – Clerk contact landowner to get head of ditch alongside track cleaned – **Update, contacted farmer but not his land, need to see landowner at The Hennings**
11. When action 9 complete – Lara arrange jetting of drains x2 outside Hardwick Rise
12. Stile by Quebec on A44 – put in new rail from stile to first post to cover barbed wire – Hitrees (log as storm debris)
13. Lyme Lane ditch – ask Cllr Weir to undertake or Hitrees

#### Quotes for Lengthsman work 2017-18

**Hitrees** – Labour only £16/hr; Labour with hedgetrimmer/strimmer £19/hr; Labour for weed spraying including chemical £22/hr; Mini digger hire £50/day + labour by hr.

- 6.2 Footpath Officers – On Dec 16th, to check accuracy of footpath promotion information on proposed Eardisland leaflet, Councillor Milchard and one of the footpath officers walked ED1A and B, ED2 and ED3, taking about 2 hours as a circular walk. (Second section of ED1B near Tippet's Brook not included). 2 stiles on ED 3 quite high - would benefit from an extra step. Waymarker replaced on first stile. Loose dogs at entrance to Home Farm only barked. One of signposts on Home Farm needs waymarker pointing in other direction. Warning signs needed at slurry pit. Still exposed barbed wire on first stile leading from A44 to Roundhouse ED1B. Extra waymarker needed on field gate so more easily seen at a distance. First stile as approaching Round House at end of wooden bridge needs extra step. (Had identified this as needing gate but insufficient funds). Also at the Round House- direction leftwards to the road needs to be shown. Waymarker added at gate from ED1A at Burton Lane.

Also in December - Hugh Vernon hosted a meeting - attended by local historians and the footpath officers, to explain the Heritage Walks Project. We felt it was an excellent initiative and would have many benefits for the local community; not least

it would give impetus to the general improvement of the local footpaths and an opportunity to bring people together in a very worthy cause. We have since forwarded a letter supporting the bid.

Early January - met with Locality Steward, Lara Edwards, partly to discuss above scheme. Hugh able to inform her fully of the plans and answer any questions. Lara most supportive - mentioned possibility of using some volunteers she knows to help with any footpath repairs and improvements when the time comes. Also said that if and when funding is agreed she will call a meeting of other Locality stewards, footpath officers and any other relevant parties to explain the scheme and ask for their support. Lara accompanied us to some footpath sites causing concern. Although admiring the permissive path provided at Twyford (ED11) as well signed and easily accessed, Lara checked her definitive map - unfortunately there is no doubt that the PROW follows the drive for some way but is now blocked by locked gates. Lara will advise landowner; either gates can be unlocked to allow access or application required for permission to move PROW to current permissive path.

In the interests of fairness all blockages/ rerouting of footpaths mentioned in the Footpath survey recently submitted for the PC's attention were also reported to Lara. Also with Lara, looked at the the short pathway at ED 5/6 and the fence blocking it. We are awaiting more information about this as it was noted that the PROW still exists, parts can still be walked and it is currently blocked by caravans. We checked the non-commissioned footpath survey and have put all noted infringements into different sections for action. Also submitted to Lara.

1. Diverting/blocking of paths as mentioned above.
2. Lack of signposts (see also first paragraph of this report.)
3. Missing Waymarkers- to be addressed over next few months as we walk the paths.
4. Lack of specified directions - hopefully to be covered by the Heritage Project.
5. An instance of inadequate crop clearance - to be monitored.
6. Unsafe stiles - A rolling programme of stile replacement as proposed at the last PC meeting - we will draw up a list of dangerous/difficult stiles, in order of priority - to be replaced by gates to make the footpaths more accessible to disabled and elderly walkers. (Pitcroft)

To end on a very positive note: we are delighted to report that Eardisland Community Shop has kindly offered to donate a gate each year to enhance the local footpaths. We hope that in our next report we can provide details of where the first one is to be installed.

Advice received by Clerk from Will Steel, PROW network Manager re Herefordshire Council's policy for another parish regarding the PROW network:

The basic rule when considering any structure is the "least restrictive access" principle; i.e. we select the structure that provides the minimum barrier for the public whilst meeting any legitimate need of the landowner to restrict access along the right of way. In plain terms, we would prefer no barrier at all – a gap – but where that is not possible then a gate and then a kissing gate and finally a stile in descending order of preference.

This is the test that the Parish Council should consider when discussing with a landowner the replacement of a stile but in reality any type of gate would be more accessible and therefore acceptable.

The only situation where we are more prescriptive is when a landowner wishes to install a new structure across a right of way where previously there was none. In such cases, the landowner must obtain an authorisation from Herefordshire Council under s147 Highways Act 1980, and generally we will only give an authorisation for a structure which complies with the current British Standard BS5709:2006. In terms of kissing gates that we use, this would be for the Woodstock Medium Mobility Gate (<http://centrewire.com/products/woodstock-medium-mobility/>). This is slightly larger than the standard Woodstock Kissing Gate that we often use where stiles are being replaced but smaller (and cheaper) than the RADAR version. Due to the size and cost we would only use the RADAR version where there was a real demonstrable need for larger mobility vehicles to pass through.

- 6.4 Play area – All appears to be in order. No defects detected.
- 6.5 EIB – The team remains in hibernation but are due to emerge on 2nd March. A litter pick has been arranged for Saturday 25th March @ 10am.
- 6.6 The PC and EVH Management Committee met on 8 February.  
Noted:
  - That the hall is now booked every weekday morning
  - Few occasions at the moment when there is not enough capacity
  - Results from the CLP consultation show that 61% of respondents wanted an extended/new/refurbished village hall
  - Urgent work identified to keep the hall used – refurbishment and insulation of toilets, ventilation/sink/boiler in kitchen, curtains in both rooms.
  - Agreed that EVHMC would put £2k into work for toilets and make application to Severn Waste for £8k to refurbish and insulate the ladies' toilets
  - Agreed PC make application to Awards For All for £10k to refurbish and insulate men's toilets, update kitchen, curtains for both halls
  - Clerk work with Caroline Marsden to draft applications.

Discussion about future of hall. Agreed to put various options to the community as follows:

1. Do nothing
2. Update/modernisation of existing and retention of current building – cost around £220-250k – include disabled access, toilets, kitchen, curtains, roof, replumbing, rewiring, doors and windows, flood resistance, flooring, sound proofing, insulating whole building, new septic tank
3. As 2 plus extension to current building – around £300-350k
4. Disposal of current building and new purpose build on new site – around £350-400k
5. Demolish and new purpose build on existing site with extension – around £350-400k.

Currently lottery fund for major building works closed and unsure of what will replace it. Need to consider The Marches Fund.

- 6.7 HC have agreed to commission ParsonsBrinkerhoff to: get threshold levels for 65 properties in flood zone 3 that currently without them; provide a spreadsheet with all the threshold levels on (previous and new); get modelled flood levels for 11 reference points around village; prepare a plan showing reference points with main flow routes and directions; prepare a short note explaining limitations and data interpretation at individual property scale.
- 6.8 Now 24 subscribers to MailChimp.
- 6.9 5 parishioners have responded to the article in the parish magazine. The general feeling from people living in the village is that the SID works as a deterrent when it is there but drivers pick up their speed again when it is not in place. 1 parishioner living in the wider parish is less supportive of SID deployment. The increased cost to £250 per deployment is seen as high – but we have no control over the cost only the number of deployments. Cost of buying a SID only considered useful if we can guarantee other councils will rent it off us – unless we just leave it in place all the time, which is against the general recommendations.  
So far 5 parishioners have offered to be Speedwatch volunteers if a project can be put in place. The scheme works with 3 volunteers at a time doing a session, with training and all equipment provided by the Safer Roads Partnership (SRP). SRP have confirmed that a site is possible within the village and Eardisland is now on the list for Speedwatch if the PC wish to pursue it.  
£600 currently allowed in budget for 2017-18 for SID deployments = 2 deployments now.
- 6.11 Proposed dates for flag raising: 6 February Her Majesty's Accession; 21 April Birthday of Her Majesty the Queen; 23 April St George's Day; 2 June Coronation Day; 10 June Birthday of the Duke of Edinburgh; 17 June Official celebration of Her Majesty's birthday; 12 November Remembrance Day (second Sunday in November); 14 November Birthday of the Prince of Wales
- 7.4 The following letter has been received:  
The way in which Herefordshire Council now received requests to discharge conditions placed on planning permissions has changed.  
A large proportion of these requests are now being received electronically through the Planning Portal and automatically download to our Planning system as separate applications, previously these requests were attached to the original planning permission and all information uploaded to the website under that application number.  
The fact that these requests are being recorded as separate application numbers is causing some confusion and I would just like to clarify this for you.  
Discharge of Condition (DOC) requests are not subject to public consultation and as such no comments are invited, the Planning Officer will check samples etc. received in relation to any conditions imposed and will issue a decision accordingly.  
For information – the description field on these types of notifications will identify the original planning application to which the request relates to e.g. Application for approval of details reserved by conditions 3 & 4 attached to planning permissions 163717 & 163718.
8. Correspondence – received as follows:
- From Clerks and Councils Direct – January newsletter
  - From HC – Herefordshire Archive and Records Centre newsletter and information on courses
  - From HC – Discharge of Conditions planning letter
  - From HC – Travellers' Sites drop-in session
  - From HCPRE – Seminar re poultry units
  - From Herefordshire Rural Hub – February newsletter
  - From HC – Great British Spring Clean campaign – community clean-up