Clerk’s report (March 2024)

A reply has been received as follows to the letter requesting **resurfacing of the C1289 Much Marcle road**:

*I write in response to your letter dated 22 Jan 2024 ref the C1289, a quarterly inspected stretch of highway, last inspected 19th Dec 2023, when two potholes were identified for repair.*

*We received unexpected and additional funding allocated which was ring fenced for pothole repairs, and this enabled us to carry out the section of resurfacing you mentioned in your letter. We do also acknowledge this highlights the remaining defects on the section of the C1289.*

*However, I’ve checked with our asset team, who identify and prioritise resurfacing works – they have advised there are currently no confirmed plans to include further resurfacing on this section of highway, although there is a possibility that additional funding may again be  provided which may allow for  additional work; however at this  time, we  do not  have sight  of any such funding.*

*As before, please encourage  those  in your  parish to report any highways  defects  via the  phone line  01432 261800 or by reporting on the  Herefordshire Council website, link here:*[*https://www.herefordshire.gov.uk/report-problem*](https://www.herefordshire.gov.uk/report-problem)

*Kind regards*

***Rachel Churchill***

*Customer Service Manager & Stakeholder Liaison| Balfour Beatty Living Places | Herefordshire*

Following up on Parish Council powers to issue **Fixed Penalties Notices** (FPNs), these can be used for environmental offences giving offenders the chance to pay a fine instead of being prosecuted. Parish Councils can therefore in theory issue FPNs for littering, graffiti and flyposting. Response from Damion Collins, Community Safety Lead:

*Following our phone conversation this morning I can provide further detail to your parish’s request for information on them issuing Fixed Penalty Notices, whilst also offering details of my teams processes in such matters. For context, I am employed by the Forest of Dean District Council as the Community Safety Lead and manage the Street Warden team, who deal with environmental crime and a low level anti-social behaviour issues.*

*To start, there are powers allowing parish councils to issue Fixed Penalty Notices for littering, graffiti and fly-posting. When we spoke, it was discussed that the request for this to be looked into was the parish may be having issues with individuals bagging up their dogs mess, but depositing it inappropriately. This would be classed as littering as an offence and not dog fouling as the waste has been bagged up and then dropped/thrown. The link attached gives further details to parish’s on their powers and how to use them:*[*https://www.gov.uk/guidance/parish-councils-fixed-penalty-notices#:~:text=Fixed%20penalty%20notices%20(%20FPNs%20)%20can,fine%20instead%20of%20being%20prosecuted*](https://www.gov.uk/guidance/parish-councils-fixed-penalty-notices#:~:text=Fixed%20penalty%20notices%20(%20FPNs%20)%20can,fine%20instead%20of%20being%20prosecuted)*.*

*I referenced earlier the Street Warden team at the district council and their remit requires them to issue Fixed Penalty Notices on occasion. For them to do this, they have to follow the councils enforcement policy, receive training in the relative legislations, understand legal processes (which includes rights of individuals witnessed or alleged of committing an offence) and further training is also required on how to issue FPN’s. Before officers can carry out these functions, they must follow a robust risk assessment laid out by the council which is regularly reviewed. When working in the community, they will need to conduct their own dynamic risk assessment before approaching anyone they suspect of committing an offence.*

*For current issues within your parish such as dog fouling or littering, the Street Warden for the area would be willing to help and look into matters further. The email address for the team is:*[*street.wardens@fdean.gov.uk*](mailto:street.wardens@fdean.gov.uk)*or the calls can be taken on the main councils inbox 01594 810000.*

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The power to issue FPNs has therefore not been shared by social media as it is not technically correct at this time.

For more information see:

[Parish councils: fixed penalty notices - GOV.UK (www.gov.uk)](https://www.gov.uk/guidance/parish-councils-fixed-penalty-notices)

[Litter and refuse: code of practice - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/code-of-practice-on-litter-and-refuse)

The Public Health and Communities Hub, GCC, who administer the **Councillors Build Back Better fund** have confirmed by email that an extension of time has been granted to install the new noticeboard, for which a grant of £950 was received last year.

FoDDC is calling for sites to accommodate **future housing and employment** as part of the new Local Plan. Evidence on housing and employment land availability is updated annually through the **Strategic Housing and Economic Land Availability Assessment (SHELAA)**. Interested parties, landowners, and developers have been invited to inform FoDDC of sites over 0.2 ha that they consider suitable to be assessed as part of the SHELAA. There is an online form at <https://arcg.is/4fm8v>  or more information can be found at: https:// [www.fdean.gov.uk/shlaa](http://www.fdean.gov.uk/shlaa)

All sites submitted will be retained as part of a long-term database of potential housing and employment sites used to inform the Local Plan. All submissions will be publicly available.

As part of the FoDDC Improvement Plan there will be a change to how neighbours and landowners of **planning applications are notified**. This will offer financial savings in terms of substantially reducing the 13,000 letters sent out annually and reduce carbon generation. It will also reduce queries which occur when members of the public question how and when they are consulted. It is intended to come into operation on the 1st March 2024. The new process can be found on the planning website.

**Informal Meeting with Maggie & Derek, The Laurals on Monday 11 March 2024**

Attended by Cllr Ricky Goodwin and Clerk Clare Muir

Maggie and Derrek started by saying how disappointed they were that the Chair of the Parish Council was not at this meeting and had not been round to discuss the issue with them.

They said they are not being guided or manipulated by the builders and that it is their decision to seek planning for the bungalow to be built. They need to sell the cottage with the land to fund the build of the bungalow and provide them with some extra finance. They would have considered a planning condition put on the sale of the cottage and land to prevent the land being built on in the future, but now they said due to such bad feelings from the villagers they will not consider this. They feel that this has all become personal towards them both.

They said they were also going to gift money to the church and village hall after the sale, however due to the way the village has treated them they may well now reconsider.  They also said that as there has been so much backlash and bad feelings towards them since the application has been submitted that they would rather just sell up and move away.

**GAPTC Training Opportunities:** Clerk has completed Clerks The knowledge: Essentials and Clerks The Knowledge: Miscellany. Clerk has also completed a Scribe Webinar for Data Entry & Bank Reconciliation.

**Actions tracker:**

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| Clerk to inform contractors of the outcome of tender process for Village Green maintenance | 15/01/24 | Done |
| clerk to inform LDPC of planning decision and respond on FoDDC planning website. | 15/01/24 | Done |
| Clerk to request an update on planning enforcement at P1292/23/FUL Old Hill Orchard for the March meeting. | 15/01/24 |  |
| Clerk to request an extension on the Noticeboard grant. | 15/01/24 | Done |
| Cllr. Brocklehurst to liaise with volunteers regarding progressing the new noticeboard. | 15/01/24 |  |
| clerk to share information with GCCllr. Moseley on reciprocal use of recycling centres. | 15/01/24 | Done |
| clerk to write again about resurfacing the Much Marcle road | 15/01/24 | Done |
| Cllr. Wood to discuss overgrown verges with the homeowner. | 15/01/24 |  |
| Include Speedwatch initiatives on the Annual Parish Meeting agenda | 15/01/24 |  |
| Display the ‘20 is Plenty’ road signs | 15/01/24 |  |
| clerk to seek advice from the GCC Street lighting team regarding event lighting in the Village Hall car park. | 15/01/24 | emailed |
| Clerk to notify dilapidated signs to GCC Highways for replacement. | 15/01/24 | Done |
| Clerk to identify application process for a brown tourist sign. | 15/01/24 | Done |
| Ask FoKC to support with the additional cost of the application fee. | 15/01/24 | Done |
| Cllrs. Goodwin and Howson progress flooding issues with GCC. | 15/01/24 | Ongoing |
| Cllr. Goodwin to ask farmers to inform him of activity likely to cause significant disruption for communicated via WhatsApp. | 15/01/24 |  |
| KPC to liaise with GGC Highways to ensure the state of Kempley’s roads and the impact of farming practices is given due consideration. | 15/01/24 | Ongoing |
| GCCllr. Gill Moseley to discuss damage to roads due to farming with Andrew Middlecote and consider escalating the issue. | 15/01/24 |  |
| clerk to obtain cost of the battery and inform Cllr. Goodwin. | 15/01/24 | Done |
| clerk to obtain information on Parish Council Powers to issue Fixed Penalty Notices and add this topic to the March agenda. | 15/01/24 | Done |
| clerk to put on social media that Fixed Penalty Notice fines can be issued. | 15/01/24 | N/A |
| Add Emergency Plan to the agenda for the APM & seek volunteer input. | 15/01/24 |  |
| review KPC’s Planning Applications policy to consider the need to expand it regarding New Build applications. | 15/01/24 |  |
| **Outstanding action from previous meetings** | **Date Set** | **Status** |
| Chair/clerk to produce a template and populate it for the verges included in the 2008 Licence to Cultivate. | 10/07/23 |  |
| Use Parish Online software to record the location of existing and new carbon reduction initiatives identified through planning applications | 21/03/22 |  |