

**Minutes of the Ordinary Meeting of Ewyas Harold Group Parish Council**  
**held on Tuesday 3<sup>rd</sup> August 2004**  
**In the Memorial Hall at 7.30 p.m.**

**Present**

Councillor Revd L Rickards in the chair  
Councillor G Sprackling  
Councillor P Jinman  
Councillor J Middle  
Councillor Mrs M Williams (Rowlstone)  
Councillor Mrs J Addis  
Councillor W Preece (Dulas)  
Councillor W Lloyd (Llancillo)  
Councillor Mrs M Tovey  
The Clerk

In attendance:  
Councillor J. B. Williams (Herefordshire Council)  
1 member of the public

1. **Apologies for Absence** Councillors P Sheen, R Weaver, Mrs E Overstall

2. **Declaration of Interest** None declared

3. **Minutes**

The minutes of the ordinary meeting of the council held on Tuesday 6<sup>th</sup> July 2004 were approved without amendment.

4. **Matters for report (Not covered by separate agenda items)**

4.1. **Access to Ewyas Harold Common**

The Parish Council have received 5 letters of complaint over access to EH Common. The main thrust of the letters was that it was agreed at a meeting of the Commoners' Association held on 10<sup>th</sup> November 2003 that a pond and rocks constructed by residents at the SE end of the Common should be removed and the area reinstated to its original condition. The complaint by the public is that after six months of waiting, no action has been taken. Distress and difficulty have been caused to older members of the community who are no longer able to drive their cars to park on the edge of the Common. Draft minutes of this meeting have now been received, but although this was to be the AGM this was not acknowledged in the minutes. *Mr Funke, Clerk to the Graziers, has written to indicate that the expression "Annual General Meeting" does not feature in the Constitution and as such has never appeared in any minutes*

The main purpose of the pond appears to be to prevent preventing car parking. Planning permission was granted retrospectively by HC, but the application – being on a Common – also requires permission by the Secretary of State (Section 194 under the Law of Property Act 1925). This has not been given. On being approached as to why the issue seemed to be on hold, DEFRA have stated that they will not be taking any further action until they hear again from the applicants on the question of whether or not they have obtained the landowners agreement to the pond. The Clerk has written to DEFRA to remind them that the Lord of the Manor has written to them to clearly state that he will not give permission for this development. The Clerk has also asked Mr Rogers to confirm his position to DEFRA. *DEFRA have indicated that Mr Rogers should re-confirm his position with the applicants so that they can then indicate to DEFRA whether they wish to withdraw their application...*

Councillor Mrs E Overstall identified a possible alternative site for parking at the SE access of the Common and agreed to present this proposal to the Lord of the Manor. Councillor Preece stated that he had reason to believe that the change in the law to increase access to the countryside would mean that by 2005 it will be legal requirement to provide parking on the Common. *The Clerk has sought clarification of this ruling with the County Land agent, George Thompson, who states that there is no provision for parking in the CROW Act and it will still be up to the owner of the land.*

The relevant act controlling vehicles on common land is the Road Traffic Act of 1988. In April 2004 the Law Lords made a ruling that meant that rights of way which have been customarily used for 20 years or more are restored as rights of way for vehicles. *In response to the earlier assumption that this could mean that people might legally drive over the Common, Councillor Jinman stated that the ruling only applies to those with property on common land or those with an agricultural need for access. Councillor Jinman asked for forbearance while the concerned parties try to reach an amicable solution thus avoiding the possibility of an expensive court case.*

#### **4.2. A465 Speed Limit**

The improvement work on the Rowstone junction and Llangua Bridge commenced in mid March 2004 but, despite the contractor indicating that the work would be completed within 8 to 10 weeks, it is still outstanding. The Clerk has been informed by Brendan Pardow of AmeyMouchel that the delay has been caused by, firstly a third party repair to a local house which required suspension of the bridge work, and then a problem with the supply of specialist equipment for the lights system. Both problems have now been resolved, but, despite the work being rescheduled for completion by the end of July, AmeyMouchel have again failed to install the lights.

#### **Resolved**

That the Clerk should write to Mr Paul Keech MP expressing the Council's concerns over the ongoing delays.

**CLERK**

**ACTION**

**4.3. Joint Parishes Working Party on the A465**

Report on meeting of the Joint Parishes Working Party on the A465 held on Monday July 19th. *Councillor Mrs M Williams circulated a draft of a letter sent to Mr Wheeler of AmeyMouchel. Copy attached*

**4.4. Manhole Cover in road – U74428.**

Both Chris Wright of HC and Wessex Water agree that the line of the adopted sewer in Dark Lane ends at the junction with Priorsfield. Welsh Water have been sent a letter dated 16<sup>th</sup> June 1988 in which SHDC confirmed that the sewer had been adopted by Welsh Water. Mr Gibb of Welsh Water met with Councillor Middle on 24<sup>th</sup> May and will be writing to the Clerk to present his conclusions. No letter having been received, the Clerk spoke to David Hancock of Welsh Water who confirmed that the records have still to be updated but that a copy of these will be sent to EHGPC when they are available. The Clerk has sent Welsh Water copies of all letters pertaining to the adoption of the sewers in 1988 to ensure that their updated records are correct. *Councillor Middle pointed out that meanwhile the manhole covers still need resetting.*

**Resolved**

That the Clerk contact Welsh Water to request that this work is carried out.

**ACTION CLERK**

**4.5. Trees in Dulas Lane**

The trees in Dulas Lane continue to lean over the lane. The Clerk has written to HC who have instructed Mr Prosser to arrange for the trees to be inspected by a qualified arboriculturalist, and then to carry out the necessary work as a matter of urgency. *Councillor Preece reported that the trees have been inspected and that one has been identified for pruning.*

**Resolved**

That this is noted.

**4.6. Trappe House Pitch – slow road marking**

Councillor Mrs Addis requested that the possibility of the road at the top of Trappe House Pitch being marked with the letters 'SLOW' be looked into. HC advise that road marking are only used in support of traffic signs.

The Clerk has approached Andrew Jenkins in the traffic section of the Highways Department for advice. Mr Jenkins has informed the Clerk that he is planning to carry out a survey of the area and report his findings to EHGPC.

**Resolved**

That as this request had been awaiting action for several months, the Clerk should contact Mr Jenkins to arrange a site visit with Councillor Mrs J Addis.

**ACTION**

**CLERK**

**4.7. Councillor Vacancy**

This post remains unfilled. The advertisement has been reposted and Councillors reminded that they should make the Clerk aware of any potential applicant.

**Resolved**

That this is noted

**4.8. Stile near Little Walk Mill**

Councillor Preece reported that the stile between Little Walk Mill and Home Farm was removed 18 months ago and the gap left still has to be made stock proof.

It was later ascertained that the exact location was on Footpath 12/13 Ewyas Harold to Dulas. HC have identified this work as low priority and would be completed within the next 3 months.

**Resolved**

That this item be moved to the supplementary list

**4.9. Road Signs**

**4.9.1. Llancillo boundary sign on the U74413 & U74415**

The Clerk has requested 3 signs from Dave Osborne of HC. These have still not been delivered but HC have reported that the backlog of orders is being cleared.

**4.9.2. Signs in Rowlestone and on Dark Lane Triangle needing replacement**

Andrew Middlecote has reported that there is still a backlog in the manufacture of signs.

The Clerk has contacted Andrew Middlecote and is waiting information of a likely delivery date.

**Resolved**

That this is noted and that this item be moved to the supplementary list.

**4.10. Freedom of Information Act**

To comply with this Act, it was agreed that a Parish website needed to be set up. An advertisement for an interested volunteer has been placed in the Newsletter.

**Resolved**

That this item be deleted

**4.11. Parish Plan Meeting**

*The Clerk will distribute the Dulas report with the minutes. Councillor Revd Rickards reported that the next stage will to arrange a public meeting in Ewyas Harold*

**Resolved**

That this is noted

***ACTION CLERK***

**4.12. Overhanging Trees A465**

The Clerk has spoken to Mark Potter of Berringtons, the Kentchurch Estate managers, on three occasions regarding overhanging trees south of Pontrilas Garden Centre on the A465. The work is still outstanding and the Clerk is waiting for Mr Potter to explain while the work has been delayed yet again. *The problem has been passed on to AmeyMouchel who are responsible for trunk roads in Herefordshire*

**Resolved**

That this is noted

**4.13. Rospa Report**

Councillor Middle reported that the only area that had been identified as high risk was the surface beneath the slide. Areas identified as low risk needed merely to be monitored and those identified as medium risk could be addressed if money became available. The Clerk has sent the report to Fran White of HC who will be arranging a site visit to advise on appropriate actions. *Councillor Middle reported that he had not yet been contacted.*

**Resolved**

That the Clerk should remind Fran White of the request to arrange a site visit.

***ACTION CLERK***

**4.14. Pavement Obstruction**

Complaints have been received by the GPC concerning obstruction of the pavement outside the Dog public house by benches, chairs, tables and a dog kennel. It was also noted that items of furniture were also placed outside Temple Bar and the Fish + Chip Shop. This matter has been referred to HC Highways Department, and they have sent letters to all parties concerned instructing them to remove the items. An order has also been served on the Dog Inn under section 149 of the Highways Act 1980.

**Resolved**

That as this is the responsibility of HC and they are taking action this item be deleted.

**4.15. Hill Lane**

Following a letter of complaint sent to HC by Mr R Curtis over the poor condition of this lane, Councillor Mrs E Overstall received an email from Steven Charlton of HC, which effectively said that it would be too expensive to reinstate this roadway. The Clerk has written to Mr Charlton requesting that costings be provided so that EHGPC may consider its options if monies became available in the future. *There has been no response as yet. The Lengthsman (Martin Roper) has agreed to include removal of fallen and dangerous branches in his winter work so that this lane can remain walkable.*

**Resolved**

That this is noted

**4.16. Speed limit reduction on B4347**

Following the refusal of Herefordshire Council to agree to a reduction in the speed limit, the Clerk has written to state that given the strong public support for the introduction of a 30mph zone the Parish Council will continue to press for its introduction.

**Resolved**

That this is noted

**4.17. School Lane Water Leak**

Councillor Weaver reported an apparent water leak at the end of School Lane in Ewyas Harold. The Clerk has reported this problem to Welsh Water. *The leak seems to have been repaired.*

**Resolved**

That this item be deleted

**4.18. Overhanging Trees on A465 (Pontrilas North)**

Councillor Middle reported branches overhanging the main road opposite the blacksmith's shop in Pontrilas. *This has been reported to AmeyMouchel who have agreed to inspect the site.*

**Resolved**

That this is noted

**4.19. Overgrown Hedge Elmdale**

The hedge between little white walkway and the fire station is dangerously overgrown. *Martin Roper has agreed to attend to this in his role as Lengthsman.*

**Resolved**

That this item be deleted

**4.20. Brown Sign Rowstone Church**

It was suggested that, given it was a site of special interest, Rowstone Church should apply for Brown Sign status. *The Clerk has been informed by Lizette Davis of Herefordshire Tourism that Dave Osborne (HC) can explain the criteria for a successful application. It was pointed out that the Church of England may be responsible for any application, and as such they should be approached before any action is taken*

**Resolved**

That the Clerk obtains the application details from HC.

**ACTION CLERK**

**4.21. Bridleway between Great Walk Mill Farm and E H Common (EH19)**

Councillor Preece reported that the gate post at the Common entrance has dropped. The post needs securing and the gate re-hanging. The Clerk has reported this to the Footpaths Officer.

**Resolved**

That this is noted

**4.22. Footpath to Spring Field Cottages (? Continuation of EH19)**

Councillor Preece reported that the steel reinforcing on the bridge over Dulas Brook is rusting and in need of repair. The Clerk has reported this to the Footpaths Officer.

**Resolved**

That this is noted

**4.23. Kemble Housing at Oakbrook Close**

Councillor Mrs J Addis reported that one of the new properties built by the Kemble Housing Association for shared ownership had remained empty for 6 months. This did not seem to support the housing associations claim on their planning application that shared ownership was popular. The Clerk has written West Mercia Housing Group to express the Council's concerns over the empty property and to request that it be made available for rental. *West Mercia HG have indicated that the sale is likely to be completed soon.*

**Resolved**

That this is noted

**4.24. Telephone Box in Rowlestone**

Councillor Sheen reported that BT had placed a notice in the public telephone at Rowlestone announcing that it was to be removed. BT have sent notification the Council identifying that the consultation period will end on August 17<sup>th</sup>. The Clerk has written to BT objecting to the removal of this public payphone. *Further letters of complaint have been received from residents.*

**Resolved**

That the Clerk would forward the letters to BT

**ACTION CLERK**

**5. Local Security Matters**

*Councillor Sprackling reported that there was evidence of someone discharging a firearm on the land by Dulas Brook bordering the recreation ground. The matter had been*

*reported to the police.*

**Resolved**

That this is noted

**6. Correspondence (Not covered by separate agenda items)**

- 6.1. SLCC Induction Training for New Councillors and Clerks  
6.2. British Telecom Notice of planned removal of Payphone in Rowlestone

**Resolved**

That this was noted in item 4.24

- 6.3. HC Environment Request to include annual cut of U74209 in Lengthsman scheme

It was noted that this road was in Bacton Parish

**Resolved**

That the Clerk should write to HC to identify the error and also to request HC's policy on removal of ragwort from roadside verges

**ACTION CLERK**

- 6.4. HALC Information Corner 6.7.04  
6.5. HALC Parish Councillor Toolkit Course (28<sup>th</sup> July)  
6.6. NALC Nomination form for Clerk and Council of 2004  
6.7. Wye Valley Miniaturists Info re their work for Acorns Childrens Hospice  
6.8. Good Rural Neighbours Support for vulnerable people living in remote rural areas  
Poster to Councillor Sprackling
- 6.9. West Mercia Constabulary Newsbeat July 2004 (distributed with July minutes )  
6.10. NatWest Letter agreeing to refund of bank charges  
6.11. Herefordshire Partnership Minutes of Rural Transport Meeting 16<sup>th</sup> May 2004  
6.12. Herefordshire Partnership Transport Questionnaire (not applicable for EHGPC)  
6.13. Pension Service Dates and locations of mobile information unit and pension surgeries  
6.14. Marches Housing Annual Report + DVD  
6.15. HC Policy + Community Schedule of Herefordshire Council Meetings (Jul – Oct 2004)  
6.16. HC Policy + Community Road works schedule  
6.17. HC Policy + Community Herefordshire Farmers' Markets flyer  
Poster to Councillor Sprackling
- 6.18. HC Policy + Community Details of the Herefordshire Safety + Drug Partnership mobile consultation  
6.19. HC Electoral Registration Monthly update for Parish of Dulas  
6.20. HC Electoral Registration Monthly update for Parish of Ewyas Harold  
6.21. HC Highways Agency Acknowledgement of letter re overhanging trees on A465

**Resolved**

That this was noted in item 4.18

- 6.22. HC WayAhead – Herefordshire travel newsletter  
6.23. HC Repeat information on twoshare travel service  
Poster to Councillor Sprackling

- 6.24. CPRE Invitation to Aviation Campaigners Seminar (25<sup>th</sup> September)  
6.25. AmeyMouchel Response to request for information on delayed work at Llangua bridge

**Resolved**

That this was noted in item 4.2

- 6.26. HALC Training courses for Clerks + Councillors  
6.27. HALC Information Corner 21.7.04  
6.28. HALC Agenda for Southern Area Meeting 2<sup>nd</sup> August 2004  
6.29. HALC Minutes for SAM 26<sup>TH</sup> April 2004  
6.30. Herefordshire in Bloom Reminder of 2004 competition  
6.31. PCCG Notice of meeting of Police Community Consultative Group  
Poster to Councillor Sprackling
- 6.32. Community First Voluntary Sector training brochure Term 2 2004  
6.33. HC Policy + Community Forward Plan (1<sup>st</sup> Aug to 30<sup>th</sup> Nov 2004)  
6.34. HC Policy + Community Rural Shops Survey 2004 (respond by 27<sup>th</sup> August 2004)  
6.35. Hereford Museum Poster for Bicentenary Exhibition of John Scarlett Davis  
Poster to Councillor Sprackling
- 6.36. West Mercia Housing Group Response to complaint over empty property at Oakbrook Close

**Resolved**

That this was noted in item 4.23

- 6.37. BT Acknowledgement of objection to removal of payphone at Rowlestone  
6.38. Lord Chancellor's sub-committee Recruitment of Magistrates for Herefordshire  
Poster to Councillor Sprackling
- 6.39. AmeyMouchel Response to letter identifying overhanging vegetation on A465

**Resolved**

That this was noted in item 4.18

- 6.40. Mr Michael Funk Clarification of minutes of Common Society 10<sup>th</sup> November 2003

**Resolved**

That this was noted in item 4.1

- 6.41. DEFRA Letter re application for pond on EH Common

**Resolved**

That this was noted in item 4.1

- 6.42. Community First Newline – Issue 53 August 2004  
6.43. Audit Commission Request for council minute reference re annual returns 2004 (SENT BY CLERK)

## 7. Lengthsman Scheme

### 7.1. **Lengthsman work undertaken in May**

1/5/04	Grass cutting recreation field
1/5/04	Grass cutting verges - Forge garage
8/5/04	Grass cutting verges - MH to A465
15/5/04	Grass cutting recreation field
17/5/04	Rowlestone visibility fences
28/5/04	Check work on Pudding Street + visibility fences
29/5/04	Grass cutting verges at Memorial Hall

### 7.2. **Other Lengthsman Work:**

The owner at Stone House, Mr Webb, has indicated that he would maintain the area by the bridge if it is first tidied up. Councillor Middle has spoken to Martin Roper who has agreed to add this one off job to his Lengthsman work.

## 8. Financial Report

### 8.1. **Payments for approval**

Martin Roper (bark to play area + waste bags for April/May)	£	299.25
Martin Roper (Lengthsman work in May)	£	121.51
HALC annual subscription	£	151.00
Clerk postage	£	12.00
Clerk travel	£	23.71
Clerk stationery	£	38.75

### 8.2. **Balances as at 25<sup>th</sup> July 2004**

Current account	£	985.28
Unpresented cheques	£	873.25
Cheques to be credited	£	71.00
Business Reserve	£	5,163.32
Precept available but not yet claimed	£	6,217.50

### 8.3. **Lengthsman Scheme**

Balance (6 <sup>th</sup> July 2004)	£	3,485.52
Unpresented cheques	£	3,469.95
Payments received since 6 <sup>th</sup> July	£	1,061.25
Balance available but not yet claimed	£	2,122.50
Total still available in current year (allocation £4,245.00)	£	3,199.32

### 8.4. **Payments received**

Councillor Revd Rickards	Hire of pavilion	£	15.00
Councillor Sprackling	Sales of Village Design Statement	£	56.00

### **Resolved**

That the financial statement is accepted and payments should be made  
Proposed: Councillor Sprackling

Seconded: Councillor Lloyd  
Carried unanimously

- 8.5. **Alliance + Leicester Account**  
Paperwork has now been completed.

## 9. **Planning**

### 9.1. **Application number DCSW2004/2225/F**

Site	The Coach House, Ewyas Harold. HR2 0EY
Description	Remove conservatory and replace with brick built extension
Application Type	FULL
Applicant	Alison Durrance, Creamore Cottage, 12-13 Rhyo-Ilyoach, Brynmawr. NP23 4SJ

Ratification of decision previously notified

**The Group Parish Council have no objections to this application**

### 9.2. **Application number DCSW2004/2256/L**

Site	Kingstreet Farm, Ewyas Harold. HR2 0HB
Description	Conversion of farm buildings for film archive company
Application Type	Listed Building Consent
Applicant	Mr Dewar + Mrs Huntley, Kingstreet Farm, Ewyas Harold

Ratification of decision previously notified

**The Group Parish Council have no objections to this application**

### 9.3. **Application number DCSW2003/2129/F**

#### **Notification of planning permission**

Site	Pool Farm, Walterstone
Description	Conversion of barns to a 4 bedroom dwelling with swimming pool

#### **Resolved**

That this is noted

### 9.4. **Application number DCSW2004/1643/F**

#### **Notification of planning permission**

Site	Valley View, Ewyas Harold. HR2 0JD
Description	Change of use from games room to holiday let

#### **Resolved**

That this is noted

**9.5. Application number DCSW2004/1806/O**

**Notification of planning refusal**

Site Land at The Green, Ewyas Harold  
Description Site for one dwelling

**Resolved**

That this is noted

**9.6. Application number DCSW2004/2448/F**

Site 2 Caeflwyn, Ewyas Harold, Hereford. HR2 0JD  
Description Demolish existing single storey extension. Proposed single storey extension and replacement of existing garage + store.  
Application Type Full  
Applicant Mr G Palmer 2 Caeflwyn, Ewyas Harold.

**The Group Parish Council have no objections to this application**

**10. Road Maintenance and Related Matters**

**10.1. Water Leak on Rowlestone road outside Pontrilas Garden Centre**

It was reported that there appeared to be a water leak on this road outside Pontrilas Garden Centre.

**Resolved**

That the Clerk contacts Welsh Water

**ACTION CLERK**

**10.2. Hedge at Elm Green Lane**

Councillor Mrs J Addis reported that the hedge outside Sunnymede, (Mr Neal) was dangerously overgrown.

**Resolved**

That the Clerk write a letter to the owner

**ACTION**

—  
**CLERK**

**11. Footpaths**

There were no issues raised under this section

**12. Recreation Ground**

**12.1. Monthly Audit**

Councillor Sheen's report was passed on to Councillor Sprackling

**12.2. Recreation Ground Notice**

Councillor Sprackling reported that since the removal of the notice from the entrance gate individuals had been seen playing golf in the grounds.

**Resolved**

That the Clerk would arrange to get a quote for a replacement sign, but meanwhile would produce a temporary sign to identify the restrictions that were in place for this area

**ACTION**

**CLERK**

**13. Parish Newsletter**

There were no issues raised under this section

**14. Matters for Further Discussion**

**14.1. Removal of items from supplementary list**

- Road sign for School Road
- Rowstone Parish Notice Board
- Drain by Fire Station
- Sluice Valve cover School Lane
- Footway in the region of Ashdown
- Headwall at Horsecroft

**Resolved**

That this is noted.

**14.2. Recycling**

Councillor Mrs M Tovey raised the possibility of a mobile shredder so that residents could better compost their own garden waste.

**Resolved**

That the Clerk would find out HC's policy on shredding, and speak to Martin Roper on this subject.

**ACTION CLERK**

Meeting closed at 8.45pm

Chairman

Date

**NEXT MEETING**      Tuesday September 7th 2004  
Meetings for the remainder of the year and 2005  
October 5th 2004

December 7th 2004  
January 4th 2005  
February 1st 2005  
March 1st 2005