

DRAFT Minutes of Severn Stoke & Croome d'Abitot Parish Council Meeting
Wednesday 9th March 2022 at 7.30pm
At SOQ Conference room, Croome Visitor Centre
Meeting held outside as access could not be gained.

Present: Cllr Watkins, (Chair), Cllrs Freeman, Garrard, Halling, Seward, Sturgess, Williams
In Attendance: Mrs L Stevens (Clerk and RFO).
3 members of public.

Part 1 **Resident Question Time** – With the consent of members of the public, the meeting was left open so that residents may address the parish council during debate of planning matters.

Cllr Watkins asked for a moment of silence in thanks that the parish council was able to meeting freely in order to debate in public and asked those present to remember the plight of those in Ukraine.

Part 2 **Agenda Items**

1 **To consider apologies and to approve reasons for absence.**

Cllrs Cox, Faulkner, Hadley, Preston.

DCllrs Harrison and Michael (training). CClr Allen (training)

2 **Declarations of Interest, dispensations and points of order.**

- One Parish Cllr vacancy. Position has been advertised - no interested parties.
- Cllr Watkins noted that he will not be standing as Chair or Cllr at the annual meeting of the Parish Council (25 May 2022).
- The Clerk noted that Cllr Freeman has links with the National Trust Estate but Cllr Freeman confirmed that the position is as a volunteer only (NB with no powers or financial benefits). The Clerk noted no amendment to previous declarations already appearing on Parish Council Register of Interests for Cllr Freeman. Upon query by a member of public the Clerk confirmed that Cllrs cannot be required to declare a personal interest if they do not believe that they have one. Post meeting the Clerk sought advice and confirmed that the position of unpaid volunteer would not be significant enough that it would be considered a personal interest (where personal position, employment, wellbeing or wealth is affected). Nor that it is significant enough to be then reasonably construed as prejudicial interest (NB. sufficient for it to likely to affect judgement of the public interest). The Clerk notes that in raising the issue in public the principles of NOLAN were upheld. For information, appended to these minutes is an Explanatory Leaflet Relating to Personal and Prejudicial Interests, which forms an accompaniment to the Parish Council Code of Conduct.

3 **Minutes of previous meeting**

Nil as this was an extra ordinary meeting concerning planning matters.

4 **Councillors' Reports nil**

5 **Planning – to consider, comment and resolve to respond to applications**
Planning Application M/22/00206/FUL Corner Cottage, Croome D'Abitot, WR8 9DW.
Change of use from dwelling, use class C3 to National Trust office, use class E(g)(i)
(retrospective). The Chair invited members of the public to speak (nb. standing orders remained open)

Residents confirmed that they had not requested that this meeting take place. The Chair confirmed that as a courtesy, upon receiving resident objections to the application, the Parish Council had felt it right they they meet in order that Parishoner concerns be discussed in public and thanked Cllrs for being present at this extra ordinary meeting. The Chair confirmed that all Cllrs had received copies of resident comments via the Clerk.

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Residents summarised objections to this planning application:

- That the application contains a number of factual inaccuracies and substantive omissions.
- That it is inappropriate and contrary to planning policy for a residential dwelling to be converted in to office space.
- That the National Trust should seek planning consent for the use of the paddock as a car park, sell Corner Cottage as a dwelling and use the proceeds to improve ground conditions to allow year-round usage for car parking. It was noted that one member of staff has been recently hit by a car at the entrance to the car park.

The Chair invited Cllrs to speak. Questions and debate:

a. How is the issue of this planning application linked to the issue of the car park?

Can the Parish Council ask for a car park to be included in the application?

The Clerk confirmed that she had sought advice on this point from MHDC and had been informed that the Parish Council should debate on the merits of the application alone and not to debate scenarios not covered by the application. Cllrs asked for clarification on why residents felt that visitors and residents would be put at a disadvantage by this application. Answer given was because the application does not include the car park – it is the lack of parking that is causing a danger and a detraction for the local area. Cllrs noted that this is a retrospective application that had never to their knowledge been subject to a specific formal objection (with regard to the offices alone) prior to the planning application being made. The Clerk confirmed that she had been advised that comments outside the scope of this application should not be submitted in a Parish Council planning response. {NB note post meeting - Cllrs are due to raise the urgent issue of car parking with the District Council at the next Croome Liaison Meeting)

b. Is it morally wrong to remove a house from residential stock?

Cllrs noted an example of a property in Hallow being left vacant and in a state of disrepair. Cllrs noted that they cannot request or force the NT to place a tenant in the property and that the house had been vacant for many years. Cllrs agreed that it is not desirable for a residential property to be lost. Cllrs considered whether a time restriction could be placed on the use of the building as offices as a way of mitigating all concerns but did not develop this idea.

c. Issue of sustainability.

Residents had previously raised the issue of national planning policy and whether it was sustainable for a property to be moved to another use as proposed in the application. Cllrs did not develop the idea as the example given was on a much larger scale than one home.

Proposal (SW): Motion that the Parish Council submits a comment that it is not desirable to lose a residential dwelling within the parish. (Scnd: RW). Cllrs were asked for any additional points of view before voting.

Proceed to vote: unanimous and proposal carried. The Clerk was instructed to respond to the application as per above.

Residents were thanked for attending.

Next Parish Council meeting – 23rd March 2022, 7.30pm. Plus Annual Parish Meeting

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Signed ChairmanDate

Appendix 1 The Model Code of Conduct – An Explanatory Leaflet Relating to Personal and Prejudicial Interests

INTRODUCTION

Whenever the Members’ Code of Conduct (‘the Code’) is under discussion inevitably questions will arise in relation to the twin issues of personal and prejudicial interests. These matters, more than any other aspect of the Code, give rise to repeated confusion and misunderstanding often leading to unsubstantiated complaints, distress for Councillors, and occasionally waste of resources.

THIS INFORMATION IS NOT INTENDED TO REPLACE THE CODE BUT SHOULD BE READ IN CONJUNCTION WITH THE CODE AND IS PRIMARILY AIMED TO GUIDE MEMBERS IN THE RIGHT DIRECTION AND TO ESTABLISH BASIC PRINCIPLES.

The first working principle to establish is the basic concept that no prejudicial interest can arise unless it is first established that a personal interest exists ie it is a two part test. The Councillor must consider first ‘Do I have a personal interest (in the business on the agenda)? If the answer to that question is ‘No’ – then that is the end of the matter. If on the other hand the answer is ‘Yes’ or Very Likely’ then the member must go on to consider if that personal interest can be construed as being also a prejudicial interest.

PERSONAL INTERESTS

In all Council and Council Committee meetings Councillors (Unitary/Town/Parish) must, where appropriate, declare a personal interest to be recorded in the minutes of the meeting. You must declare this at the start of the meeting or as soon as it becomes clear to you that a personal interest exists.

IF YOU DECLARE A PERSONAL INTEREST YOU CAN REMAIN IN THE MEETING, SPEAK AND VOTE ON THE MATTER, UNLESS YOUR PERSONAL INTEREST IS ALSO A PREJUDICIAL INTEREST.

You have a personal interest where it involves;

a. An interest you have registered.

All Councillors must within 28 days of taking up their office sign a Declaration of Interests. (Any changes in your interest must similarly be recorded within 28 days of the change). The Clerk or Monitoring Officer can give you guidance if you are not sure. However you need to declare on the Register your membership of other Local Authority bodies and any bodies exercising functions of a public nature, as well as your job, any gifts over £25, any contracts between yourself and the local authority. (Please see Appendix 1).

b. Where the well-being, or financial position of you, members of your family, or people with whom you have a close association is likely to be affected by the business of the meeting more than it would affect most people in the area. If your interest arises solely because you are a member of another body in the authority eg school governor or any public body in another authority, you do not need to declare an interest unless you wish to speak on the matter. If you do not speak you may still vote without making a declaration. (See appendix 2)

Continued overleaf

PREJUDICIAL INTERESTS

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In some circumstances your Personal Interests may also be considered to be Prejudicial. In this situation you need to declare the fact that you have a Prejudicial Interest and its nature before the issue is debated. YOU SHOULD THEN LEAVE THE ROOM, unless members of the public are allowed to make representations, give evidence, or answer questions on the matter. Once you have finished speaking or when the meeting decides you have finished, you cannot remain in the meeting and must leave. You cannot remain and observe the vote.

Your personal interest will also be a prejudicial interest if all of the following conditions are met –

- (1) The matter being discussed affects your financial position or that of any person with whom you have a personal interest.
- (2) Where a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it may prejudice your judgement.
- (3) It does not fall into one of the exempt categories (please refer to appendix 3).

CONCLUSION

The decision to declare an interest will always turn on the particular facts and it is clearly necessary for all Councillors to grasp the rationale and thinking behind the Code and if in doubt seek advice from your clerk or the monitoring officer.

APPENDIX 1

Register of Interests

All councillors are required to provide a record of their interests in a public register of interests. This must be completed within 28 days of taking office, and any changes must be recorded within 28 days of that change. You need to register your interests so that the general public, authority staff and fellow councillors, know which of your interests might give rise to a conflict of interest. This is a public document and aims to ensure that decision-making is seen to be open and honest. This helps to preserve public confidence in the integrity of local government.

You need to register a range of connections which includes –

- membership of local authority bodies
- membership of any body exercising functions of a public nature, eg political party or trade union
- your job or business
- any contracts between the Authority and yourself
- any land or property in the Authority’s area

If the form is not clear to you, please consult the Monitoring Officer or appropriate Town/Parish Clerk.

APPENDIX 2

Interests Not on Your Register

You have a personal interest in a matter if that matter affects the well-being or financial position of you, members of your family, or people with whom you have a close association, more than it would affect most people in the area affect. (“Well-being” can be described as a condition that could affect the quality of life of you or those in your family or with whom you have a close association.)

A member of your family has a wide meaning and a person with “close association” is someone you have contact with who is more than an acquaintance.

APPENDIX 3

Prejudicial Interests

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Your personal interest will also be a prejudicial interest if ALL of the following conditions are met:

It is not in one of the exempt categories, namely -

- if you hold a tenancy or lease with the Authority as long as it is not relevant to your particular lease or tenancy
- setting Council Tax or a precept
- any ceremonial honour
- statutory sick pay, if you are in receipt of such
- school meals or transport unless specific to your child's school or where you are a parent-governor

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