

**MINUTES OF MEETING OF  
IRON ACTON PARISH COUNCIL  
Friday 28<sup>th</sup> October 2011**

The Meeting of Iron Acton Parish Council was held in Iron Acton Parish Hall commencing at 5.00pm.

Present:- Mr. Sheppard (Chairman), Mr. Bellis (Vice Chairman), Miss. Blanchard, Mr. Tillotson, Mr. Huish, Mr. Taylor, Mr. Lomas, Mr. Gawler (Councillor and South Gloucestershire Council Representative), and Mrs. Evans (Clerk)

**Action**

**PUBLIC PARTICIPATION**

Three members of the public were present.

Councillor Sheppard addressed the Parish Councillors in connection with application PK11/3085/RVC. Councillor Sheppard explained the reason behind requesting the revocation of Condition 2 attached to planning application PK10/2000/F withdrawing Permitted Development Rights for the new dwelling. The original dwelling had enjoyed Permitted Development Rights since 1948 which had not been used. The Parish Council had not raised any objections to the PK10/2000/F application. The new house recently built adjacent to 306 North Road had not had Permitted Development Rights withdrawn. Councillor Sheppard said that he had seven letters of support in connection with PK11/3085/RVC. Councillor Sheppard said that he had spoken to the planning officer to request that a very personal and derogatory consultation response be removed from the web site. During that conversation the planning officer had mentioned that Councillor Tillotson had contacted him seeking guidance in connection with PK11/3085/RVC. Councillor Sheppard queried why Councillor Tillotson had not directed his queries through the Clerk. Councillor Tillotson responded that he wanted to fully understand and comprehend the implications and actual process of the application before the Parish Council. Councillor Bellis then asked the Parish Councillors if they had any further questions of Councillor Sheppard, but none were raised.

01-10-11P **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Heal.

02-10-11P **DECLARATIONS OF INTEREST**

Councillor Sheppard declared a personal and prejudicial interest in Agenda Item 3.

03-10-11 **PLANNING - NEW APPLICATIONS/PRIOR NOTIFICATIONS/TREE WORKS**

PK11/3085/RVC - 204 North Road, Yate - Removal of Condition 2 attached to planning permission PK11/2000/F to retain full Permitted Development Rights. Also variation of conditions 3, 6, 7 and 9 so that the conditions shall read - Prior to commencement of works of construction.

Councillor Sheppard stepped down as Chairman and left the meeting room. Councillor Bellis took the Chair for this part of the meeting.

Councillor Gawler addressed the Parish Councillors and commented that this was purely a technical issue and there was absolutely no need for the Parish Council to make a response. This was not a full planning application simply a revocation and rewording of conditions attached to a previous planning application, and would be something that the planning officer would decide upon. Councillor Gawler went on to say that as far as Condition 2 of PK10/2000/F is concerned the planning officer was of the opinion that the new dwelling had already used up the Permitted Development Rights of the previous cottage as it is larger than the original. As far as the rewording of Conditions 3, 6, 7 and 9 were concerned this was to facilitate the demolition of the old cottage. Demolition of the cottage would be considered as commencing the 'development'. The applicant was therefore requesting the

alteration of the wording of the condition from 'development' to 'construction'. The applicant would still be required to fulfil the obligations of the four conditions eg provide drainage details, samples of roof tiles, samples of stonework and a Coal Mining Report. Councillor Gawler therefore proposed that the Parish Council object to the removal of Condition 2 and have no objections to the variation of Conditions 3, 6, 7 and 9. This proposal was seconded by Councillor Lomas. **All agreed.**

Just prior to the closing of the meeting, Councillor Huish requested that a point of order be investigated. Councillor Huish was of the opinion that the legality of this meeting may be in question as according to the Parish Council's Standing Orders 1b, three clear days between issuing the Summons and the taking place of the meeting had not been observed. Therefore the decision reached by the Parish Council may not be applicable. Councillor Bellis queried why Councillor Huish had waited until the end of the meeting to state this fact as the most appropriate time to have mentioned this would have been at the beginning of the meeting. Councillor Huish responded that he had only discovered this point of order just prior to attending the meeting. Councillor Bellis requested the Clerk to check in the reference books present at the meeting. The Clerk responded to the Parish Council that according to the Local Government Act 1972 Sch. 12 paragraph 10 the wording states "three clear days" and does not mention whether to include the date of issue. However, if the Parish Council's standing orders state as much, then that is the procedure that should be followed and acknowledged that an inaccuracy had occurred.

Councillor Bellis proposed that the meeting be minuted and allowed to stand, acknowledging that the notice of the meeting was deficient by one day, and therefore could be subject to a challenge. Should a challenge be received then the matter should be referred to ALCA for advice. This was seconded by Councillor Gawler. **All agreed.**

#### **DATE OF NEXT MEETING**

The Meeting of the Parish Council will take place on Monday 21<sup>st</sup> November 2011 in Iron Acton Parish Hall commencing at 7.30pm.

There being no further business, the meeting closed at 5.40 pm.

**Signed:** \_\_\_\_\_

**Dated:** \_\_\_\_\_