



BROMYARD & WINSLOW TOWN COUNCIL
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE

Minutes of an Ordinary Meeting held on
Monday 5th February, 2024 at 7:00pm in the Council Chamber,
Council Offices, Bromyard

Minutes
P24/11 – P24/17

Members Present: Cllrs G Churchill (Chairman), R Page (Vice Chairman), P Andrews, F Clark, L Holman, L Law, and M Stevens.

Officers Present: Jennifer Eva (Committee Officer)
In attendance: Ward Cllr C Davies, Cllr D Dunne-Thomas, and six members of the public.

P24/11 Apologies *Local Government Act 1972 S85 (1)*
All members were present.

P24/12 Declarations of Interest and written requests for dispensation
Local Authorities (Model Code of Conduct) Order 2007 SI No. 1159

The following declarations of interests were made by Cllrs Page and Churchill.

1. Cllr Page declared a 'non-registerable interest' in item P24/15 A44 Banners as he has a familial connection to one of the designers that submitted a proposal.
2. Cllr Churchill declared a 'non-registerable' interest in item P24/17 Notice of Motion 01/24 as her brother owns property adjacent to the Gladman's site.

P24/13 To receive, confirm as a correct record and sign the Minutes of the meeting held on Monday 8th January, 2024. *LGA 1972 Sch 12 para 41(1)*

It was RESOLVED to accept the Minutes as an accurate record.

P24/14 Planning Applications
To comment on planning applications to be determined by Herefordshire Council.

1. P240158/F & P240159/L - 1A Market Square, Bromyard, HR7 4BP
Conversion of existing flat into two flats.
Type: Planning Permission & Listed Building Consent.
It was RESOLVED to SUPPORT both parts of this application.
2. P233766/F - 1 The Bypass, Bromyard, HR7 4DJ
Proposed erection of single-story shop extension to provide food.
Type: Planning Permission.
It was RESOLVED to SUPPORT this application and to request that the applicant considers installing additional litter bins on site.
3. P232883/F - Fold Yard, Rowden, Winslow, HR7 4LS

Change of use and conversion of agricultural building into residential dwelling.

Type: Planning Permission.

It was RESOLVED to reiterate the Council's previous SUPPORT for this application.

Cllr Page reiterated his declaration of interest in the next item and refrained from discussion and voting.

P24/15 A44 Banners

1. Members considered a recommendation from the A44 Banners Working Group (Cllrs Andrews, Churchill, Holman, and Law) in relation to the two proposals received prior to the closing date.

The Working Group considered each proposal in detail concentrating on the design quality, the visual impact, relation to Bromyard and its attractions and overall price.

It was RESOLVED to accept the recommendation of the Working Group to appoint ID Creative Designs. The final designs must incorporate elements of the Destination Bromyard branding to link in with other marketing features installed in the town.

ID Creative Designs will work closely with the Working Group over the next few weeks on further designs for final submission to Full Council Meeting, on 26th February 2024.

2. To consider approval of a 50% downpayment for the design works.
It was RESOLVED to approve a 50% downpayment of £600 to ID Creative Designs for the works.
3. Members reviewed the terms and conditions of ID Creative Designs.
It was RESOLVED to approve the terms and conditions as presented.

P24/16 Correspondence

Deterioration of historic buildings in Bromyard: Members noted a response from Debra Lewis, Principal Building Conservation Officer, at Herefordshire Council, in relation to a letter from the Town Council, expressing concerns at the deteriorating state of some of the town's most historic buildings.

In her response, Debra Lewis acknowledged the Town Council's concerns and agreed to forward the letter to a more senior colleague in the Built Heritage Team department at Herefordshire Council.

Cllr Churchill reiterated her interest in the following item and refrained from voting. As Vice Chairman of the Committee, Cllr Page presided over the next item.

P24/17 Notice of Motion 01/24

As one Councillor (non-committee member) and three members of the public expressed their desire to speak on this matter, **it was RESOLVED to** suspend Standing Orders for 20-minutes to enable them to do so.

Each person was given 5-minutes to address the committee and express their views on this motion, as follows:

Cllr Mark Franklin, Chairman of the Town Council's Finance Committee, raised concerns about the potential financial implications for the Town Council if the motion is approved. He questioned the justification for spending money on a legal opinion and cautioned against the Town Council getting involved in a legal matter involving Herefordshire Council and a developer, as it could result in significant financial costs. He urged members to carefully consider the implications before considering the motion.

Three residents from nearby parishes voiced their support for the motion and raised concerns regarding the potential consequences of the Hardwick Bank decision on the Gladman application, which they had long opposed. They expressed their discontent over the last-minute imposition of a s106 agreement, which they believed deprived the public of any input. They had lodged formal complaints with Herefordshire Council and one person had requested an independent review of the situation.

It was RESOLVED to revert to Standing Orders.

Cllr Page addressed the committee at length.

Cllr Holman seconded Cllr Pages' proposal to accept his motion, as below.

A discussion ensued, providing all members with the opportunity to express their views on the motion.

Members considered the following motion, as proposed by Cllr Page:

"1. On the advice of Highways Consultant, John Lloyd of Flow Consult, it is proposed to instruct Planning Counsel, Piers Riley-Smith of Kings Chambers, Birmingham to give advice regarding the following:

- a) Re: Gladman P190111/O refused application (October 2023) (which the Town Council has determined to oppose), as circumstances have changed since refusal, which the Appellant may use as a comparator in the event of an appeal, what weight, if any, could this comparator carry?*
- b) Planning Application P163932/O. Due to the imposition of a S106 in lieu of a S278 late in the afternoon prior to Herefordshire Council's Planning & Regulatory Committee meeting at 10 am the following day, which was a material change, did the Local Planning Authority err in its statutory duty to re-consult, thus denying the Town Council its legal rights, contrary to law and the Nolan Principles?*

2. That the Vice Chair of the Planning & Economic Development Committee and pro bono Consultant Professor Mark Whitehorn be authorised to enter consultation with Counsel once instructed by the Proper Officer".

Members noted that Town Council can only delegate decisions to the Clerk or a Committee not to an individual Councillor(s).

A named vote was requested.

It was RESOLVED to accept the motion to obtain legal opinion, as above, at a cost of £3,000 + vat.

For: Cllr Roger Page
Cllr Pete Andrews
Cllr Fred Clark
Cllr Liam Holman

Against: Cllr Lisa Law
Cllr Mick Stevens

There being no further business to transact, the Chairman closed the meeting at 8:09pm.

Signed Date

