

CLERK'S INFORMATION SHEET FOR  
BRILLEY PARISH COUNCIL MEETING ON 11 JULY 2017

4.1 Your team: PC 3911 Jo ELLIS, PCSO 6115 Dick ALLFORD, PCSO 40067 David BODEN

 **101** to talk to your local SNT or report a crime.

 [kw.snt@westmercia.pnn.police.uk](mailto:kw.snt@westmercia.pnn.police.uk)

 [www.westmercia.police.uk](http://www.westmercia.police.uk)

 /  @NHfdShireCops

Kington Safer Neighbourhood Team:

PC 3911 Jo ELLIS - Work mobile 07977 098394. Email: [joanne.ellis@westmercia.pnn.police.uk](mailto:joanne.ellis@westmercia.pnn.police.uk)

PCSO 6115 Dick ALLFORD - Work mobile 07968 462523. Email: [richard.allford@westmercia.pnn.police.uk](mailto:richard.allford@westmercia.pnn.police.uk)

PCSO 40067 David BODEN - Work mobile 07970 176814. Email: [david.boden@westmercia.pnn.police.uk](mailto:david.boden@westmercia.pnn.police.uk)

OR RING DIRECT ON 101. Only call 999 in an emergency, when a crime is in progress or life is in danger

4.2 Dear All

We had a successful meeting of Clerks and Lara our Balfour steward as discussed, please see enclosed report for all your Parish Councillors.

Send me copies of your next agenda and in particular any problems

Many thanks

Roger

SUMMER UPDATE: CASTLE WARD

County Councillor

Roger Phillips

Email: [rjphillips@herefordshire.gov.uk](mailto:rjphillips@herefordshire.gov.uk)

Dear All

As you are probably aware Clive is unwell at the moment, so in the interim I am covering any particular problems in the ward. I have contacted all the clerks and invited them to a meeting with Lara Edwards our Balfour Steward and myself.

The council will be consulting on its future budget plans and three-year medium term financial plan and Parish Councils will be invited to a special session. Following the General Election, we still await to see if there are any changes to local government funding and in particular social care costs.

The tenders for the sale of the Council smallholding estate ends on 6<sup>th</sup> July. Please find enclosed an update of recent Council issues and contacts.

Roger

The recent official opening of the Waste to Energy Plant at Hartlebury in Worcestershire by the Duke of Gloucester which is a joint project between the two Counties. Nearly all our black bag waste now goes here to be incinerated and turned into electricity. It uses 43500 tonnes of domestic non-recyclable waste and turns it in to energy generating 16 megawatts per hour – enough to power all of the homes in Hereford City!

Nutrient Management Plan – NMP

The Board for the NMP met on 5<sup>th</sup> June 17 where the partnering organisations gave an update from their perspective of progress in reducing Phosphates in our water courses in the Rivers Wye and Lugg catchments. All participating partners confirm an improving position in phosphate levels with significant work in the pipeline for further improvements.

There are still spikes in the levels recorded on certain testing days, but overall average is declining slowly. It is considered that much has to be done over the border in Powys to help improve our rivers as much of the catchment is in Wales.

The consultation on the western route Hereford Bypass was completed last month and the project has been championed by the Cabinet Member Philip Price at a National Infrastructure event and the Midlands Engine (regional economic strategy). There is considerable local opposition but the majority of the county support the proposal recognising our future without it will be very much poorer.

Jesse Norman has been made Minister of Roads so he will have first-hand understanding of rural highways and potholes and the need for our bypass.

Locally the highway through Eardisley is due for extensive works at the end of August and I will liaise with Balfour and the PC on the dates. We also need to submit our draft suggestions for the resurfacing programme in September for consideration of inclusion in next year's highway programme.

If you want to discuss a planning matter please contact [mttansley@herefordshire.gov.uk](mailto:mttansley@herefordshire.gov.uk)

if you a planning enforcement concern [Debbie.Crowley@herefordshire.gov.uk](mailto:Debbie.Crowley@herefordshire.gov.uk)

6.1 Lengthsman work in May and June – Drainage works on C1073, C107290613, 90612, 90614, 90604, 90605, 90602, 90601; litter picking; cutting back vegetation round road signs; removing fallen tree boughs

List of defects from drive round Brilley Parish on 19 June 2017 - Lara Edwards, Roger Bayliss & Alison Sutton  
 Category 1 defect – repair within 24 hours. Category 2 defect – repair within 56 days. Routine repair – within 6 months, usually needs equipment etc. ordering

1. C1073 – new gully cover cemented in at (GR271498) – logged for BB to redo
2. C1073 – ditch at corner of Welshwood Farm entrance – ditch reported as silted but running OK and culvert clear – no action
3. C1073 – Brilley sign opposite Three Hollies – lost letters – Lengthsman to paint or tape to replace
4. C1072 – junction with C1073, direction sign to Millhalf lost white background – no action
5. 90613 – pothole north of Amberslone Paddocks – already logged for BB
6. C1072 – road edges from Brilley mountain to northern boundary – below intervention level – BB monitor on inspections
7. C1072 – junction with 90608, Pentre Lane – needs ‘No through road’ sign – logged for BB
8. C1072 – north of 90611 – broken fixing on left bend sign – logged for BB
9. C1072/90612 – by The Rest – Locality Steward check notes of previous work – logged for BB to check with camera before jetting

Email from Lengthsman:

Due to the increase in numbers and speed of vehicles using C1072, and the fact that a significant proportion of the traffic is now composed of heavy vehicles, I have not worked on the section of C1072 between 90611 and the Brilley Court driveway this month. Vehicles are often travelling far too fast around the long bend over Millhalf Brook, with drivers coming from the Kington direction often cutting the corner and being over the middle of the road. There is a stone wall on one side of the road and a steel barrier above a steep slope on the other, with virtually no verge on either side, so there is no refuge. With sightlines being so restricted, and a good chance that there will be vehicles passing from both directions, it is getting very dangerous to work there. To do the work in that section requires full warning signs and some sort of traffic control. I have tried putting up ‘roadworks ahead’ signs at the ends of the section but, unless I am working adjacent to the signs, most drivers take no notice. In fact, in the past, I have returned to collect the signs only to find that they have been tipped over on to the verge, or into the ditch, by somebody who clearly thought that they had been left behind by a previous work team.

Few drivers slow down when passing me but, elsewhere in the parish, sightlines are better and I am visible. I can always hear vehicles approaching and I can make sure that I am off the road when they get to me or, in extremis, flag them down to reduce speed or stop.

6.2 Road and drainage defects as above followed up on drive-round.

6.4 New website up and running since beginning of June and seems to be well received. Please encourage parishioners who were registered on the old website to register on the new one to receive alerts of new items and information on the site. Webmaster/Clerk can add macros to the site if cllrs wish, so that their email addresses are not visible. Though once you respond the address will be seen. Do you feel this is necessary to reduce spam?

#### 6.5 **Anti-Social Behaviour, Crime and Policing Act 2014**

Notice is hereby given that Herefordshire Council (“the council”) proposes to make a Public Space Protection Order (“PSPO”) under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) for the control of dogs in its area. On 20<sup>th</sup> October 2014 the power to make dog control orders was repealed by the Anti-social Behaviour, Crime and Policing Act 2014. Section 59 of the Act provides local authorities with powers to make Public Space Protection Orders. These orders intend to address activities carried out in the public spaces that have a detrimental effect on the quality of life of those in the locality.

The Council takes the health and well-being of the residents very seriously and seeks to promote a health, safe environment for all residents, protecting them from anti-social behaviour in the form of dog control issues.

1. The proposed PSPO will be entitled The Herefordshire Council (Dog Control) Public Spaces Protection Order and it is intended that it will come into force on or before 20<sup>th</sup> October 2017.
2. The PSPO will replace the four existing Dog Control Orders which were previously made by the council under the provisions of the Clean Neighbourhoods and Environment Act 2005 and which will cease to have effect as from 20<sup>th</sup> October 2017 in accordance with the provisions of section 75(3) of the 2014 Act (or such earlier date, if the said Orders are revoked by the Council), namely:
  - a) The Fouling of Land By Dogs (Herefordshire Council) Order 2010;
  - b) The Dogs On Leads (Herefordshire Council) Order 2010; and
  - c) The Dogs on Leads By Direction (Herefordshire Council) Order 2010;
  - d) The Dogs Exclusion (Herefordshire Council) Order 2010;
3. The proposed PSPO will have substantially the same effect as the existing Dog Control Orders, these effects being:

#### **a) The Fouling of Land by Dogs**

It will be an offence for any person in charge of a dog, which defecates on land specified within the Order, to fail to remove the faeces forthwith, unless he can show a reasonable excuse for failing to do so or the owner/occupier of the land has consented to his failing to do so.

#### **b) The Dogs on Leads**

To make it an offence for any person in charge of a dog to fail to keep that dog on a lead at all times on any land which is:

- (i) Used as a memorial, burial ground, cemetery or garden of remembrance.

**c) Dogs on Lead by Direction**

To make it an offence for any person in charge of a dog to fail to put and keep that dog on a lead when directed to do so by an authorised officer or agent of the Council or by a police officer in respect of any land which is open to the air and to which public are entitled or permitted to have access.

Any such direction may only be given if restraint of the dog is necessary to prevent a nuisance or behaviour by the dog likely to cause annoyance or disturbance to any other person on any land to which the PSPO applies or the worrying of any animal or bird.

**d) The Dogs Exclusion**

It will be an offence for any person in charge of a dog to take the dog onto or permit the dog to enter or remain on land within a dog exclusion zone unless he can show a reasonable excuse for doing so or the owner/occupier of the land has consented to his doing so.

**Fixed Penalty Notice (FPN)**

The PSPO will create a greater level of consistency across the county. All offences can be dealt with by issuing a fixed penalty notice (FPN) of £100 payable within 21 days with a reduction to £50 if paid within 10 working days. The maximum fine on summary conviction is level 3 on the standard scale; currently £1000.

- 6.6 A traffic survey was undertaken recently, the results of which are currently being considered by the highways officer. This will inform what the visibility splay requirements should be. Planning officer does necessarily anticipate any revised plans.
- 6.7 As of 4 July Enforcement Officer had not received anything from Mr Owen's agent and was in the process of preparing an expediency report with a view to proceed with formal action.
10. HALC recommends not adopting new code at present. Not required to until 2019 and new council following elections; and central government is considering bringing out new amendments next year.
11. Correspondence – received as follows:
- From Herefordshire Council (HC) – Reminder of Transport Plan consultation
  - From HC – Charities funding event – forwarded to village hall committee
  - From HC – Rural areas site allocations DPD consultation
  - From HC – email re Code of Conduct
  - From HC – Public Open Spaces Protection orders consultation
  - Clerks and Councils Direct – July newsletter

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Email: [brilleypc@gmail.com](mailto:brilleypc@gmail.com)