

WELSH NEWTON & LLANROTHAL GROUP PARISH COUNCIL

Ordinary Meeting of the Welsh Newton & Llanrothal Group Parish Council held at
Welsh Newton Village Hall, Welsh Newton, Herefordshire, HR2 8QL on Thursday 12th March 2026

Minutes

Present: Cllrs Ed Walker (Chair), Julie Francis and Lissy Tomlinson

In attendance: Andrée Mitchell (Clerk and Responsible Finance Officer), Terry Griffiths (Lengthsman)

Public: 2 (Terry Griffiths, Lengthsman, attending in a personal capacity; and one other)

The meeting opened at: 7:32pm

1. To receive apologies for absence

Apologies had been received from Cllr Sue Parkinson.

2. To receive declarations of interest and written applications for dispensation from Councillors on agenda items

Cllr Tomlinson declared a standing Disclosable Pecuniary Interest in any items relating to the Clerk's salary and expenses. There were no other declarations.

3. To consider the co-option of an applicant to fill the current vacancy for the Welsh Newton ward and receive any declarations of interest from any co-opted councillor

Ben Wall introduced himself to the council. The Clerk confirmed that Mr Wall's eligibility had been verified: whilst his address falls within Llanrothal parish, he satisfies the eligibility criterion of residing within 4.8 kilometres of the parish boundary and is therefore qualified to serve as a councillor for Welsh Newton ward. The vote was taken by show of hands.

It was RESOLVED unanimously to co-opt Ben Wall to fill the Welsh Newton ward vacancy.

Mr Wall signed the Declaration of Office. The Clerk noted that the Register of Interests form must be completed within 28 days and that the information (other than the home address) would be published on the council website. Mr Wall was welcomed to the council.

4. To elect a Vice Chair of the Council

The Chair noted that the position of Vice Chair was vacant following the resignation of Cllr Simmons in February 2026. It was noted that the position runs only until the Annual Meeting in May 2026. Cllr Tomlinson indicated she was willing to stand.

It was RESOLVED to elect Cllr Tomlinson as Vice Chair of the Council until the Annual Meeting in May 2026.

5. To agree and sign the minutes of the Ordinary Meeting of the Group Parish Council held on 12th February 2026

It was RESOLVED to approve the draft minutes of the meeting held on 12th February 2026 and they were signed by the meeting Chair. Cllr Wall abstained as he was not present at that meeting.

6. To receive the Clerk's report on casual vacancies arising from the resignations of Councillors Simmons and Barter

The Clerk reported that notices of the casual vacancies had been posted and that elections notices had been submitted to Herefordshire Council. The notices were posted on the council's notice boards and website, and additionally on footpath markers at Llanrothal, by Tregate Bridge, and on Manson Lane; it had not been possible to post directly at Welsh Newton. The Clerk noted that if ten or more electors request an election, one must be arranged; otherwise, the council may proceed to fill the vacancies by co-option.

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7. Public Question Time

7.1 LO11 – Footpath near Upper Cwm/Lower Cwm Farm and The Nunnery (Llanrothal)

A member of the public, who noted a former role in parish footpath matters, reported concerns regarding the disputed footpath at LO11 (Upper Cwm/Lower Cwm Farm and The Nunnery, Llanrothal). The key issues raised were: an unauthorised gate obstruction by the landowner; evidence supporting the 20-year rule application for the section of path from the granary to Hunter's Post; and incidents of hostility towards members of the public using the path. The Chair noted that physical threats are a matter for the police, not the parish council. The Clerk confirmed that documentary evidence had been received and that the matter would be brought to a future meeting. The council's resolution to support the 20-year rule application was noted.

7.2 Welsh Newton Common – status of road and access

A member of the public reported that he had heard from others that Herefordshire Council may be asserting that the road across Welsh Newton Common is not common land, and expressed concern about the implications for commoners' rights and for those with access to properties on the common. He produced a copy of a document relating to a previous Planning Inspectorate appeal decision confirming that the road is registered common land. It was agreed that the Clerk would obtain a photograph of the document for the council's records.

8. To receive the Ward Councillor's report

A written report had been received and circulated ahead of the meeting. The report covered roads/potholes, the budget process and political matters (the latter not being within the remit of the parish council). It was NOTED that Welsh Newton parish may receive some road remediation works. The report was NOTED and will be published on the council website.

9. Planning

9.1 To comment on Planning Applications for Determination by Herefordshire Council

There were none.

9.2 To consider an application for approval of details reserved by condition 2 attached to planning permission 251782

The condition relates to the landscaping/tree planting scheme for works at Lower Cwm Farm, specifically the replacement of hedging. The Clerk noted this is separate from the ongoing enforcement matter relating to the track at Lower Cwm Farm, which involves concerns about drainage specifications and inappropriate aggregate. The Clerk confirmed she had recently sent updated photographs to planning enforcement.

It was RESOLVED to offer no objection to the landscaping condition submission, noting that the enforcement matter regarding the track and drainage remains ongoing.

9.3 To consider an update on recent planning applications

The application for a shepherd's hut holiday let at Commongate Cottage (P253478/F) was noted as pending a decision. No other applications were outstanding.

9.4 To consider an update on the Steepways site, Welsh Newton Common, and access arrangements

The Clerk presented a briefing note on access across Welsh Newton Common (CL54) in connection with planning references P253216/F and related applications. The following was NOTED:

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- The approved vehicular access for P253216/F crosses CL54 Welsh Newton Common. The road, verge and access track in question are registered common land.
- Section 38 of the Commons Act 2006 requires Planning Inspectorate consent before any works interfering with registered common land. The council's research indicates this consent is required and has not been confirmed as obtained.
- Herefordshire Council's advice on the s38 position has been inconsistent: its Commons Officer advised in July 2022 that consent would be required; this was reversed in August 2022 without legal reasoning. The Delegated Report for P253216/F assessed the access as not impacting common land, which is inconsistent with the registered CL54 boundary.
- On the morning of 12th March 2026, groundworks consistent with the approved access were observed on the common. References in the planning portal to a newspaper advertisement in connection with s38 also require investigation.

The council discussed the implications and noted that the Open Spaces Society, of which it is a member, would be a useful first resource before any decision on formal legal advice.

It was RESOLVED to:

- Formally authorise the Clerk to write to Herefordshire Council Commons Registration, the Planning Inspectorate Common Land Casework Team, and Herefordshire Council Planning, to confirm the CL54 boundary, seek confirmation of whether s38 consent has been applied for or granted, and to put the relevant parties on notice of the council's position.
- Authorise the Clerk to seek initial guidance from the Open Spaces Society before any decision is taken on formal legal advice.

The question of whether to seek formal legal advice was deferred pending the outcome of the above correspondence.

The item at 10.2 (the 65% consultation resolution) was confirmed as covered under item 10 below.

10. Welsh Newton Common

10.1 To consider any matters relating to Welsh Newton Common

The Clerk reported on correspondence from Networkplus, acting as contractor for National Grid, regarding proposed works on Welsh Newton Common involving replacement of an electricity pole and associated works, which may involve trees subject to a Tree Preservation Order (TPO).

It was NOTED that:

- Welsh Newton Common is subject to a Tree Preservation Order (TPO) covering designated areas of the Common. Works to trees subject to a TPO require prior consent from Herefordshire Council Planning.
- Works on registered common land are also subject to s38 of the Commons Act 2006.
- As a statutory electricity provider, Networkplus has statutory authority to carry out emergency works. However, the proposed works are not emergency in nature and should follow the standard consent process.
- Networkplus are aware that any wood cut must be left on the common (consistent with commoners' rights to take wood).
- The Clerk has provided Networkplus with a contact at Herefordshire Council via the Locality Steward and has confirmed the process. A Networkplus representative had an informal conversation with Cllr Tomlinson during a dog walk.

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- A dead tree leaning on the power line behind properties on Welsh Newton Common was identified as a potential hazard and had been reported separately.

It was RESOLVED to:

- Note the correspondence with Networkplus and the Clerk's response, and confirm that any consent required for the works is a matter for the relevant statutory authorities.
- Authorise the Clerk to continue to liaise with Herefordshire Council and Networkplus to ensure the appropriate consent process is followed, and to document the process for future reference.

10.2 To consider rescinding the October 2023 consultation resolution

The Clerk presented a paper on the October 2023 resolution, which had established a 12-month trial consultation process as a precondition for any council activity on Welsh Newton Common, requiring 65% agreement from commoners and residents before any activity could proceed.

It was NOTED that:

- The 12-month trial ran from October 2023 to October 2024 and no consultation took place during that period, due to multiple councillor resignations, the council's inability to achieve quorum at certain periods, and the absence of a clerk for part of that period.
- The resolution lapsed in October 2024 without having been implemented and is no longer operable as drafted.
- The resolution remains on the record as an unimplemented resolution, which creates ambiguity regarding the council's position on activities relating to the common.
- Rescinding the resolution does not remove the council's interest in the common or its commitment to appropriate process and community engagement; it simply removes an unimplemented and lapsed mechanism from the record.
- The lengthsman noted that the resolution had created operational difficulties, including a requirement to remove soil from roadside gullies on the common rather than depositing it on the verge.

It was RESOLVED unanimously to rescind the resolution of 12th October 2023 regarding consultation requirements for Welsh Newton Common activity, on the grounds that the 12-month trial period lapsed in October 2024 without implementation and the resolution is no longer operable.

11. Footpaths, Lengthsman, Local Drainage Fund and Highways

11.1 To consider work undertaken and work to be carried out by the lengthsman

Terry Griffiths reported as lengthsman. It was NOTED that:

- Six routine maintenance days allocated for the year had been completed, with no major issues during that period. Recent weather had been challenging but drainage was coping.
- A tree clearance at the Nunnery area had been carried out without a works order from the parish council. No instruction had been given by the Clerk; on investigation it transpired that Herefordshire Council had called the team out directly and the work was funded by Herefordshire Council.
- A resident at Welsh Newton Common had complained about the road drain near the telephone box being cleared into the adjacent pool. It was NOTED that this pool is shown on maps as a watercourse and that the council has a prescriptive right to drain highway water into a watercourse. The resident does not appear to have been informed of this. The Clerk undertook to follow up.
- Two "slow down" signs for Welsh Newton have been purchased and are in store at the lengthsman's yard. Previous locations identified have not been confirmed in works orders. A site visit is needed to confirm locations before installation.

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- The blocked drain at Tremahaid corner requires a jet to clear the pipe crossing into the adjacent field. All routine maintenance budget has been used; a decision is needed on whether contingency funds can be allocated for this specific task.
- Kissing gate materials are in store pending installation. Funding was obtained for materials last year; installation funding was not granted because the submission did not provide the required breakdown between parts and labour. This will be addressed in the current year's grant application.

11.2 To consider an update on Public Rights of Way (PRoW)

It was NOTED that:

- The Herefordshire Council PRoW function has been reorganised into four areas and the parish's designated officer will be Cerri Belli (south area). The Clerk noted that Herefordshire Council is now able to instruct the lengthsman's team to clear footpaths directly; where possible, PRoW tasks should be routed through this route to preserve the council's own £5,000 PRoW grant for structures.
- Cllr Tomlinson had completed strimmer/hedge cutter and risk assessment training.
- The next step for the footpaths programme is to arrange a joint path walk with Cerri Belli and any interested volunteers to assess paths and identify grant-fundable works.
- Electric fencing: Cllr Francis reported that electric stock fencing had been installed across a public footpath at two locations (near the church and further towards Kentchurch), making it difficult and potentially hazardous to pass. Mr Griffiths confirmed that electric fences across public rights of way are not permitted without appropriate provisions (step-overs, warning signs). Cllr Francis indicated she would make informal contact with the farmer in the first instance.

11.3 To consider any highway issues to be reported

It was NOTED that potholes on the road from Welsh Newton in the direction of Garway have been identified and marked. The Clerk noted that some roads in the area extend into Garway parish. Two significant deep potholes near Llanrothal Bridge had been reported twice on the Herefordshire Chair reporting system by Cllr Francis.

The Clerk noted receipt of a letter from Cllr Dan Hurcombe (portfolio holder for highways, replacing Barry Durkin) in connection with the current grant cycle, which was covered under item 11.4.

11.4 To consider an update on grant applications and expenditure

The lengthsman reported that the routine maintenance allocation for 2025/26 had been fully committed on his finance sheet, with no contingency remaining for specific additional tasks; the council noted this would need to be considered if further works were required. The drainage grant programme for 2025/26 is nearing completion; all works must be completed by end of financial year and claims submitted by 10th April 2026. The kissing gate installation grant for 2025/26 was unsuccessful as the submission was not in the required format (parts and labour to be shown separately); the council will resubmit in the correct format in the current grant year.

12. To consider and approve the lengthsman services procurement process and documentation

The Clerk presented a briefing note on the proposed procurement of lengthsman services for Welsh Newton & Llanrothal Group Parish Council for 2026/27 and beyond, together with a draft procurement pack and application form. The Clerk outlined the background, including the council's resolution at the February 2026 meeting to prepare tender documentation, the indicative contract value for year one, and the requirement for alignment with the Herefordshire Council lengthsman scheme contract.

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The Clerk advised that the evaluation weightings had been determined following research into best practice for lengthsman procurement, with reference to the council's own priorities and circumstances. The council considered the weightings as set out in the procurement briefing note. It was noted that the evaluation would be carried out by the Clerk, who may seek technical support as appropriate.

It was RESOLVED to:

- Approve Option B: a contract term of one year with an option to extend for a further year, subject to satisfactory performance; any decision to extend to be taken by the council no later than the budget meeting in February 2027.
- Approve the evaluation weightings as set out in the procurement briefing note.
- Authorise the Chair and Clerk to finalise the procurement pack, taking into account any councillor comments received by the following Monday, and to issue it following the meeting.

13. Policies and Procedures

13.1 AGAR Assertion 10, IT and Email Policy, and website accessibility statement

The Clerk presented a briefing note covering Assertion 10 of the Annual Governance and Accountability Return (AGAR) and the associated IT and Email Policy.

It was NOTED that Assertion 10 requires councils to confirm they have an IT/email policy in place by the end of the 2025/26 financial year. The policy had been drafted based on the NALC model policy and tailored to reflect the council's actual arrangements. It was agreed that the policy is proportionate for a small parish council and reflects current practice.

Key points discussed included the importance of using council email addresses for council business, maintaining an open mind when approaching planning decisions, and not using email for pre-meeting discussions that could constitute decision-making outside of a meeting.

It was RESOLVED to:

- Confirm that the council has substantially complied with the Assertion 10 requirements for 2025/26 as set out in the briefing note.
- Adopt the IT and Email Policy v1.0 with effect from the date of the meeting.
- Authorise the secure disposal of the council laptop (asset register entry: council laptop, purchased 2016, value £350), and direct the Clerk to arrange disposal in accordance with NCSC guidance on secure data destruction and to remove the item from the asset register accordingly.

13.2 To consider and re-adopt the council's Standing Orders

It was RESOLVED to re-adopt the council's standing orders with a single amendment to permit voting by paper ballot in appropriate circumstances, consistent with guidance discussed at a recent HALC training event attended by councillors.

13.3 To consider and re-adopt the council's Risk Management Policy and to review the Risk Register

The Clerk presented three governance documents for adoption: the Financial Controls and Risk Assessment Policy (updated), the Risk Management Policy (new), and the Risk Register (new format).

It was NOTED that:

- The Financial Controls and Risk Assessment Policy has been reviewed and updated to reflect current practice.
- The Risk Management Policy is a new document based on best practice guidance.

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- The Risk Register is in a new, more comprehensive format. It was noted that volunteers (including footpath officers) are not currently listed as a category and that this should be added before the next review.
- Councillors wished to review the risk scores at the next meeting and agreed to send any comments to the Clerk in advance.

It was RESOLVED to:

- Re-adopt the Financial Controls and Risk Assessment Policy as reviewed.
- Adopt the Risk Management Policy with effect from the date of the meeting.
- Adopt the Risk Register, noting that it will be reviewed at the next meeting with the addition of a volunteers category and any other amendments proposed by councillors, and reviewed annually thereafter as a minimum.

13.4 To consider and re-adopt the council's Reserves Policy and to review the level of reserves

The Clerk presented the Reserves Policy for re-adoption. It was NOTED that:

- The policy minimum is set at 50% of net revenue expenditure, equating to approximately £9,832 based on the 2026/27 budget.
- Current bank balances (as of the meeting date) are approximately £23,000 in total, well above the policy minimum.
- Previous reserve designations had become unclear following councillor and clerk changes; the proposed policy re-establishes a clear framework.
- A named NDP reserve of £3,500 per year is proposed to be built up from 2026/27. The Elections reserve is proposed to be formally designated at the autumn 2026 budget meeting.
- The defibrillator fund and no sport fund previously held as named reserves are now incorporated into the annual budget as recurring line items and no longer require separate reserve designations.
- It was noted that the NDP cost could be significantly higher than the £7,000 currently projected if the housing allocation changes require a more substantial review. The council may in that case consider whether to collaborate with another authority or whether to commission a review at all.

It was RESOLVED to:

- Re-adopt the Reserves Policy with a minimum reserve level of 50% of net revenue expenditure.
- Designate a named NDP reserve and begin accumulating £3,500 per year with effect from 2026/27.

14. Finance

14.1 Finance report, bank reconciliation, transfer of funds, and bank mandate

The Clerk presented the finance report including bank reconciliation and quarterly budget monitoring. Bank balances as of 12th March 2026 were noted (as per bank statements tabled). Payments totalling £6,142.71 were presented for approval, which would result in a temporary deficit on the community account requiring a transfer from the reserve account. Invoices for drainage grant projects had been received too late for this meeting and will be presented at the next meeting.

It was RESOLVED to authorise a transfer of £10,000 from the Business Bank Instant Account to the Community Account to cover approved payments and anticipated project invoices, to be reviewed at the next meeting.

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It was NOTED that following Cllr Simmons' resignation, the bank mandate and online banking administrator arrangements require updating. The Clerk confirmed she is not able to be both the person setting up payments and an approver. Cllr Tomlinson confirmed she is not able to act as approver due to her declared interest in the Clerk's salary.

It was RESOLVED to add Cllr Wall as a third bank signatory and online banking approver.

14.2 Payments to be made

The following payments were APPROVED:

- 14.2.1 Terry Griffiths Contracts – Routine Maintenance, Llanrothal Parish, February 2026, Invoice TGC3733 – £587.16 (incl. £97.86 VAT)
- 14.2.2 Terry Griffiths Contracts – Local Drainage Grant, Llanrothal Parish, WNLPC 25/26 009, Tregate Farm: replace and upgrade failed drainage pipe, Invoice TGC3731 – £2,160.00 (incl. £360.00 VAT)
- 14.2.3 Terry Griffiths Contracts – Local Drainage Grant, Llanrothal Parish, WNLPC 25/26 010, C1247 Nunnery Area: excavate and extend drainage pipe, Invoice TGC3737 – £2,160.00 (incl. £360.00 VAT)
- 14.2.4 Herefordshire Association of Local Councils – HALC/NALC annual subscription 2026/27, Invoice H6092 – £604.88 (incl. £102.69 VAT) [£616.13 less £11.25 overpayment on Invoice H3124]
- 14.2.5 Open Spaces Society – annual membership renewal 2026/27, membership no. 78989 – £45.00
- 14.2.6 Clerk's salary according to agreed contract for March 2026
- 14.2.7 HMRC – PAYE for clerk's salary for March 2026

Cllr Tomlinson abstained from the vote on the clerk's salary and PAYE items by reason of declared interest. All other payments were approved.

14.3 Payments noted between meetings

The following payment made between meetings was NOTED:

- 14.3.1 Lloyds Bank – Service Charges for February 2026 – £4.25 (0% VAT)

14.4 Monies received

The following was NOTED:

- 14.4.1 Lloyds Bank – interest on reserve account – February 2026 – £7.72

14.5 Contractual/regular payments for approval between meetings

The council APPROVED the following payments to be made between meetings within agreed limits:

- 14.5.1 Terry Griffiths Contracts – as per schedule for lengthsman and grant programmes
- 14.5.2 Autela Payroll Services Limited – payroll processing as invoiced
- 14.5.3 Clerk's mileage and expenses (to be presented at next meeting)

14.6 Audit and internal control

The Clerk noted that year-end internal control review would be progressed ahead of the April 2026 meeting, including the VAT126 reclaim covering three years following completion of VAT training.

15. To consider correspondence between meetings – not already covered

It was NOTED that the HALC monthly update had been circulated.

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16. To consider communications and community event

It was NOTED that there had been discussion at the February 2026 meeting about community engagement plans for the parish. The Annual Parish Meetings for Welsh Newton and Llanrothal will need to be arranged for May 2026. The Clerk noted that these meetings are called by the Chair and are legally distinct from the Annual Meeting of the Parish Council. It was noted that whilst the Annual Parish Meetings have historically been held on the same evening as the Annual Meeting of the Parish Council, a community engagement event need not be tied to them. The Clerk noted that Cllr Parkinson had been giving thought to community engagement plans. The item, including the format and date of the Annual Parish Meetings and any wider community engagement, was carried forward to the next meeting.

17. To consider items for the next meeting

Items identified for the next meeting include: Lengthsman tender award; risk register review (including addition of volunteers); year-end financial matters including VAT reclaim; Annual Governance Statement; items arising from Steepways and common land correspondence; LO11 update; Annual Parish Meetings (date, format and community engagement plans); co-option of further candidates to vacancies; and training for new and existing councillors. The Clerk noted that HALC offers chair training and that the Chair and Vice Chair should consider attending; this was agreed in principle.

18. Date of next meeting

Thursday 16th April 2026 at Welsh Newton Village Hall.

Signed by the Chairman: *Ed Walker*

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