



CYNGOR TREF CAERWYS CAERWYS TOWN COUNCIL

Minutes Of The Meeting Of Caerwys Town Council Held At The Memorial Institute, South Street, Caerwys, On Tuesday The 18th February, 2014, At 7.00pm.

1(A). 30/14 PRESENT

Councillor James E. Falshaw (Town Mayor)
Councillor Ms. A. Louise Carus
Councillor E. Vincent Frost
Councillor Jonathan E. Duggan-Keen
Councillor Michael W. Moriarty
Councillor Ms. Helen L. Priestly
Councillor Jonathan A. G. Webb

Clerk & Financial Officer R. Phillip Parry

1(B). 31/14 APOLOGIES

Councillor Mrs Lynette M. Edwards (Deputy Town Mayor)
Councillor David S. Knights
Councillor Stephen G. Wilson

1(D). 32/14 MINUTES SILENCE - BEREAVEMENTS WITHIN THE COMMUNITY

There were no reported bereavements within the community, between the January and February Council meetings.

1(E). 33/14
Standing Orders were suspended; to enable the three representative from the North Wales Police to address the meeting.

2(A). 34/14 VISIT TO COUNCIL BY INSPECTOR SHARON MCCAIRN (NORTH WALES POLICE)

The Mayor Councillor J. E. Falshaw welcomed to the meeting, North Wales Police Inspector Sharon McCairn, District Inspector for the area of Flintshire South, together with Sergeant Matthew Mitchell - Neighbourhood Police Sergeant and PCSO Rob Hill.

Inspector McCairn advised the Members, that she had been in post as Flintshire South District Inspector since October 2013, and the area of her responsibility covered from Caerwys to Saltney, with the team being based in Mold. The Inspector indicated that she was pleased to attend the Council meeting, to introduce herself and to have the opportunity to discuss any concerns with the Council Members. Inspector McCairn advised of the role of Sergeant Mitchell, and PCSO Rob Hill.

PCSO Rob Hill provided the Members with a report in respect of criminal activities, in the Caerwys, Afonwen and Pen y Cefn areas, since the 1st November 2013 (a) drink driver initially reported acting in a suspicious manner in Caerwys, was subsequently arrested on the A55 (b) burglary of a dwelling (shed) (c) anti social behaviour, whereby a number of youth cautions had been issued (d) theft of quad bicycle.

The Clerk referred to an e-mail which had been received from a concerned member of the public, in relation to the parking of vehicles in Water Street. The member of the public was concerned that whilst it was appreciated, parking was limited in the street, vehicles were being parked on the pavement so close to the wall, which subsequently necessitated pedestrians having to cross the road. PCSO Hill requested a copy of the complaint, to enable him to take it forward, and report back to the Council in due course.

Council Members enquired in respect of the following issues / concerns; (a) drug dealing - to which the Inspector replied that ' the Police encourage information in respect of any aspect of either the dealing or usage of illegal drugs ' (b) the strength of PCSO's in the area - which was advised as ' approximately 10 in number ' (c) traffic concerns at the McDonald's entrance in Lloc, and in particular, the occurrence of minor accidents that are not reported. The Inspector advised that she would contact the Highways Department (d) other questions posed to the Inspector, related to calls to the 101 system, fuel tank thefts, and crime statistics.

The Mayor Councillor J. E. Falshaw, thanked Inspector McCairn and her two colleagues for attending the Council Meeting, and for their reports and advice.

2(B). 35/14

Standing Orders were continued to be suspended; to enable members of the public to address the meeting.

- (a) The owner of the Sundawn Garden Centre & Teapot Cafe business in Pen y Cefn (Mr. John Brimble), addressed the Members in relation to a planning application, which was to be discussed by the Members later in the evening. Mr. Brimble provided the Members with background information in relation to the sale of the premises. Mr. Brimble also provided the Members with copies of an undated three page document headed ' Re Proposed development of the Sundawn Garden Centre / Teapot Café Site, Pen y Cefn, Caerwys, CH7 5BL - addressed to members of the local community '

The applicant of the planning application Mr. Wyn Thomas, addressed the Council Members by firstly providing information in respect of his present business, the requirement to relocate to a new premises, together with the employment and financial aspect.

The Clerk advised both Mr. Brimble and Mr. Thomas, that the application would be formally considered by the Council Members at a later stage during the meeting.

(The above three paragraphs relate to planning application number 051622, at the Garden Centre, Pen y Cefn - See Minute number 12(E). 54/14 on pages 7 and 8 below)

- (b) A member of the public addressed the Members in respect of improving the street lighting within the community, and handed to the Clerk, a typed four page document dated the 18th

February, 2014. The Clerk advised that on the March Open Council meeting agenda, an item placed by Councillor S. Wilson in respect of a Community Plan would be discussed. The Clerk suggested that it would be appropriate for this matter to be discussed under this agenda item. The member of the public agreed.

2(C). 36/14

Standing Orders were restored; to enable the General Council meeting to continue.

3. 37/14

DECLARATIONS OF INTEREST

The following Declaration of Interest was declared;

Councillor J. E. Falshaw declared a Declaration of Interest in planning application number; 051622, at Garden Centre, Pen y Cefn. Councillor Falshaw advised the Members, that the declaration was made as he had been contacted by the applicant, on more than three occasions in respect of the application. (**See Minute number; 12(F). 55/14 on page 8 below**).

4(A). 38/14

TO APPROVE THE MINUTES OF THE MEETING HELD ON THE 21ST JANUARY, 2014

- (a) The Mayor Councillor J. E. Falshaw advised that the Flintshire County Council Household Waste Collection etc., document, was provided by himself to the Members (Page two third paragraph marked (b)
- (b) Councillor M. Moriarty seeked clarification in respect of the match funding project towards improvements to the multi-court area. The Clerk advised that the Memorial Institute Committee, had confirmed that they held sufficient funds to immediately re-pay the Council, should the application be successful. (Page 4 paragraph numbered (4)).

4(B). 39/14

The Minutes were proposed as correct by Councillor J. Duggan-Keen and seconded by Councillor E. V. Frost and formally agreed by the Members present.

4(C). 40/14

The Minutes dated 21st January, 2014, held under The Public Bodies (Admissions to Meetings) Act 1960, in which the Clerk's contract of employment and conditions of service were discussed and agreed. These Minutes were also formally approved - as above.

5. 41/14

MATTERS ARISING

The Clerk referred to the following matters from the previous Minutes;

Minute no; 1(E). 05/01 pages one and two – fourth paragraph on page 2 **(i)** Pot holes - reported that the area had been inspected and the work prioritised **(iv)** provision of dog waste bin in Afonwen - reported that the bin was in installed within a week of the request.

Minute no; 4(A). 09/14 (3) on page 3 - in respect of the changes to The Caerwys Post Office. The Clerk advised the Members, that Mr. Andrew Davies had asked that he inform the Council, that the changes were not at his request, but by the Post Office, and that he (Mr. Davies), had no control over the possible changes taking place. Councillor Ms. L Carus referred to a Daily Post newspaper article, which stated security concerns with Post Office changes to a number of local Post Offices.

Minute no; 10. 23/14 on page 7 - in respect of public footpaths in the Community of Afonwen. Councillor M. Moriarty referred to the comment made in Minute number 1(E). 05/14 - pages one and two – second paragraph on page 2, in relation to the loss of land. Councillor Ms. H. Priestly advised that the land in question, from the frontage of Railway Terrace to the river bank, was presently used by walkers and vehicles, and there would be no loss of land to the resident.

6. 42/14

CO-OPTION OF COUNCIL MEMBER

The Clerk produced to the Members a copy of a formal Public Notice, which was previously used by the Town Council, during a co-option process in February 2013. After discussion, the **Members agreed to use the same notice, and instructed the Clerk to advertise the co-option within the time scales.** The Clerk confirmed that the Public Notice would be displayed with a closing date of 12 Noon on Monday 17th March. The Public Notice would also be advertised in the Caerwys Chronicle.

7. 43/14

To Review (Amend / Update) and Approve, the following Policies; (a) Code of Conduct (b) National Standing Orders (c) Local Standing Orders (d) Financial Regulations (e) Internal Financial Controls (f) Annual Risk Assessment - 2014 / 2015 (g) Annual Investment Strategy - 2014 / 15

The Clerk referred to the above various policies, and suggested that should the Members have no amendments, then the policies be approved, apart from the Annual Investment Strategy(AIS). The Clerk further suggested that this policy be reviewed in April, after the end of year 2013 / 2014 accounts were approved. The Clerk further suggested to the Members, that all the various policies are placed on the October agenda for further review. **The Members agreed the following; That all the above policies be formally approved, with the exception of the (AIS) policy, to be placed on the April agenda, and all policies to be further placed on the October agenda.**

8(A). 44/14

CORRESPONDENCE

The following correspondence had been received, that was required to be either advised to, or dealt with by the Members;

- (1) Complaint from a member of the public in relation to parking concerns in Water Street. **(This matter was referred to under Minute number; 2(A). 34/14 on page 2 above).**
- (2) Information in relation to a special meeting of the North Wales and Mid Wales Association of Local Councils. (Original provided to Councillor J. Webb).
- (3) Correspondence from the Electoral Department of Flintshire County Council, enquiring in relation to the Town Council's observations to the Community Review. The Clerk advised that due to the timescale for reply, he had sought the approval of the Mayor and Deputy, to reply as follows; that the Caerwys Town Council did not have any observations in respect of the Community Review, in particular, as there were no changes to the Caerwys Town Council area. **The Members confirmed the reply.**

8(B). 45/14

CLERK'S REPORT

The Clerk referred to the following;

- (a) Clerk's Contract of Employment and Job Description (CE&JD). The Clerk advised that he had sent copies electronically to the Mayor and Deputy, of his Halkyn Community

Council's (CE&JD), and sought the views of the Members, as to how they wished to proceed with the formal agreement and signing. Councillor M. Moriarty suggested that a copy of the signed (CE&JD) is safely kept, possibly in the HSBC Bank. **The Members agreed that the Clerk place the matter on the Agenda for the March meeting, and to forward an electronic copy of the Halkyn document to all the Members.**

- (b) The Clerk referred to the HSBC Bank Mandate in respect of the number of signatures on cheques, and the provision of internet banking - which would be used only for the transfer of funds to cover cheques issued. **The Members agreed that a new mandate form to be signed for cheque signatures, together with a further mandate, to enable the Clerk to gain access to internet banking.**
- (c) The Clerk advised the Members that the March meeting of the Town Council, was also the Annual Open Meeting, in which members of the Community were able to attend for a period of 30 minutes. The Clerk sought the approval of the Members to advertise the open meeting, and to also agree a 7.00pm start time. **The Members agreed.**

9(A). 46 /14

TOWN MAYOR'S REPORT

The Town Mayor Councillor J. E. Falshaw advised the members, that he had not attended any Mayoral functions between the January and February Council meetings.

9(B). 47/14

COUNTY COUNCILLOR'S REPORT

The Town Mayor Councillor J. E. Falshaw as County Councillor, provided the following report;

- (a) Flooding complaints in the area.
- (b) The current position in respect of the transfer of the public convenience building to the Town Council - which would hopefully be completed by the end of February.
- (c) Fallen tree blocking a bridleway had been removed.
- (d) Letter from Mrs. E. Snowden the previous Town Clerk, thanking Members for the gift, and their support during her employment.

10. 48/14

REPRESENTATIVES / LIAISON COMMITTEE REPORTS

- (a) Councillor Mrs. Helen Priestly, sought the approval of the Members to close the meeting to the public and press, due to the nature of her report, as the Council's School Governor representative at Ysgol yr Esgob Primary School. **The Members agreed.**

Pursuant to Section 1 (2) of the Public Bodies (Admissions to Meetings) Act 1960, and having regard to the confidential nature of the business to be discussed, it was **RESOLVED** that the press and public be excluded from the meeting, for the following item of business;

Councillor Mrs. Helen Priestly's report to the Council Members, as the Council's representative School Governor at Ysgol yr Esgob School Primary School. The nature of the report was not in the public interest, at this time. This was the only matter discussed during this closure of the meeting to the press and public.

Public Bodies (Admissions to Meetings) Act 1960, **RESOLVED** that the press and public be re-admitted to the meeting.

- (b) Councillor M. Moriarty advised the Members, of a County Forum meeting due to be held on the 20th February.

There were no further representatives reports.

11. 49/14

COMMUNITY LIGHTING

The following lamps have been reported out of order since the last meeting;

- (a) At the bottom of Caerwys Hill in Afonwen - first lamp on right hand side to Denbigh.
- (b) Second lamp from Mold side in Afonwen.
- (c) Lamp opposite the Red Chapel on the B5122 hill to Afonwen. Traffic management is required, but there could be an underground fault, that will require assistance from Scottish Power.

Note; (i) The above two lights at (a) and (b) were reported out of order last month, but are faulty again. (ii) The Clerk reported that he was still awaiting the electrical company to provide a quotation for a new light, on the walkway between the Institute and The Marion.

12(A). 50/14

PLANNING APPLICATIONS

12(B). 51/14

Before the commencement of the agenda item Planning Applications, the Clerk advised the Members, that due to a scenario he encountered in another Council area, he had sought advice from the County Monitoring Officer. After consideration, the Clerk felt that the advice would also be of assistance to the Town Mayor, in his capacity as a County Councillor, who is also a Planning Committee Member. Councillor Falshaw advised the Members, that after discussion with the Clerk, he had decided not to sit as Chair of the Town Council, during planning applications, for the remainder of his term of office. The Clerk further advised that Councillor Falshaw, would decide at each meeting, and on each planning application, whether or not he had a personal and or prejudicial interest.

12(C). 52/14

Councillor J. E. Falshaw advised the Members that he would step down as Chair for the agenda item Planning Applications. In the absence of the Chair of the Planning Committee, and the Deputy Mayor, the immediate passed Mayor Councillor J. Webb took the Chair.

The following planning application had been received;

- ❖ **Application number; 051578**, for the erection of a single storey rear / side extension, at 31 St. Michael's Drive, Caerwys. Notice under Article 12 - Amendments to submitted application. The County Planning department required a decision within 14 days. The planning sub-committee, agreed the previous comments in relation to the application; **the Council have no issues, providing the application confirms to planning regulations.**

(The above one application was sent to the Chairman of the Planning Sub-committee, for consultation with other members of the sub-committee, due to statutory time limits for observations).

12(D). 53/14

The Members confirmed the above decision.

12(E). 54/14

The following planning application to be dealt with by the Members at the meeting;

- ❖ Application number; 051622, for the erection of building for servicing and storage of plant and change of use of garden centre to plant hire depot, at Garden Centre, Pen y Cefn, Caerwys.

After discussion the Members unanimously agreed not to support the application, for the following reasons;

1. The size and design of the proposed workshop will not harmonise with the surrounding open countryside on being more in keeping with buildings found on an industrial estate.
2. Artificial lighting will be introduced further into the surrounding countryside with any introduction of security lighting, illuminated signage and roof lights built into the workshop.
3. The proposed development does not relate to a small scale rural enterprise or a small scale farm diversification scheme.
4. The application site is not in an area allocated for commercial development within the adopted Flintshire UDP. Within the UDP's Spatial Strategy in terms of growth and restraint, one of its key elements is to resist pressure for sporadic unnecessary development in the open countryside, particularly along the A55(T) corridor.
5. The proposed development fails to comply with conditions i and ii as specified in the UDP policy EM4 Location of Other Employment Development.
6. The nature of the proposed business raises the potential risk of proliferation of advertising signage at the application site.
7. Within the submitted documentation relating to the proposed development it states that there would be a decrease in the numbers of HGVs, yet indicated weekly vehicle movements of such vehicles are 72 against an existing 21. This assumption would therefore appear to be incorrect. In addition to this, a lay-by on the westbound carriageway of the A55(T) adjacent to the application site is frequently used by passing HGVs that will also contribute to the numbers of such vehicles making use of the location.
8. The access road to the application site is restrictive in width and would therefore be likely to create issues for HGVs travelling along it from opposite directions at the same time.
9. There is no direct access to or from the application site for the eastbound carriageway of the A55(T). This would result in large HGVs having to make use of narrow rural lanes with restrictive junctions to the south of the proposed development in order to reach Junction 31 of the A55(T) via the B5122 where connection with the eastbound carriageway can be effected. Any voluntary agreement with drivers of HGVs visiting the application site wishing to join the eastbound carriageway to first travel westwards to the Rhuallt flyover and there join the eastward flow of traffic along the A55(T) would not be mandatory and open to abuse.
10. The narrow country lanes to the south of the application site forms part of a route, No. 5, devised and promoted by the British Driving Society North East Wales for horse drawn carriage driving. In addition to this, there is a well established equestrian centre nearby, plus a number of private stables, all of whom make use of these lanes. Such usage of the highway would have the potential of putting all these users into conflict with HGV traffic.
11. Access to and from the A541 Mold-Denbigh road from the B5122 would be through Caerwys. The B5122 is restrictive in width for large vehicles just outside the northern edge of the town boundary, South Street within the town itself and Caerwys Hill. The use of the B5122 by vehicles of ever increasing size and weight has been the subject of numerous complaints by Caerwys Town Council over many years.
12. The application site is located on a principle aquifer, the Ffynnon Asaph, that is licensed to supply potable water and within a Groundwater Source Protection Zone. The nature of the proposed enterprise on the site includes the maintenance and, presumably, the cleaning of plant equipment in addition to their storage. Such activities have the potential to pollute

groundwater, but no information of how trade effluent from washing of plant equipment and storage of waste oils will be dealt with on site. No information is, likewise, provided of liaison having taken place with the regulatory body Natural Resources Wales on this issue.

13. The application site is located approximately 2.4km from the nearest point to the designated Clwydian Range and Dee Valley AONB from where views into the development can be taken. The nature of the proposed development is such that it will adversely impact upon the visual amenity of the area by changing its character and appearance that any mitigation measures undertaken will be unable to ameliorate.
14. The proposed development will have an adverse effect on the residential amenity of occupiers of nearby properties due the operation of the business from 6.00am to 6.00pm Monday to Saturday inclusive. To this has to be added the noise, dust and fumes from movement of plant equipment and HGVs.
15. Concern is expressed that the submitted LVIA has not considered any viewpoints from surrounding properties whose visual amenity will be adversely affected.
16. Although it is indicated there will be no removal of hedgerows boarding the site's boundary, erection of fencing is proposed in close proximity to such features and will have the potential to affect flora and fauna. The local area supports a rich biodiversity, but it is with concern that no ecological report is included within the submitted documentation.

12(F). 55/14

Declaration of Interest

Councillor J. E. Falshaw declared a Declaration of Interest in the above planning application number; 051622, at Garden Centre, Pen y Cefn. Councillor Falshaw advised the Members, that the declaration was made as he had been contacted by the applicant, on more than three occasions in respect of the application. (**See Minute number; 3. 37/14 on page 3 above**).

12(G). 56/14

PLANNING DECISIONS

The following planning decision has been received from Flintshire County Council;

Application number; 051578, at 31, St. Michael's Drive, Caerwys. **Approved.**

12(H). 57/14

PLANNING APPEAL

The following planning appeal has been received;

Planning Appeal Ref: APP/A6835/A/13/2206057 - regarding planning application 050880 - erection of anemometer mast (up to 80m in height) for the temporary period of three years on land at Ffrith y Garreg Wen, Caerwys, Mold, CH7 5BP, determined by Planning Inspector. **Decision made to allow the appeal with conditions.**

13. 58/14

APPROVAL OF ACCOUNTS FOR PAYMENT

Cheque Number	Payee	Net £	Vat £	Total £
824	Scottish Power (January Electricity Account - Street Lighting)	246.81	49.36	296.17

825	Deeco Lighting (January - Street Light Repairs)	245.00	49.00	294.00
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14. 59/14

APPLICATIONS FOR FINANCIAL SUPPORT

Cheque Number	Name of organisation	Amount granted £
826	Caerwys Town Hall (Annual application towards running costs)	500.00
827	Caerwys Woman's Institute	100.00
828	St. Kentigern Hospice (St. Asaph)	• See note below
	NSPCC (Cardiff)	No grant
829	Marie Curie Cancer Care (Rhyl)	25.00
	Kidney Wales - Walk for Life (Cardiff)	No grant

15. 60/14

The Members agreed the payments of the above accounts and financial support as listed.

- Cheque number 828 cancelled - duplicate application for funding

There being no further business, the Mayor thanked everyone for attending and closed the meeting.

SIGNED BY THE MAYOR AS CHAIR;.....

DATE OF APPROVAL;.....