

MINUTES OF THE MEETING OF CAERWYS TOWN COUNCIL HELD ON TUESDAY 17TH JULY 2012 AT 7-0 P.M. AT THE MEMORIAL INSTITUTE, SOUTH STREET, CAERWYS.

PRESENT

Councillor Jonathan Webb, Town Mayor
Councillor James Falshaw, Deputy Town Mayor.
Councillor Ms. Anna Carus
Councillor Mrs Lynette Edwards
Councillor Jonathan Duggan-Keen
Councillor David Knights
Councillor Christopher Maggs
Councillor Michael Moriarty
Councillor R Phillip Parry
Councillor Ms. Helen Priestly
Councillor Stephen Wilson.
Mrs Elizabeth E Snowden Clerk/Financial Officer.

1.46/12 APOLOGIES

There were no apologies.

Bereavements

Members stood in silence in memory of the following :-

Mrs Jane Moss, "Bron Haul", Lloc, formerly of 10 Ffordd Angharad, Caerwys

Mrs Anne W Davies, 10 Maes y Dre, Caerwys

Mr Michael Stewart, Ffordd Pen y Maes, Trefnant, formerly of Caerwys.

2.47/12 An Address by Chief Inspector Roome, North Wales Police.

Councillor Jonathan Webb Town Mayor extended a warm welcome to Chief Inspector Roome and Acting Inspector Andy Griffiths to the meeting.

Chief Inspector Roome reported that he and Acting Inspector Griffiths were visiting community and town councils to discuss if they are experiencing any problems within communities. The Chief Inspector advised that the North Wales Police are experiencing problems with policy Budgetary Cuts. Four separate groups of gangs are operating in the North Wales Police Area and concerns are expressed at the high level of thefts of lead, stealing from motor vehicles shoplifting is on the increase as well as the theft of Mountain Bikes. Anti Social behaviour is another problem that the police are experiencing.

There will be a shortage of police during the coming weeks as 169 Officers will be drafted to London covering the Olympic Games. There has been a 64% increase in the number of PCSO s in South Flintshire. PSCO Rob Hill will be looking forward to the new challenges policing three wards which includes Caerwys. Acting Inspector Griffiths, advised the members of his role in the area.

Chief Inspector Roome and A/Inspector Griffiths were thanked by Councillor Webb for their address.

Standing Orders were suspended

Minute Number 15. 45/12 Application (in person) received from the Secretary of the Caerwys Town Hall. Mrs Sandra Evans for funding amounting to £5000-00 towards the cost of architect's fees as the Management Committee were proceeding with renovating and carrying out improvements to the hall. Mrs Evans reported that Cadwyn Clwyd had agreed to pay 70% of the fees which amounted to

£13,000.00 pounds and asked the members of the Town Council to consider donating the balance of the architect's fee amounting to £5000-00.

Mrs Evans reported that the total cost for the improvements to the Town Hall would be in the region of two hundred thousand pounds, the management Committee would be applying for financial support from various grant making trusts. At present there is £3,525-00 in their accounts which is used towards running costs.

Standing Orders were re-instated

Councillor Anna Carus proposed that the Town Council donate the sum of £5,000-00 this was seconded by Councillor Phillip Parry and the members unanimously agreed.

Councillor Stephen Wilson declared an interest in the application signed the Members Code of Conduct form and left the Chamber during the discussion .

Standing Orders were re-instated

3. 48/12 TO APPROVE AND RECEIVE THE MINUTES OF THE MEETING HELD ON TUESDAY 19 JUNE 2012.

The Minutes were approved as correct by Councillor M Moriarty and seconded by Councillor Phillip Parry.

4 49/12 .MATTERS ARISING

6.37/12 Councillor Webb reported that he had not contacted the Land Registry at Birkenhead. The Clerk reported that she had received a telephone call from Mrs Nesta Davies requesting that a site meeting be arranged for Tuesday 24th July 2012 at 4-0p.m.. The following members will be attending Councillor Webb, Town Mayor Councillor M Moriarty, Councillor Wilson providing he can leave work early and the Clerk.

148/11 Still no reply to the letter sent to the Secretary of the Caerwys Memorial Institute dated 29th March 2012 re arranging and Annual General Meeting of the Management Committee.

12/12 Bus Shelter, Afonwen. Councillor Parry reported that the Bus Shelter had been cleaned.

30/12 Parking Issues. Reported that Inspector Andy Griffiths will be responding to the Town Council's Letter.

14. 31/12 Data Protection Act. Councillor Parry reported that he and the Clerk had met in the absence of Councillor Webb to discuss whether the Town Council was required to register with the Commissioner for Data Protection purposes. Councillor Parry reported that it is a requirement that the Town Council register and the annual fee is £35-00. The Clerk to arrange for a cheque to be sent. Councillor Parry thanked Councillor Moriarty for bringing the registration aspect to the attention of the council.

8 39/12 Bollards on Mostyn Square. The Clerk reported that she had received a telephone call from Wayne Jones, Street Scene reporting that the bollards will be painted as soon as the weather improves.

8. 39/12 Cars speeding on the Cae Delyn Estate. Inspector Andy Griffiths reported that he would make further enquiries and respond to the letter received from the Town Council.

14. 44/12 Proposed Closure of the Caerwys Surgery. The Clerk reported that she had not received a reply. Members agreed that the Clerk send another letter to the Chairman of the Betsi Cadwaladar University Health Board Professor Merfyn Jones expressing concerns at the closure of the Caerwys Surgery and the lack of response to the letter dated the 30th June 2012.

5.50/12 TO APPROVE THE LIST OF MEMBERS SERVING ON LOCAL COMMITTEES AND OUTSIDE BODIES.

A list was circulated to all members prior to the meeting and was received and approved. Councillor Carus reported that she wished to serve as a member of the Planning Committee. The Clerk enquired if there was any further information in respect of the Caerwys Consolidated Charity Trustees. Councillor Moriarty gave a report on the background of the charity. Further enquiries will be made with the Rector and the Clerk may find some information in the trunk which is the property of the Town Council.

6. 51/12 TO RECEIVE THE COUNTY COUNCILLOR'S REPORT

Councillor Falshaw reported on the following :-

The B5122 road does not meet with the criteria for upgrading. The B5122 from the Tollgate to the A55 a speed limit of 30mph may be introduced.

Re surfacing of South Street, Caerwys will take place during mid August 2012.

Waste Collections – following the rollout of the new waste collection service to remaining 40,000 properties in November 2011 the number of calls received by the service returned to pre-change levels during January 2012.

The recycling rate achieved in the first quarter following the new launch of the service has been maintained.

Review of Flintshire County Council's Street Lighting – The review will consider the introduction of new technologies and part night dimming options to reduce energy consumption and the carbon footprint of the County Council. The review will result in the approval by the Executive of the Street Lighting Policy.

Supporting new and existing business. A total of 68 new businesses have been set up in Flintshire this year with the support of the (Welsh Assembly Government "New Business Start Programme).

The Welsh Assembly Government has given approval to the North East Wales Town Centre Regeneration Project lead by Flintshire County Council. This will support the physical regeneration of town centres across the area and has a project value of £3,959,497. The project will commence from July 2012 to the end of 2015.

A new procedure for the designation of Buildings of Local Interest has been drawn up for agreement by the Executive . There are a significant number of locally important buildings which this procedure aims to protect to prevent their loss to the area. Councillor Falshaw reported that this would include the Old Court House, Caerwys.

7. 52/12 TO RECEIVE THE TOWN MAYOR'S REPORT.

Councillor Webb reported that he and the Deputy Town Mayor Councillor James Falshaw had attended the Proclamation Ceremony of the Denbigh and District National Eisteddfod which was held at Denbigh High School on Saturday 23rd of June 2012. Councillor Webb reported that he had attended the Denbighshire County Council Civic Service.

8. 53/12 CORRESPONDENCE/CLERK'S REPORT.

The following was received :-

An invitation from Flintshire County Council for a representative from Community and Town Councils to serve on the Standards Committee. Councillor Duggan-Keen requested the letter and would be completing the application form.

Letter from the Secretary of the Caerwys Agricultural Show apologising that the Annual Show had to be cancelled due to adverse weather conditions and indicating that the committee would appreciate the support of the Town Council for the 2013 Show.

Letter received from Poppy Parker of 4 Park Grove, Caerwys requesting financial support as she has been successful in gaining a place with the National Youth Theatre. The cost including accommodation amounts to £925-00. After a discussion it was agreed that under the rules of Section 137, that the Town Council can not approve Financial Support for individuals.

Flintshire County Council Summer Playscheme Programme 2012 Reported that the County Council had obtained funding for the scheme will commence on Monday 23rd July 2012 for a five week period finishing on Friday 24th August 2012.

Menter Iaith Conwy – E Mail received from Eryll Tudur offering a translation service. The project is part of the Welsh Government Rural Development Plan and the European Union. Information received.

E Mail received from The Department of Communities and Local Government who have published a consultation paper regarding legislation governing the making of payments by parish and community councils and charter trustees. The paper proposes the making of a Legislative Reform Order to remove the current provisions requiring all cheques and other orders for the payment of money to be signed by two members or trustees.

The paper and a response form in WORD format are available at [http://www.communities.gov.uk/publications/local government/parish councils payments](http://www.communities.gov.uk/publications/local%20government/parish%20councils%20payments).

The publication is mentioned in a written ministerial statement made to Parliament which is available at [http://www.parliament.uk/documents/commons-vote-office/July 2012/17-07-12/8-DCLG-Local Government Finance .pdf](http://www.parliament.uk/documents/commons-vote-office/July%202012/17-07-12/8-DCLG-Local%20Government%20Finance.pdf).

Any comments on the proposals are requested no later than Tuesday 11 September 2012.

9 54/12 REPRESENTATIVE'S REPORT.

Councillor Mrs Helen Priestly reported that she had attended a meeting of the School Governors – Ysgol yr Esgob, Caerwys. Following the Estyn Inspection six of the recommendations made are progressing and the level two is to be lifted. A new Head Teacher has been appointed plus two new teaching assistants to commence their duties at the beginning of the new term in September.,

10. 55/12 STREET LIGHTING FAULTY/OUT OF ORDER.

There were no reports received of faulty lights.

11/56/12 PLANNING APPLICATIONS/DECISIONS.

Planning Application Number 049929 – Application for removal of variation of a condition following grant of planning permission reference No 48861 – Plas Isa, Caerwys Hill Caerwys.

Members of Caerwys Town Council objected to the application on the following grounds :-

1. No evidence of supporting information was provided by the applicant as to the number of inquiries made about 6 weeks occupancy of the contested 57 holiday lodges/chalets.
2. No exceptional circumstances have been put forward by the applicant that would justify a variation of Condition 4 as set out in planning consent relating to 048861.
3. The adjoining Herons Retreat Holiday Park has the same condition of occupancy that the applicant is applying to vary for Plas Isa, (condition listed in Decision Notice for planning application 045808 relating to Herons Retreat).
4. Possible details of occupancy conditions relating to Caerwys View Holiday Park may be specified by the Planning Inspector following an appeal hearing in May 2012 (Planning Application 049192 refers)
5. Any increased occupancy period could contribute to a sense of coalescence between the settlements of Caerwys and Afonwen and would detract unacceptably on the character of the open countryside.

Planning Application Number 049926 Erection of building “Ty Ucha Farm,” Pen y Cefn, Caerwys. There were no objections subject to complying with agricultural farming.

Councillor Moriarty declared an interest in this application and left the Chamber during the discussion and signed the “Declaration of Interest form”.

Planning Application Number 049724 – Erection of a two storey extension to rear of 8 Park Grove, Caerwys-Amended Scheme. There were no issues of concern in respect of the amended plan.

Town and Country Planning Act (Environmental Impact Assessment) Extension to Ddol Uchaf Quarry, Afonwen, Caerwys Scoping Report – Ref 012070.

Caerwys Town Council’s Planning Committee prior to the July meeting. Councillor Falshaw deputising for the Chairman. Caerwys Town Council submitted the following comments to Flintshire County Council :-

1. Impact intrusion-Several residential dwellings less than 35 meters from the proposed Mineral Extraction i.e. Sportsman Terrace, properties along Bryn Sion Hill within 371800N-313100E zone.
2. Noise, dust, pollution undertake scheme of works to limit the impact of the mineral workings, alleviate noise, dust and vibration.
3. (Local) Health and Safety Issues :- parents concern over proximity to quarry, very close to dwellings, essential that safeguards in place for our children that of paramount importance regarding, Health and Safety Issues.
4. Public Foot Path historical importance highlighted on Wednesday 20th June BBC 1 7-0p.m.- Britain’s lost routes (Griff Rhys Jones) a pilgrim trail from Holywell to St David’s, therefore, re-sitting of footpath in consultation with local (Ramblers Association).
5. Buffer Zones :- kept to a minimum height to allay fears of land stability issues.
6. Monitoring Ground Water :- measures to mitigate contamination must be in place as to avoid significant adverse impact on land drainage, groundwater resources or water supplies avoiding the nearby river Wheeler.

7. Environmental Impact Assessment :- AONB of national importance therefore, measures must be in place prior to mineral extraction. Geological impact survey, land sites and wildlife survey complete with an EIA survey impact assessment outlining plan of measures that may be required prior to mineral extraction.

Planning application no; 048465 – Proposal – Details of appearance , landscaping, layout and scale and access thereto, submitted in accordance with condition 1 o outline planning permission Ref 047769 to allow residential development at the former Wilcox Coach Works Afonwen.

Caerwys Town Council has no objections to the principle of the development of the site for residential use, but does object to the proposals, as set out in this application dealing with the reserved matters, on the following grounds.

1. The design of buildings, as illustrated within the submitted documentation, fail to continue the existing character of the buildings in the area, resulting in the visual appearance of the development setting it apart from the existing local built environment.

2, The development site is located within the designated Clwydian Range Area of Outstanding Natural Beauty, albeit at its boundary, where development needs to enhance and preserve its natural beauty by requiring to respect local vernacular design. Dwellings 2.5 storeys high do not contribute to this on producing an obtrusive feature into the locality.

No reference is made of the AONB, except for a fleeting mention within the submitted technical documentation.

3 The hamlet of Afonwen comprises of 80 dwellings within the settlement boundary, yet proposals for the site are for the erection of near 14 properties, an increase of 9% approximately on existing numbers.

Afonwen falls within the growth band of 0 -10% for Category C small villages, which reflects its relative growth potential as laid out in the adopted Flintshire UDP during the plan's life span 2000 to 2015. This growth potential is based on assessment capacity dependent upon constraints on development that will be applicable to this community. Further, within the emerging Flintshire UDP relating to housing within the Flintshire context, at the end of section 11B, is specifically states ***“Any growth in this band (Category C) will generally be restricted to a maximum of 10% of the existing housing stock where possible.”***

4 Planning consent has already been issued for the erection of three detached dwellings within the settlement boundary that require to be considered along with the number proposed at the site subject of this development. (Planning Application No 420017 refers). These are still to be constructed.

5 Within Planning Application NO 047769, submitted by the applicant for the renewal of outline planning permission relating to application No 039788, and approved in November 2010, twelve dwelling were referred to within the submitted Design and Access Statement for construction on the site.

6. The proposed development fails to cater for local housing needs, concentrating on a more affluent lass of society as prospective occupiers. A condition imposed within planning consent for application No 039788 (condition 10) and relating to this development, is requirement for provision of affordable housing. No information is supplied on this aspect within the current documentation received by Caerwys Town Council.

7 A further condition, number 8 placed on the applicant with the grant of planning consent for application 039788, is provision of a children's play area with measures for long term management and maintenance. This is also conditioned with the same number within application 047769 regarding renewal of the original outline planning permission for the development. Again, no indication is made for such provision within the received documentation relating to the site.

8 Disposal of sewerage is a further issue regarding this development due to level of capacity at the Caerwys treatment works and problems with its performance. A further planning application No 045808

relating to the siting of 40 holiday chalets on Caerwys Hill above the development site and proposes to be connected to the same treatment works, are prevented occupation until as such time as upgrading work has been completed. (Condition 20 applies in planning permission consent granted in October 2010). At the present time, planning consent has been granted in respect of proposed development within the town of Caerwys that is still to be constructed, namely, application No 049565 for 8 dwellings, 0442342 for a potential of 54 units as specified within the adopted Flintshire UDP and 047518 for 4 dwellings that is awaiting a decision. All will be connected to the Caerwys treatment works and their accumulative effects require to be taken into consideration.

9, The provision of vehicle parking spaces at the extreme eastern corner of the development does not sit well within the overall scheme by being set apart in an unlit location that would attract vandalism and other criminal activity. To act as some form of deterrent, no information is provided about provision of any form of street lighting at the development.

10 The original accompanying ecological report states that a survey was carried out during wintertime, a season when wildlife species subject of UKBAP proposals are recorded in the locality, a further ecological survey will be required and carried out at a more appropriate time of the year. Nothing done since.

11 A public right of way borders the southern boundary of the development site which no reference is made. This requires to be protected from any obstruction during any construction work undertaken on the development site.

12. Due to the development site being located within an area having known industrial use dating back to at least the beginning of the 19th century, no mention is made of potential archaeological remains that may be revealed on the site. There is a requirement for a suitable qualified archaeological contractor to be present during the undertaking of all groundwork in the development area so that an archaeological watching brief can be conducted.

13 A precautionary approach requires to be adopted when considering this application. The development site is on a floodplain of the River Wheeler and, although recent remedial flood prevention work has been carried out in the area, there is no guarantee that flooding will not take place at sometime in the future. It has to be borne in mind that construction of any hard engineered flood defences in defined areas of flood hazard are unlikely to be sustainable in the long term. With this in mind, occupiers of any new development at the application site need to be made aware of the existence of potential flood risk.

14 The surface of the existing road leading to the proposed development site, at its junction with the unclassified road leading to Moel y Parc, is deemed to be unsatisfactory for increased vehicle usage and required to be brought up to a suitable standard. In addition, visibility at this junction looking to a southerly direction will require radical improvement prior to any development commencing.

12. 57/12 RESEARCH ON THE PROVISION OF COMMUNITY FLOOD MANAGEMENT.

Councillor Moriarty informed Members of an Email received by the Clerk regarding research being undertaken on behalf of the Welsh Government by One Voice Wales as to collating information on the provision of flood risk management at community level. Questions were asked within the Email and, following discussion by Members, the following responses were agreed to be submitted for information.

1. Has the Council developed an independent flood risk management plan? Response – No

2. Has the council worked with other authorities such as the Environment Agency Wales and/or the County Council on flood risk Response - No.

3. Information was also asked for as to whether the Council represented a community that regularly experienced flooding, but did not have any flood risk management coverage and consequently felt vulnerable, or any experience of flooding that was thought may be of interest. Comment – Flooding previously experienced along the River Wheeler in Afonwen prior to engineering work undertaken during the past decade to the river course within the settlement area and to a culvert under the A541 road. River Wheeler vulnerable to flooding during lengthy periods of heavy rainfall to the east and west of the section where engineering work of river course had been carried out.

4. Concern as to vulnerability of property on northern side of the A541 Road where a tributary stream flowing down a narrow valley to the east of Caerwys feeds into the River Wheeler via the culvert. This concern arises due to holiday development along the valley and the creation of substantial water features along the course of the stream within these developments.

Members agreed that Councillor Moriarty emailed the responses on behalf of the Town Council to One Voice Wales.

13. 58/12 APPROVAL OF ACCOUNTS FOR PAYMENT/APPLICATIONS FOR FINANCIAL SUPPORT.

Approval received for the payment of the following :-

1. Scottish Power (monthly costs of street lighting)	chq No 101660	£285- 47
2. NWP Power Systems (monthly maintenance +repairs to lamp o/s “Oakleigh”, Pen y Cefn Road £24-50 +£127-50	chq No 101661	£182-40
3. North Wales Association for Town & Larger Councils Lunch for delegate	chq No 101662	£ 14-50
4. The Information Commissioner, (Annual fee)	chq No 101663	£ 35-00
5. E E Snowden (Clerk’s Salary)	chq No 101664	
6. E E Snowden (Clerk’s Expenses)	chq No 101655	
7. E E Snowden (travelling expenses from 23/3/12 to 10/7/12	chq No 101666	£ 105-30
8. W E Cooke (Bus Shelter maintenance)	chq No 101667	£ 60-00

Applications for Financial Support

1. Cor Meibion Caerwys (2 nd prize Young Musicians Competition)	chq No 101668	£100-00
2. Caerwys Town Hall Management Committee (The Local Government Act 1972 (Section 133)	chq No 101674	£5,000.00