

**MINUTES OF THE MEETING OF CAERWYS TOWN COUNCIL, HELD IN THE CAERWYS  
MEMORIAL INSTITUTE, ON TUESDAY THE 16<sup>TH</sup> JULY, 2013, AT 7.00PM**

**1(A). 40/13  
PRESENT**

Councillor James E. Falshaw (Town Mayor )  
Councillor Mrs Lynette M. Edwards (Deputy Town Mayor )  
Councillor Ms. A. Louise Carus  
Councillor Jonathan E. Duggan-Keen  
Councillor David S. Knights.  
Councillor Michael M. Moriarty  
Councillor R. Phillip Parry  
Councillor Ms. Helen L. Priestly  
Councillor Jonathan A. G. Webb  
Councillor Stephen G. Wilson

**1(B). 41/13  
APOLOGIES**

Councillor E. Vincent Frost

**1(C). 42/13  
DECLARATIONS OF INTEREST**

- (a) Councillor Michael M. Moriarty, declared an interest in planning application number 050169.  
( Minute number 10(C). 61/13, on page 7 below refers ).

**There were no further Declarations of Interest Declared.**

**1(D). 43/13  
MINUTE TAKING AT JULY MEETING**

The Mayor Councillor James Falshaw welcomed Councillors' and the guest speaker to the meeting. The Mayor advised, that in the absence of Mrs. Elizabeth Snowden, the Town Clerk & Financial Officer, that Councillor R. Phillip Parry had kindly agreed to be the minute taker for the meeting, and would be referred to as the Acting Clerk in these minutes.

**1(E). 44/13  
BEREAVEMENTS**

The Mayor and Members advised, that there were no reported deaths within the community, between the June and July Council meetings.

**2(A). 45/13  
MR. RUSSELL JONES - CHAIR OF FLINTSHIRE COMMUNITY HEALTH COUNCIL TO  
ADDRESS THE MEMBERS**

**2(B). 46/13  
Members agreed to Suspend Standing Orders.**

The Mayor Councillor James Falshaw, welcomed Mr. Russell Jones, Chair of the Flintshire Community Health Council to the meeting. The Mayor indicated to Mr. Jones, that he was aware that he was visiting

many of the Town and Community Councils' in Flintshire, and was pleased that Mr. Jones had chosen Caerwys in his itinerary.

Mr. Jones thanked the Mayor for his welcome, and stated that Caerwys was an historic town, and he was pleased to visit. Mr. Jones advised the Members, of the background to the Flintshire Community Health Council (FCHC) - which was an independent statutory organisation in North Wales. Mr. Jones further advised of the Committee make-up and appointment to the FCHC, including his position as Chair. Mr. Jones wished to develop an awareness of issues within the community, to which he could advise the FCHC committee, and to subsequently report back to the Town Council during future visits.

Mr. Jones also advised of visits to hospitals and dental surgeries, and how the FCHC wished a hospital to be a cheerful and friendly place both for patients and visitors. During the visits, the FCHC ensure that staff identification badges are visible, bilingual signage, disabled and general parking facilities are available - to a choice of food for patients, and that water is easily reached by patients ( this list is an example and not exhaustive ).

Mr. Jones again expressed his wish to achieve a relationship with the Town Council Members, through feedback, and in particular, stories of interest from patients. All information can be reported in a confidential way, as the FCHC are aware, that on occasions there is concern in reporting issues.

Many questions were posed to Mr. Jones - as per the following examples; **(a)** do the FCHC visit pharmacies. Mr. Jones advised that they were visited, but presently private nursing homes were not. **(b)** Can budgets be ring-fenced for certain medical areas. Mr. Jones advised, that it would not be possible, especially as the NHS budgets were difficult to sustain. **(c)** Should an area of concern be found during a visit, how are the concerns reported. Mr. Jones advised, that after each visit a report is written for the Board, and concerns are brought to the attention of the hospital management immediately, should there be any urgent findings. **(d)** Concern was expressed that residents receiving care in the community, are visited during the day, but not during the night time. Mr. Jones acknowledged that this was a concern, and was subject to review. The Holywell Hospital had received extra capacity for night care. **(e)** Members expressed their concern in respect of the Beech House Surgery closure in Caerwys. Patients were now required to make appointments in Denbigh, and with a two hourly bus service, it was causing difficulties for patients, especially the elderly. Mr. Jones advised, that he was aware of this concern, and suggested that the withdrawal of the weekly surgery service, would have been down to funding.

The Mayor Councillor James Falshaw, thanked Mr. Jones on behalf of the Town Council Members, for his informative address, and for his attendance at the meeting.

## **2(C). 47/13**

**Members agreed to Re-instate Standing Orders.**

## **3. 48/13**

**TO RECEIVE AND CONFIRM THE MINUTES OF THE MEETING HELD ON TUESDAY 18<sup>TH</sup> JUNE 2013**

The following amendments were agreed to be made to the Minutes of the Meeting, held on Tuesday the 18<sup>th</sup> June, 2013.

- (1) Page 2 - Minute number 6. 31/13, Correspondence & Clerk's Report.** A letter from the Caerwys in Bloom Committee had not been minuted. The letter sought the support of the Town Council, to place a wooden carving of a hare in the area of the butterfly bed on the Marian Common. A sketch of the project was attached to the letter. The Council Members had agreed at the June meeting, that they would support the application in principle, subject to all the required permissions, having been applied for and granted. ( Minute number; 5(A). 50/13(1), on pages 3 & 4 below refers ).

- (2) **Page 3 - Minute number 9. 34/13, Future Street Lighting.** The third paragraph should read as follows; After discussion, the Members agreed to accept the street lighting repair services from Deeco Lighting, on a call out basis only, and to also include the provision of a 20% yearly inspection of the Town Council's street lighting columns.
- (3) **Page 4 - Minute number 14. 39/14, Approval of accounts for payment / applications for financial support.** The above referred to letter in paragraph (1), received from the Caerwys in Bloom Committee, also requested financial assistance, which has not been minuted. The letter requested financial assistance towards the carving and installation of a hare on the Marian Common. The Minute should read as follows; The Members agreed, that the application for financial assistance would be considered, subject to all the required permissions, having been applied for and granted.

Following the above amendments to the June 2013 Minutes, the Minutes were Proposed as correct by Councillor Ms. Helen Priestly, and Seconded by Councillor Ms. Louise Carus, as correct. **The Members agreed.**

#### 4. 49/13

#### MATTERS ARISING

- (1) **Page number 2 - Matters Arising. Minute number; 3. 28/13, sub minute number 24/13,** relating to the closure of the public toilets in Caerwys. The Acting Clerk advised, that as the closure of the toilets was also an Agenda item at number 12, placed by Councillor Michael Moriarty, that it should possibly be discussed under this heading. Councillor Moriarty agreed, and the **Members approved.** ( Minute number; 12. 66/13, on page 8 below refers ).
- (2) **Page number 2 - To receive the County Councillor's Report. Minute number; 4.29/13,** relating to the first and second paragraphs. In particular, the second paragraph, whereby it was agreed that Mr. Salt be invited to the September meeting of the Town Council. The Acting Clerk enquired, that as the Council Members had already agreed their decision on the planning application, under reference number; 050880, for the erection of an anemometer mast, at Ffrith Y Garregwen, Caerwys, was it now appropriate, that Mr. Salt attend the September meeting. **The Members agreed that it was not appropriate, and requested that the Town Mayor Councillor James Falshaw, advise Mr. Salt of the decision.** ( See also Minute number; 10(A). 59/13(a), on pages 6 & 7 below ).

#### 5(A). 50/13

#### CORRESPONDENCE

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

- (1) The Acting Clerk advised of an e-mail received from Mr. Mark Isherwood ( Welsh Assembly Member ). Mr. Isherwood was requesting clarification, on behalf of the Caerwys In Bloom Committee, in relation to a letter sent to the Committee from the Town Clerk, after the June Council meeting. The Acting Clerk advised the Members, that he had replied to Mr. Isherwood as follows;
- The area of land known as the Marian, Caerwys, is registered as common under the provisions of the Commons Registration Act 1965. In the Register maintained by FCC this area is designated under the reference: CL.118.
  - The Marian became subject of protection under Section 9 of the Commons Registration Act 1965. This section provides that any local authority in the area of the land could 'take such steps for the

protection of the land against unlawful interference as could be taken by an owner in possession of the land.' In other words, the local authority, in this case FCC, can take action to prevent unlawful activities on the Marian as if it owned the land.

- As regards to Common Land in England and Wales, then under Section 38 of the Commons Act 2006, should anyone want to erect a work on common land they must apply for the consent of the Secretary of State for the Environment or the Welsh Government, in addition to any planning or other consent required.
  - **The Members agreed with the above reply.** ( See also Minute number; 3. 48/13(1), on page 2 above ).
- (2) The Acting Clerk referred to an e-mail, that had been forwarded to all Members of the Council, which had been received from the owner of The Old Court, High Street, Caerwys. The information contained in the e-mail, advised of proposals to set up a charity and name the premises Henllys Art House. **The Members agreed, that they would look favourably upon any proposal that is put forward, for the restoration of the building fabric. In particular, as the property is a Grade 2 Star Listed Building - subject to all the required permissions being applied for and granted.**
  - (3) The Acting Clerk advised of changes to the Ombudsman guidance to Town and Community Councils, in respect of the obligations to gifts and hospitality. The Acting Clerk suggested that he e-mail the link to this report to the Members. **The Members agreed.**
  - (4) The Ombudsman Annual Report for 2012 / 2013. The Acting Clerk suggested that he e-mail the link to this report to the Members. **The Members agreed.**
  - (5) Review of Community Boundaries in the County of Flintshire. The Electoral Services Department of Flintshire County Council, have requested that the Town Council confirm, or other, that whilst no anomalies were identified within the Town Council electoral area, that they have no proposals for any change. **The Members confirmed, that they would wish the current electoral arrangements to remain.**

#### **The following correspondence was taken as received;**

- (a) Family Information Service Flintshire - Summer Fun 2013 booklet.
- (b) Evaluation of the Flintshire Rural Development Plan. The Acting Clerk advised that he had completed this on behalf of the Council, which identified the various grants received by the Caerwys Historical Society, from Cadwyn Clwyd.
- (c) The Flintshire County Council Standards Committee meeting - has been arranged for Monday 14<sup>th</sup> October, in the Connah's Quay Town Council Offices.
- (d) The Flintshire County Council Summer Play Scheme - will commence on Monday the 22<sup>nd</sup> July, for three weeks and will finish on Friday the 9<sup>th</sup> August.
- (e) Bagillt Web Design - offering to create a Town Council website.
- (f) Information relating to - The Royal Welsh being granted the Freedom of the County.
- (g) E-mail received from the Community Involvement Officer - Mental Health Care in Llandyrnog. The correspondence advised of their interest in re-establishing a litter pick in Caerwys. Information passed to Town Mayor Councillor J. Falshaw. Councillor D. Knights requested contact details for the Officer.

#### **5(B). 51/13**

#### **CLERK'S REPORT**

#### **In the absence of the Town Clerk, there was no Clerk's Report.**

The Acting Clerk advised the Members of the following; it was normal practice of the Town Council, that at the September and January Council meetings, no guest speakers are arranged, due to the volume of information before the Council, as the preceding months to these meetings, there are no Council meetings held.

**6(A). 52/13**

**ATTENDANCES FOR 2012 / 2013**

The list of Councillor attendances from April 2012 to March 2013, had been circulated to the Members with their Summons for the meeting. The following amendment to the list was made; the sitting data for Councillor Stephen Wilson, for June 2012, was amended from absent to apology. There were no further amendments. **The Members agreed the attendances for 2012 / 2013**

**6(B). 53/13**

**NATIONAL & LOCAL STANDING ORDERS**

The Acting Clerk explained to the Members, that whilst the rules and regulations state, that at least annually, or more frequently, the various Policies, Internal and Financial Controls must be reviewed. It is also good practice, to carefully review a number of Policies and Controls, on a more through basis.

The Acting Clerk, together with the Council Members, perused the six pages of the Caerwys Town Council's Local Standing Orders. The Acting Clerk clarified many of the sections to the Members. The Members were of the opinion, that there were some changes required to the Local Standing Orders. The Acting Clerk advised, that this could be addressed when they are subject to the annual review, in either September or October. **The Members agreed.**

**7(A). 54/13**

**TO RECEIVE THE TOWN MAYOR'S REPORT**

The Town Mayor Councillor James Falshaw, advised of his following attendances as Mayor;

- Civic Sunday Services; Chairman of Denbighshire County Council, Flint Town Council, Denbigh Town Council.
- Ysgol yr Esgob, Caerwys - School Sports Day.
- The Rectory, Caerwys - Garden Party.
- Caerwys Football Club - Two presentation evenings, for the winter and summer football leagues.

**7(B). 55/13**

**TO RECEIVE THE COUNTY COUNCILLOR'S REPORT**

The Town Mayor Councillor James Falshaw, as County Councillor, advised the Members of the following;

- ❖ A meeting held in Caerwys with Mr. A. Lightfoot, Flintshire County Council Street Scene Manager for the area. Mr. Lightfoot wishes to receive a copy of the Town Council minutes, with any matters or actions highlighted that requires his attention.
- ❖ Mr. Lightfoot is arranging an Environmental Audit within the community in the near future. Councillor Falshaw advised, that he would be asking for volunteers to attend the audit.
- ❖ The Flintshire County Council Speed Limit Review, is presently under further consultation until February 2014. Councillor Falshaw advised of the following recommendations; B5122 road from the A55, to the Piccadilly area, will continue to be 60mph. Caerwys Hill to Afonwen, reduced to 40mph. A541 road at Afonwen, speed limit reduction to 40mph. Councillor Falshaw further advised, that after the consultation period, the speed limit orders would be completed during 2014.

**8(A). 56/13**

**REPRESENTATIVE'S REPORT**

- (a) Councillor Ms. Helen Priestly, as the Town Council School Governor representative, advised the Members, that the latest school results were encouraging. The School will be advertising for a full

time teaching position, with the appointed person commencing duties in September.

- (b) Councillor Mrs. Lynette Edwards, as Deputy Mayor, advised the Members, that she had attended the Saltney Town Council Civic Service.
- (c) Councillor David Knights advised the Members, that the Annual General Meeting of the Caerwys Youth Club had been held recently, and thanked Councillor Falshaw, for taking the Chair in his absence.
- (d) Councillor Michael Moriarty advised the Members, of his attendance at the County Forum. Councillor Moriarty referred to the following points that were discussed; (1) Flintshire Local Development Plan (2) Review of Community Boundary Update (3) Housing Quality Standards (4) CCTV funding - which was not forthcoming (5) Reduction in budget from the Welsh Assembly Government - 40 Million pounds over the next five years (6) Flintshire County Council will be arranging a meeting for Town and Community Councils, on the 18<sup>th</sup> September, whereby representatives from the County Street Lighting department will be in attendance.

### **8(B). 57/13**

#### **TO UPDATE REPRESENTATIVES REGISTER**

The current list of Council Members who serve on Local Committees and Outside Bodies, had been circulated to the Members with their Summons for the meeting. The following amendments to the list were made;

- (a) Caerwys Youth Club. In his absence, Councillor Vincent Frost was nominated as the Council's third representative on the Youth Club Committee.
- (b) The Flintshire Local Access Forum was added to the list - with Councillor Ms. Helen Priestly as the Council's representative.
- (c) Planning Sub-Committee. Councillor Michael Moriarty advised the Members, that it was possible to ask the Planning Department, for an extension to the consultation period, should the date for observations fall before the monthly Council meeting.

### **9. 58/13**

#### **COMMUNITY LIGHTING**

The Acting Clerk was not aware of any lamps, that had been reported out of order to the Town Clerk since the last meeting.

#### **The following lamp was reported out of order at the meeting;**

- (1) At the bottom of Holywell Road and the junction of Bryn Aur. The Acting Clerk advised that he had viewed the lamp post, which appeared to be new, but the actual street lighting unit was not mounted on the pole. The Acting Clerk suggested to the Members, that the lamp post had been renewed by Scottish Power, and they would have taken away the lamp unit with the removed lamp post. Scottish Power would normally contact the Town Clerk, but as Mrs. Snowden was on leave, the **Members agreed to await the return of the Clerk, who would investigate.**

### **10(A). 59/13**

#### **PLANNING APPLICATIONS**

#### **The following planning application had been received;**

- (a) Application number; 050880 - for the erection of a anemometer mast (up to 80m in height) for the temporary period of three years, at Ffrith y Garregwen, Caerwys, CH7 5BP. **The application was objected to on the following grounds;**

1. The mast will be visible over an extensive area, in fact several kilometres in the westerly direction.
2. Adverse visual impact upon the location and this is on a gateway to Wales' most successful tourist areas.
3. The proposed structure will not enhance the character or appearance of the open countryside: in fact visitors will wonder where they have come to and if they are visiting an industrial estate.
4. Due to the height and design of the mast it will adversely impact on the nearby designated AONB and the Offa's Dyke Path, a designated national trail. More damage to tourism.
5. The development is not connected with a small scale farm diversification scheme, which might be a small excuse for its existence.
6. Not connected with a small scale rural enterprise: this is an industrial scale enterprise proposed by what many might consider feudal landowners.
7. Adverse impact upon the residential amenity of surrounding dwellings.
8. The anemometer mast, although indicated as being a temporary structure, could become a permanent feature of any proposed wind farm development and may be a precursor to a change of use.

( See also Minute number; 4. 49/13, on page 2 above ).

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

**10(B). 60/13**

**The Members approved the decision of the planning sub-committee, in respect of the above planning application number; 050880.**

**10(C). 61/13**

**Declaration of Interest.** Councillor Michael W. Moriarty declared an interest, in planning application number 050880 above. Councillor Moriarty left the room during the Council Members' deliberations, and completed and signed a Declaration of Interest form - Members Code of Conduct. ( See Minute number; 1(C). 42/13, on page 1 above ).

**10(D). 62/13**

**The following planning application was dealt with by the Members at the meeting;**

**Planning application number; 050955, for the demolition of existing garage and erection of ground floor extension to side, at 6, St. Michael's Close, Caerwys, CH7 5BT.**

**The Members agreed the following reservations in respect of the application;**

- (i) The scale of this development, is in conflict of policy HSG12 and planning guidance note No 1 as this development is >50%.
- (ii) This development affects the amenity of two adjacent properties.
- (iii) That the development ensures off road parking for two vehicles, to ensure that safety is ensured, as this property is situated at the end of a cul-de-sac.

## 10(E). 63/13

### PLANNING DECISIONS

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

- **Application number; 044850**, for the erection of an extension to existing garage, at Park View Garage, Lloc. **Approved.**

## 10(F). 64/13

### PLANNING APPLICATION NUMBER 050008 - UPDATE

The Members were advised as to the present position, in relation to the above planning application number. The application was for the construction of a public house, creation of parking and turning areas, cycle store and means of access, the provision of 45m<sup>2</sup> of photovoltaic cells and hard and soft landscape treatment, at land East of McDonalds, Lloc. The application is presently pending an appeal to the Planning Inspectorate (Wales), and a hearing scheduled for the 9<sup>th</sup> July, was postponed to a date to be fixed - under Reference number; APP/A6835/A/13/2194342. Councillors' M. Moriarty and S. Wilson, advised of their unavailability to attend the hearing on behalf of the Town Council, should the hearing be held during the beginning of August. The Mayor Councillor J. Falshaw advised, that once the new hearing date is known, he would arrange representation from the Town Council. ( **Note; After the Council meeting the Acting Clerk was advised, that the appeal hearing was to be held on Wednesday 7<sup>th</sup> August, in the Pantasaph Community Hall, Monastery Road, Pantasaph, at 10.00am** ).

## 11. 65/13

### TRAFFIC SURVEY - NORTH STREET ( COUNCILLOR A. CARUS )

Councillor Ms. Louise Carus, recalled to the Members the Flintshire County Council road traffic survey, which was carried out on the B5122 in Caerwys, between the 17<sup>th</sup> to 23<sup>rd</sup> February, 2013. Councillor Carus referred to the report received from the County Council, which only provided evidence of North bound traffic, with no information from South bound traffic. Councillor Carus requested that the matter be placed on the September Agenda, and in the meantime, that the Clerk write to the County Council, asking for a copy of the full survey. **The Members agreed.**

## 12. 66/13

### CLOSURE OF CAERWYS PUBLIC CONVENIENCES ( COUNCILLOR M. MORIARTY )

Councillor Michael Moriarty, advised the Members of a meeting held in the Memorial Institute on the 3<sup>rd</sup> July, with representatives from the Cilcain Community Council, whose public conveniences have also been closed by the Flintshire County Council. Councillor Moriarty further advised, that the meeting was very productive, and an agreement made to liaise between the two Councils.

Councillor Moriarty also advised of a public meeting held in Cilcain, on Monday the 15<sup>th</sup> July, which he and other Members of the Town Council had attended. Prior to the public meeting, representatives from Caerwys and Cilcain Councils' met privately. Councillor Moriarty provided the Members with an overview of both meetings.

After discussion, **the Members agreed the following;** (a) to form a steering committee, with a mandate to explore the feasibility to re-open the toilets, as a Caerwys Community run public convenience (b) to create a business plan, which will include a costing exercise (c) to place an advert in the Caerwys Chronicle, asking members of the public to attend a meeting, to be held on Tuesday 24<sup>th</sup> September, at 7.30pm, in the Memorial Institute ( for any interested residents to be involved with the proposed steering committee ) (d) The Mayor Councillor James Falshaw, together with Deputy Mayor Mrs. Lynette Edwards, agreed to be the Town Council's representatives on the steering committee. (See also Minute number; 4. 49/13(1), above on page 3 ).



**13. 67/13**

**APPROVAL OF ACCOUNTS FOR PAYMENT**

<b>Cheque Number</b>	<b>Payee</b>	<b>Net £</b>	<b>Vat £</b>	<b>Total £</b>
762	E. E. Snowden ( Clerk ) - Salary July 2013			
763	E. E. Snowden ( Clerk ) - Expenses July 2013			
764	Scottish Power ( Street Lighting Supply – June 2013 )	238.80	47.76	286.56

**14. 68/13**

**APPLICATIONS FOR FINANCIAL SUPPORT**

<b>Cheque Number</b>	<b>Name of organisation</b>	<b>Amount granted £</b>
765	Caerwys Youth Club	150.00

**15. 69/13**

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

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

**SIGNED BY THE CHAIRMAN;.....**

**DATE OF APPROVAL.....**