



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 16th September 2014, At 7.30pm.

1(A). 198/14 PRESENT

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

Clerk & Financial Officer R. Phillip Parry

1(B). 199/14 APOLOGIES

None

2(A). 200/14 MINUTES SILENCE - BEREAVEMENTS WITHIN THE COMMUNITY

The Mayor Councillor Mrs. L. M. Edwards, asked Members to stand in a Minutes Silence, in memory of the following; Mrs. Glenys Jones, Summerhill Farm, Lon Y Porthmyn, Caerwys and Mr. Edwin Falshaw, 8, Maes Y Dre, Caerwys.

The Mayor Councillor Mrs. L. M. Edwards, offered the condolences of the Council to Councillor J. E. Falshaw and his family, in the recent passing of his father, Mr. Edwin Falshaw.

2(B). 201/14 Standing Orders were suspended; to enable PCSO Carol Richards to address the meeting.

The Mayor Councillor Mrs. Lynette M. Edwards, welcomed PCSO Carol Richards to the meeting and congratulated the PCSO on her appointment to the area.

PCSO Richards advised the Members that she had been appointed some three months ago, and the area of her duties covered the Caerwys Town Council area, including Brynford and Halkyn Council areas. PCSO Richards advised of the following reported criminal offences which had been recorded since June. A number of burglaries from outbuildings and garages, in particular, along the Pen Y Cefn Road and in the Pen Y Cefn area its self. Theft of a vehicle in Pen y Cefn. Two offences of criminal damage, one in Maes y Dre and on Caerwys Hill. An ASB Assault outside the Piccadilly Inn.

Councillors enquired in relation to the damage too two trees on the highway verge between the Piccadilly Inn and entrance to St. Michael's Drive. One tree had been uprooted and the other decapitated. The damage is alleged to have occurred on the day of the Flintshire Real Ale Trail. PCSO Richards advised that the criminal damage had not been reported. The Clerk was asked to report the damage. (**See also Minute number; 8. 210/14 (d) on page 5 below**).

2(C). 202/14

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

3. 203/14

DECLARATIONS OF INTEREST

The following Declaration of Interest was Declared;

Councillor M. W. Moriarty declared an interest in respect of the following two planning applications; 052396, at Park View Garage, Lloc and 051826, at Ty Coch, Pen y Cefn. Councillor Moriarty completed and signed a Declaration of Interest At Meetings form, and left the room during the Members deliberations. (**See Minute number; 10(C). 214/14 on page 7 below**).

4. 204/14

TO APPROVE THE MINUTES OF THE MEETING HELD ON THE 15TH JULY, 2014

There were no amendments and the Minutes were proposed as correct by Councillor David Knights and seconded by Councillor Stephen Wilson, and formally agreed by the Members present.

5. 205/14

MATTERS ARISING

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

Minute no; 6(B). 179/14 (ii), in respect of the non-domestic rates for the public conveniences. The Clerk advised the Members, that as the lease to the premises is in the name of the Trustees of the Public Conveniences, on behalf of the Town Council, the exemption of payment applies.

Minute no; 13. 191/14, in respect of the future of the Pwllgwyn Hotel in Afonwen. The Clerk advised the Members that he had written to the Flintshire Planning Department, as requested, seeking their guidance in respect of the process required for the change of use of the premises. The letter also enquired as to the regulations in respect of a licensed premises being closed. The Clerk advised that as no reply had been received, he had written to the planning department for the second occasion, in which the letter was personally addressed to Mr. Andrew Farrow - Planning Chief Officer, asking for a reply before this evening's Council meeting. The Clerk further advised, that no reply had been received from either letter.

Minute no; 14(a). 192/14, in respect of offensive odours emanating from Summerhill Farm. The Clerk referred the Members to the Town Council's letter to the County Environment Department,

sent after the July Council meeting. A reply had been received from Flintshire Planning & Environment by e-mail (dated 06/08/14 at 14:05) and cascaded to all Council Members.

The Clerk advised that further complaints had been received from residents. The Council Members further discussed the almost daily offensive odours that were still emanating from the farm. It was suggested that the Clerk write to the Managing Director of the Company (now known as Mr. Grant Walling - JSR Genetics, Southburn, Driffield, East Yorkshire). **The Members agreed.**

Minute no; 14(b). 192/14, in respect of the overflowing dog bin sited near to the main St. Michael's Church entrance and opposite the Town's primary school. The Clerk advised that he had written to the Flintshire Street Scene Department, asking if the present bin be replaced with a larger one. The letter also asked if the County could kindly inspect all the red dog bins in the Caerwys Council area. The Clerk advised that he had received no reply. Councillor M. Moriarty referred to the Flintshire County Council Charter with Town & Community Councils, and in particular, that correspondence would be replied to or acknowledged within a specific timescale. The Clerk advised that he would be placing the concerns on the next agenda of the County Forum, due to be held in October.

Councillor M. Moriarty enquired in relation to the following Minute numbers;

- (a) **5. 177/14 (page 2) - sub minute; 11. 167/14 (first paragraph on page 3)**, in respect of the sentence ' Councillor Aaron Shotton etc., had seeked an explanation from Officers of the Council ' Councillor Moriarty enquired if a further reply had been received from Councillor Shotton. The Clerk replied in the negative.
- (b) **6(A). 178/14 (4)**, in respect of the application by a Mr. Robert D. W. Young - a member of the Heraldry Society. Councillor Moriarty enquired if the Clerk had received confirmation from Mr. Young, that a copyright notice had been placed on his web site, in respect of the Town Crest. The Clerk advised, that he had not been made aware that the information had been uploaded to the Heraldry web site, but would view the site and report back at the October Council meeting.

6(A). 206/14

CORRESPONDENCE

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

- (1) Request from Flintshire County Council for the views of the Town Council, in respect of the name for the new development at the former George Rees building. The name requested by the builder was Melyd Court. The Clerk had requested the Members thoughts by e-mail, which was to agree as follows; the bilingual name of Cwrt Melyd above Melyd Court.
- (2) Information on the next County Forum meeting - 16th October in Mynydd Isa. Councillor Moriarty advised that he was unable to attend. The Clerk confirmed his attendance.
- (3) Information received from Flintshire County Council, in relation to the Big Budget Conversation. Councillors' J. E. Falshaw and M. W. Moriarty, together with the Clerk agreed to attend.
- (4) Invitation from Flintshire Local Voluntary Council, for a member of the Council to attend their AGM, on Thursday 25th September, at Deeside Campus, Connah's Quay. Councillor David Knights provisionally agreed to attend.

The following correspondence was taken as received;

- (a) Play for Wales - Information received by Councillor Ms. H. Priestly.
- (b) Citizens Advice Bureau Annual Report - Information received by Councillor Ms. Louise Carus.
- (c) Information in respect of the next meeting of the North Wales & Mid Wales Association of Local Councils - Received by Councillor J. Webb.
- (d) Flintshire County Council Chair's Civic Dinner on the 12th March, 2015 - Information received by Councillor Lynette Edwards as Mayor.

**6(B). 207/14
CLERK'S REPORT**

The Clerk advised the Members of the following;

- (1) Receipt from Flintshire County Council of second payment of precept for £7,896.67.
- (2) Confirmation from the Area Dean of Denbigh, that Canon John Evans is allowed to officiate at the Mayor's Civic Service. The Clerk advised that he was requested to write to the Area Dean for permission, as on the Civic Service date, the St. Michael's Church would be without a Priest in Charge.
- (3) The Clerk advised that in August he was requested by Councillor M. Moriarty, to write to the Flintshire County Council planning department to seek advice. Councillor Moriarty had received a complaint (as had the Clerk), that on the 27th to the 29th June the Woodfest Wales 2014 event, which was held in fields in Pen Y Cefn. For this event two 80ft (24.38m) high climbing poles were erected, and information received suggests that they are likely to remain in situ for future events. Being that both poles are over 15m (49.21ft) high and are likely to become permanent fixtures for an indefinite period. In particular, as they are sited in open countryside, the Council wishes to ascertain if planning permission is required for their retention. The Clerk advised, despite the original letter, including a further letter in September addressed to Mr. Andrew Farrow, Chief Planning Officer, no reply or acknowledgement had been received.

**6(C). 208/14
EXTERNAL AUDITOR'S REPORT - YEAR ENDED 31ST MARCH, 2014**

- (a) The Clerk advised the Members that the original and signed, Local Councils in Wales Annual Return for the Year Ended 31st March 2014, had been received from Hacker Young, the Welsh Assembly appointed External Auditor for Wales. The Return stated, that there were no issues to be brought to the attention of the Council Members.
- (b) The Clerk further advised, that the Statement of Assurance of Notice of Conclusion of Audit and Right to Inspect Annual Return, had been displayed on the notice boards within the Community - during the required period, as requested by the External Auditor.

**7. 209/14
TOWN MAYOR'S REPORT**

The Town Mayor Councillor Mrs. Lynette M. Edwards, advised the Members of her attendance at the following;

- (a) Attendance at a Royal British Legion WW1 Lunch in Prestatyn. Councillor Mrs. Edwards advised that a 93 year old veteran of the WW1 was in attendance, who reminisced in relation to his experiences during the war. The Mayor felt it was a moving experience.

- (b) The attendances at the following Civic Sundays; Denbighshire County Council, Rhuddlan Town Council, Saltney Town Council, St. Asaph City Council and Leeswood Community Council.

8. 210/14

COUNTY COUNCILLOR'S REPORT

Councillor J. E. Falshaw as County Councillor, advised the Members in respect of the following;

- (a) Attendance at the Flintshire Environmental Competitions Presentation Evening in County Hall, Mold. Caerwys in Bloom representatives were also in attendance to collect awards for the Town.
- (b) The red dog bin near to St. Michael's Church entrance and opposite the Primary School, has been repaired.
- (c) A lorry load of rubbish had been deposited in the area of the old weighbridge, at Maesmynan Quarry in Afonwen.
- (d) Damage to two trees on the highway verge between the Piccadilly Inn and entrance to St. Michael's Drive. One tree had been uprooted and the other decapitated. The damage is alleged to have occurred on the day of the Flintshire Real Ale Trail. Councillor M. Moriarty advised, that he would be attending a meeting in the near future, whereby representatives from the Flintshire Tourism Association who organise the Flintshire Real Ale Trail, will be in attendance. Councillor Moriarty would advise the representatives of the criminal damage that has occurred. (**See also Minute number; 2(B). 201/14 - paragraph 2 on page 2 above**).

9. 211/14

REPRESENTATIVES / LIAISON COMMITTEE REPORTS

- (1) Councillor David Knights advised that the Youth Club leader was leaving her position. It was hoped that the County Youth Service would be able to appoint someone to temporarily cover the position, until the post is advertised and a new leader appointed. Otherwise the club would close. The Council Members discussed the youth club in general, with Councillor J. Duggan-Keen suggesting, that a more interesting programme might attract and persuade a new leader to the Caerwys club.
- (2) Councillor Ms. Louise Carus provided an update in respect of the Town Hall proposed alterations. The next stage grant applications are still not in place, but it is hoped that progress will be made in the near future.
- (3) Councillor Jonathan Webb reported on his attendance at a meeting of the North Wales & Mid Wales Association of Local Councils in July, and in particular, to a presentation by the Welsh Assembly Government.
- (4) Councillor Mrs. Lynette Edwards reported in respect of the Caerwys FLUSH Committee. Some damage had been caused which had resulted in a cover being placed over the wall heater. Some damage to a window sill and a deliberate blockage to the toilets. The average weekly donations were £10.00, and the committee had decided to close the toilets earlier for the winter months. An automatic closing mechanism will most probably be placed on the doors during the winter, to save heat.

There were no further representatives' reports.

PLANNING APPLICATIONS

The following planning applications had been received;

- (a) **Application number; 052414**, at The Pwll Gwyn Hotel, Afonwen, for the part change of use to small scale artisan production of sauces and condiments, including bottling and distribution.

The decision of the Council was to object to the application, for the following reasons and concerns;

- (1) Concerns from evidence in the application and web site pages that the company are not serious about maintaining the existing pub and restaurant business, which is very important to the local community of Afonwen. The Pwll Gwyn is the only place where members of the community can meet in the evenings and if the public house closed then this would affect the community adversely.
- (2) The permitted development from A3/A4 to B1, is for light industry - and is not appropriate in a residential / rural area.
- (3) Flintshire Unitary Development Plan (FUDP) Ref.S9 states; that 'Non-retail commercial development is allowed provided that 'the development would not be significantly detrimental to local residents '. The Town Council are concerned that the potential closure of the public house would have a very detrimental impact to the residents of Afonwen.
- (4) (FUDP) S11 Retention of local facilities states that (a) development which will lead to the loss of a shop, post office or public house or other buildings which performs a social as well as an economic role will be permitted only, where: Similar facilities exist in the neighbourhood or village which are equally as conveniently accessible. To local residents or; (b) Where this is not the case, the property has been advertised at a reasonable price for sale or lease in its existing use for a period of a least a year without success. The Town Council are concerned that the evidence shows that the company is not really interested in maintaining the pub, and this application would ultimately breach UDP S11.
- (5) (FUDP) STR states that a new development will be generally located within existing settlement boundaries, allocations, development zones and that principal employment areas and suitable brownfield sites and will only be permitted outside these areas - where it is essential to have an open countryside location. This development is not consistent with UDP STR, as it is in open countryside.
- (6) Community Needs - the (FUDP) reflects the desire to meet the social, economic and cultural aspirations of all members of the community, as far as is possible in a land use document, and taking into account national planning policies and wider legislation. It is important for the Plan to meet the needs of whole community and influence quality of life in a positive manner, giving rise to a range of new opportunities. The Council does not believe that this application is in keeping with this (FUDP) statement.
- (7) Flintshire County Council - Planning Guidance Note 21 - Point 5 is also relevant in respect of the application.
- (8) No comment is made regarding information supplied, as to proposed hours of operation of the business - impact on neighbours.
- (9) No mention is made that the Pwllgwyn Hotel is a Grade II listed building. Dating of the building goes back to 1592.
- (10) No mention is made in respect of PPW, 7th Edition (July 2014). Chapter 10 is especially relevant.
- (11) Concerns of potential smells being released during the manufacturing process.

(b) Application number; 052396, at Park View Garage, Lloc, for the erection of a Wind Turbine (26m high to blade tip).

The decision of the Council was to object to the application, for the following reasons and concerns;

- (i)** The adverse impact to visual amenity on the edge of an area of outstanding natural beauty. This is an industrial scale development in a rural area.
- (ii)** The impact and potential damage to trees and hedgerows during the delivery of the wind turbine and subsequent construction.
- (iii)** The impact to hedgerows and other features in connecting this wind turbine to the national grid.
- (iv)** The subsequent disturbance to the ground from the effect of the soil. Removal and potential adverse impact to the principal aquifer located in the immediate area.
- (v)** The proposed development is located within an inner ground water protection zone 1 of a principal aquifer and the effect of the operation of the wind turbine could cause vibration as a result could cause damage to the aquifer.

(c) Application number; 052414, at The Pwll Gwyn Hotel, Afonwen, for the part change of use to small scale artisan production of sauces and condiments, including bottling and distribution. Notice under Article 12 Amendments to submitted plan. Decision by the Planning Subcommittee, that the amendment does not impact on the previous submitted Council comments.

(d) Application number; 051826, at Ty Coch, Pen y Cefn, for the erection of a single wind turbine. Notice under Article 12 Amendments to submitted plan. Decision by the Planning Subcommittee, that the amendment does not impact on the previous submitted Council comments.

(The above four applications were sent to the Chairman for consultation with the local Members due to statutory time limits for observations).

10(B). 213/14

The Members confirmed the above four decisions.

10(C). 214/14

Councillor M. W. Moriarty declared an interest in respect of the following two planning applications; 052396, at Park View Garage, Lloc and 051826, at Ty Coch, Pen y Cefn. (**See Minute number; 3. 203/14 on page 2 above**).

10(D). 215/14

The following planning applications were dealt with by the Members at the meeting;

No applications were dealt with by the Members at the meeting.

10(E). 216/14

PLANNING DECISIONS

The following planning decisions have been received from Flintshire County Council;

- (a)** Application number; 052345, at Caerwys Castle, Caerwys. **Approved.**
- (b)** Application number; 052169, at Summerhill Farm, Caerwys. **Approved.**
- (c)** Application number; 052254, at Park View Garage, Lloc. **Approved.**

11. 217/14

COMMUNITY LIGHTING

The following lamps have been reported out of order between the July to September Council meetings;

- (1)
 - (a) Lamp number; 12 outside Tan Llan, Pen Y Cefn Road.
 - (b) Lamp number; on A541 road at Afonwen - second lamp in from Mold side.
- (2) Damage to lamp standard on grass verge at Fairview Close. The Clerk produced to the Members a photograph of the damaged lamp. The vehicle owner had reported the incident to the Police. The Clerk advised that he was awaiting the vehicle insurance details, and upon receipt would make a claim for the replacement lamp. The Electrical contractor has been asked to provide a quotation.
- (3) A quotation for the sum of £360.00 plus £40.00 for a new bracket in respect of lamp 28 in Water Street, had been received (plus VAT). The lamp would also have a dimming facility. **The quotation was accepted by the Members.**
- (4) The Clerk advised that the Electrical Contractor had inspected the concrete lamp posts within the community, and a report would be received.
- (5) The Clerk advised that he had eventually received a quotation from Scottish Power in respect of a new lamp on the Marian entrance to the walkway towards the Institute. The Clerk further advised that the quotation for an underground cable from the Marian to the walkway was £7,390.67 plus VAT £1,478.13 - making a total of £8,868.80. **The Members were astonished at the cost and agreed not to accept the quotation.** The Members asked that the Clerk seek the views of the Council Electrical contractor, and if necessary arrange a site meeting, which Councillor Howard Griffiths agreed to attend.

12. 218/14

APPROVAL OF ACCOUNTS FOR PAYMENT

| Cheque Number | Payee | Net £ | Vat £ | Total £ |
|---------------|---|--------|-------|---------|
| | <u>To confirm payments made between the July and September meetings</u> | | | |
| 856 | Scottish Power (July - Street Lighting Electricity Account) | 247.14 | 49.43 | 296.57 |
| 857 | Deeco Lighting - (June & July - Street Light Repairs) | 159.00 | 31.80 | 190.80 |
| 858 | Information Commissioner (Renewal of Registration) | 35.00 | | 35.00 |
| 859 | NW & MW Association of Local Councils (Delegate fee) | 15.00 | | 15.00 |
| 860 | R. P. Parry (Clerk) Re-imburement of stationery - for Councillors' Policy folders, ring-binders, inserts, paper etc., | 73.78 | 14.76 | 88.54 |

| | | | | |
|-----|---|--------|--------|----------|
| 861 | Caerwys in Bloom (Payment of 50% of insurance policy) As agreed under Minute number; 15. 171/14 dated the 17 th June, 2014) | 95.22 | | 95.22 |
| | <u>Payments for authorisation at meeting</u> | | | |
| 862 | Scottish Power (August - Street Lighting Electricity Account) | 247.14 | 49.43 | 296.57 |
| 863 | Thomas Fattorini Ltd (Repair to Mayor's Regalia, & other work, including new secure regalia case (As agreed under Minute number; 5. 177/14 - sub minute number; 6(B). 158.14 (ii)) | 936.57 | 187.31 | 1,123.88 |
| 864 | Hacker Young (External Auditor - End of Year Audit) | 295.00 | 59.00 | 354.00 |
| 865 | Caerwys FLUSH Committee (Transfer of payment received from Flintshire County Council - towards maintenance of conveniences) | 500.00 | | 500.00 |
| 866 | Canda Copying Ltd (Photocopier quarterly rental) | 46.00 | 9.20 | 55.20 |
| 867 | R. P. Parry (Clerk) - Re-imburement of purchase of postal stamps - as per receipts. Book of 100 - £62.00. 19 used for Civic Service invitations - £11.78 / 81 for general use - £50.22. Plus £8.15 cost of special postage for Mayor's pendant to Fattorini's, Birmingham | 70.15 | | 70.15 |
| 868 | R. P. Parry (Clerk) - Re-imburement of stationery costs - as per receipts. General stationery & copier ink £73.76 / stationery for Mayor's Civic Sunday £31.08 | 104.84 | 20.97 | 125.81 |

13. 219/14

APPLICATIONS FOR FINANCIAL SUPPORT

| Cheque Number | Name of organisation | Amount granted £ |
|----------------------|---|-----------------------------|
| 869 | Cor Meibion, Caerwys - Young Musicians Competition | 100.00 |
| 870 | Caerwys in Bloom - Annual Donation | 250.00 |
| 871 | Caerwys Historical Society - Commemoration of World War 1 | 100.00 |
| | Marie Cure Cancer Care (London) | Awaiting local application |
| 872 | Victim Support (Rhuddlan) | 25.00 |
| 873 | Shelter Cymru (Swansea) | 25.00 |

14. 220/14

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

15(A). 221/14

Standing Orders were suspended; to enable a member of the public to address the meeting;

A member of the public in attendance referred to the huge expense to the community, in relation to the cost of street lighting. Councillor H. Griffiths advised, that a number of newspaper articles had stated, that crime does go up in areas of no street lighting. Councillor Griffiths explained that the new lights being installed by the County Council in Caerwys would dim after a certain time during the evening, which would be a cost saving.

15(B). 222/14

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

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

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

DATE OF APPROVAL;.....