

CYNGOR CYMUNED LLANFAIR DYFFRYN CLWYD COMMUNITY COUNCIL
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Minutes of an Ordinary Meeting of the Council held using a Zoom video/telephone conferencing platform on Monday 12 April 2021 at 7 pm.

PRESENT – Councillors Jayne Mayers [Chair], Keith Mouldsdale [Vice-Chair], David Baker, Wini Davies, Owen Evans, Tim Faire, Eilir Jones, Osian Owen, Steve Whipp and Eirwen Godden, Clerk. The Chair welcomed Eilir Jones to his first meeting as a Community Councillor. The Clerk confirmed that the Declaration of Acceptance form had been signed.

IN ATTENDANCE 3 members of the public together with County Councillor Hugh Evans. The Chair reminded everyone that the session would be recorded [destroyed when minutes are approved] and anyone wishing to receive more information on items discussed to email the Clerk.

APOLOGIES – Councillor Ceri Ranson [hospital appointment]

The Chair referred to the death of Maurice [Moi] Tudor, a local retired farmer and former Community Councillor who retired in May 2012. He supported not only the Community Council, but other activities associated with the village hall, sports, football, and school over many years. Condolences are extended to the family.

It was also reported that Her Majesty The Queen announced on 9 April 2021 the death of her beloved husband, His Royal Highness The Prince Philip, Duke of Edinburgh, at Windsor Castle. The funeral is to be held on Saturday 17 April.

PART 1

765 DECLARATIONS OF INTEREST Councillors Keith Mouldsdale as a trustee of Neuadd Eleanor's Management Committee, David Baker as a member of Llanfair Church Council.

766 MINUTES – RESOLVED

The minutes of an Ordinary Meeting held on 8 March 2021 were approved.

767 COMMUNITY MATTERS

767.1 Former School Site and Playing Field Llanfair DC

Submitted – Progress report prepared by Councillor Steve Whipp. The proposal agreed by the Community Council at the meeting held on 08/03/21 was sent to DCC on 10/03/21 following which DCC officers advised that they would recommend that the playing field, as it is a designated public open space in the current LDP, should be transferred to the Community Council. This is to be discussed at the next scheduled DCC asset management committee on 05/05/21. Committee approval will also be sought to allow the Community Council to occupy the school building on a temporary basis until the end of the year whilst a business case is prepared for an asset transfer.

The Llanfair steering group has met twice – 18/03/21 and 08/04/21. The next meeting is to be held on 06/05/21. It is tasked with discussing a range of options and identifying actions needed to enable future uses to be considered and recommended to the Community Council. Councillor Whipp stated that the steering group is made up of

residents who have a range of strong professional skills. Councillor Whipp had drawn up a list of queries and it was agreed that these are forwarded to Bryn Williams by the Clerk. Information is also needed about other community asset examples in the County and potential legal costs. The Chair thanked Councillor Whipp and the steering group for their work so far.

Clwyd Alyn Housing Association/Grwp Cynefin have begun the process of carrying out a rural housing survey using Royal Mail and social media – closing date 08/04/21. A report will be available by the Council meeting to be held on 10/05/21. Grwp Cynefin is considering de-registering the Elizabeth Owen Charity with a view to selling the properties on the open market. The Grwp has considered applying for grant aid from different sources but the sum required is considerable and the process is difficult under current circumstances. Discussions are ongoing with the Charity Commission. Councillor Hugh Evans expressed the hope that another housing association will have the opportunity of taking over the almshouses before going out to the open market. He considers that public funds will be required to make the properties viable.

768 CORRESPONDENCE

768.1 Dog Fouling news release dated 01/04/21 from DCC. Noted.

768.2 Holding Meetings Remotely email dated 01/04/21 from the SLCC. The SLCC is urging Councils to respond to the consultation/call for evidence for extending powers for local councils to continue to meet virtually – a response to demonstrate the positive impact virtual meetings have had on the council and community. The SLCC is appealing for Community and Town Councils in Wales to respond even though they will be able to continue to meet virtually thanks to the Local Government and Election (Wales) Act which requires councils to enable remote attendance. It was agreed that the Clerk completes the survey form.

769 Feedback/Report[s] on Conferences/Training/Meetings - The Clerk reported that she attended SLCC's AGM and quarterly meetings on 17/03/21 [video meeting]. Main points include protocol on recording of meetings, dealing with code of conduct issues, note change in title [Data Protection Act 2018], new guidance to follow re LG & Elections [Wales] Act, draft minutes to be published within 7 days, allowing the public to speak at meetings, the need for each Council to have a training budget and formal training plan, Councils advised to retain documents on their websites for 6 years.

Members were asked to note the content of the OVW April bulletin. The next joint SLCC/OVW conference is to be held remotely on 13/05/21. Members gave permission for the Clerk to attend - cost £45.

770 PLANNING www.denbighshire.gov.uk/planning

770.1 Application 20/2021/0206 submitted by Mr Delme Tudor on 10/03/21 re variation of condition 2 of planning permission code no 20/2016/0719/PF to allow for increase in size of extension and for the garage to be attached – Maes Derwen, Llanfair DC. Members confirmed that no objections had been made. However, as a general comment it was sometimes considered difficult to see where properties are and to compare plans. It would have been useful to have the variance fully labelled on the new

plans to be able to see what exactly was proposed including the exact location of the property.

770.2 Application 20/2021/0285 submitted by Mr Jon Sharples on 30/03/21 for the erection of an agricultural building for livestock and storage of feed and equipment – Ty'n Llwyn, Pentrecelyn **RESOLVED** that the application be supported.

770.3 Application 20/2021/0085 Hirdir, Pentrecelyn – feedback received from DCC Planning in response to the Community Council's queries. Revised plans show the materials proposed for the hardstanding areas and the location of soakaways. The AONB Joint Committee has also responded positively to the consultation. The applicant is willing to speak to the Community Council if the proposal gains approval - he can be contacted at any point in the future and during any build process with any concerns. Noted.

770.4 Clover Bank, Llanfair D C Reported – that the original planning application had been approved but it appears that no further consultation took place with anyone about reverting to the original version. Residents have expressed concerns about the mess on the site and whether the landowner can be required to keep the area tidy. The Clerk was asked to contact Planning for clarification on the issues raised.

771 HIGHWAYS & ENVIRONMENT - General Update on Ongoing Highway and Other Matters –

771.1 Flooding [751.2] Right of Way from the A525, past Cae Mair to Eyarth Station Although the footpath is beyond their site boundary, Pure has used its own direct labour to remedy the problem that arose during the heavy inclement weather in January. A short section of drainage pipe has been installed at the low point and the footpath surface re-trimmed with hardcore. Noted.

771.2 Request for a Road Safety Mirror near Eyarth Bridge Reported that a response was awaited from DCC. Efenectyd Community Council will contact DCC direct on the matter.

771.3 Diversion of Footpath Reported that the Eyarth Diversion Order came into force on 24/12/20 – a different line commencing from Eyarth Station Road at OS Grid Ref SJ 13099 55901, running in a westerly direction for approximately 19.4 metres to OS Grid Ref SJ 13080 55901, then continuing south westerly for approximately 109.9 metres to OS Grid Ref SJ 12973 55876. It was confirmed that the path had been much improved.

771.4 Blocked Bridleways Paths 521/57 & 521/58 Bryn Aur, near Llysfasi Grid Ref SJ 14275 51554 Submitted – copy email correspondence between local resident G Seddon and Adrian Walls, DCC. Adrian Walls has reported that the matter Mrs Seddon raises is one which his department is actively pursuing and as soon as there is progress on the matter on when the necessary works to resolve the obstructions are to be completed he will write to the Council again.

Councillor Tim Faire explained that part of the route passes along the edge of his land and some of it passes through two fields he owns. As far as he is concerned all appropriate gates have been installed and the right of way is kept clear from fallen branches. The area referred to is where the bridleway runs through a property known as Nant-y-Meithin for approximately 70 yards. Also, where the route goes through land known as Bryn Aur - it is most unsuitable for horses or even pedestrians and has been for the 40 years he has farmed in the area. The nature of some of the land is that it is wet and there is little that can be done about it and that it is very rarely used. He confirmed that DCC did purchase a strip of land from a former neighbour, which Adrian Walls mentions, to divert the bridleway to make it more accessible and that part of the bridleway is quite reasonable. It does pass through land with several different owners thus the need for many gates of which many are bridle gates supplied by DCC. Regarding the issue at Nant-y-Meithin, he believes this is an issue for the rights of way team.

Councillor D Baker made the following observations. In its current state the path is totally unfit for modern day recreational horse riding. The pressures on land use are many, food production, recreation, construction, and conservation etc. As a farmer food production and conservation is priority. There are 'ancient woodland sites' both sides of his farm; one is used as a play area for quad bikes and is a mud bath; the other has been taken by bikers for their use. They have felled trees, cleared undergrowth, and created tracks. However, from a conservation point of view such use is a disaster.

Landowners' footpaths and bridleways must be maintained at their own expense. Many of these rights of way are historic and nowadays poorly located, right through the middle of crop growing fields which leads to crop damage and therefore loss of income. Could such paths be re-routed around the edges of fields? Councillor Baker suggested that it is time the Community Council looked at all the paths/bridleways in the parish and to come up with a plan to make them more practical and sympathetic to users and owners. They should be assets rather than burdens for landowners. More funding should be available for maintenance and construction.

Councillor Hugh Evans commented that these are common national issues which depend on change of policy and planning processes. It was acknowledged that procedures are tortuous, complicated, expensive, and can take a long time to implement on a case-by-case basis. A coherent transport plan was needed to include a mix of approaches eg Sustrans to interconnect circular routes, and to identify missing links. The circular route being established at Llanbenwch Farm, Llanfair was referred to as an example, but walkers had to contend with crossing an extremely dangerous A525 main road.

RESOLVED that a site meeting [2-3 Councillors and the landowner] be arranged with Adrian Walls, DCC, at Llanbenwch Farm to consider ways of making it safer for pedestrians to cross the A525 at that point.

772 FINANCIAL MATTERS

772.1 Submitted – Draft summary of Income & Expenditure and Receipts & Payments Cashbook for the period 1 April 2020 to 31 March 2021. A surplus of

£22,155.59 was being carried forward to the 2021/2022 financial year. A VAT refund claim [£5222.01] has been submitted to HMRC. Members approved the accounts.

772.2 Update on the Audit Process & Timetables Submitted – letter dated 31/03/21 from the Wales Audit Office setting out following deadlines –

30/06/21 Completed Annual Return certified by RFO and approved by Council

01/09/21 Deadline for submitting Annual Return to Wales Audit

27/09/21 Audit opinion issued by Wales Audit

The Clerk also reported that arrangements had been made to submit audit papers to the internal auditor on 29/04/21.

772.3 Payment of Accounts/Invoices Agreed as follows:

£275.45 - Audit Wales [external audit fee] Invoice ARINV/005503

£40.00 - ICO [data protection fee renewal]

£368.94 – AVOW [clerk's April salary includes payroll fee] Invoice 13969 SO payment

772.4 Requests for Financial Aid RESOLVED that donations be made as follows:

£250.00 Capel Ebenezer Graigfechan [running costs]

£250.00 Capel Salem Llanfair [running costs]

£250.00 Capel Bethel Pentrecelyn [running costs]

£250.00 Macmillan Cancer Support [information and support services]

772.5 Review of the Council's Policy on Reserves

772.6 Review of the Council's Investment Strategy

772.7 Review of the Council's List of Providers

RESOLVED that the three documents listed be approved as written.

773 DATES OF FUTURE MEETINGS [Venues TBC, Councils have the option of holding remote meetings beyond May 2021 - LG & Elections (Wales) Act 2021]

10/05/21, 14/06/21, 12/07/21, 13/09/21, 11/10/21, 08/11/21, 13/12/21,

10/01/22, 14/02/22, 14/03/22

PART 2 774 RESOLVED that the Press and Public be excluded from the meeting due to the confidential nature of the following items:

774.1 Clerk's Annual Appraisal The Chair reported that she and the Vice-Chair had a remote meeting with the Clerk on 16/03/21. She is regarded as a valuable employee managing the day-to-day business of the Community Council. Matters discussed included the increased use of technology, councillor training, the asset transfer process and the audit opinion given by the external auditor.

774.2 Training Plan A copy of OVW's training schedule had been circulated to members. The cost of remote training sessions is £30 per person and there is a bursary available to eligible Councils. Planning Aid Wales also provide remote training sessions. Contact has also been made with DCC's Planning Department about the possibility of a planning officer attending a Council meeting. Consideration is also to be given to signing up for webinar sessions which members can join at a time convenient for them.

RESOLVED that [a] arrangements be made to book OVW training sessions as follows:
13/04/21 M4 Understanding the Law [Chair] free of charge
15/04/21 M3 The Council as Employer [Chair] free of charge
Date TBC Code of Conduct [Councillor Eilir Jones]
Date TBC The Council [Councillor Eilir Jones]
[b] further information be sought about session M19 on the Community Asset Transfer Process

The meeting ended at 8.15 pm CHAIR

DATE