

LLANSTEFFAN AND LLANYBRI COMMUNITY COUNCIL
MINUTES OF MEETING HELD IN LLANYBRI COMMUNITY HALL

17th NOVEMBER 2014

Chairman Councillor DB Davies
Present Councillors C Jones (Vice Chair), A Perrett, A Cooper, M James and EI Davies
Apologies Cllrs B Ryder and B Charles (holiday leave) and G Howells (ill-health)
Attending Approximately five local residents
Clerk L Dutch

1. DISCLOSURES OF INTEREST & DISPENSATIONS

County Councillor Davies as Carmarthenshire County Council Chairman and County Planning Committee Vice Chairman.

2. MINUTES OF MEETING HELD ON 20th OCTOBER 2014

The minutes of the meeting held on 20th October were confirmed and signed as a true record, subject to an amendment being made to Min.294 as follows: *“Cllr DB Davies declared a personal interest at the start of the discussion in case the Countryside Ranger who had helped to install the gate was his son.”*

3. MATTERS ARISING FOR INFORMATION

Electric fence crossing 23/30 in Plas Field

Cllr. Perrett reiterated that British Standard safety regulations must be adhered to and that the minimal gap in the electric fence to permit public access was wholly inadequate. 305

Morfa drainage and beach outfall pipe works

The County Council had advised that the planned drainage scheme was still on course for implementation in the New Year. 306

Requests for memorial seats

The County Council Grounds Maintenance manager would be contacted once again. 307

Pendeggy Hill

The road sweeper had cleared the accumulated leaf debris reducing the risk of road accidents. 308

4. COUNTY COUNCILLOR REPORT

No report was provided. 309

5. HEALTH & SAFETY REPORTS

Morfa Playground, Carrier's Lane, Croft and Sticks/Headland Path

In the absence of Cllr's Howells and Hunter reports were not delivered to members. 310

Morfa

No issues were raised other than the fact that the playing fields were very wet and the folly bridges remained masked in bramble and weed. This matter had been mentioned in a recent letter to the Sports Club. A Morfa Management meeting would be convened in January 2015. 311

Hen Gapel

The missing roof slates and suspected rotten timber below remained a matter of grave concern. The local builder would attend as soon as time permitted. In addition, the problem of 312

ivy, bramble and buddleia protruding from the higher reaches of the chapel persisted and had to be controlled before winter.

Resolved

That Llanybri councillors be requested to obtain a detailed estimate of repairs required to the roof at Hen Gapel as soon as possible. 313

6. PAYMENT OF ACCOUNTS

Resolved

That the following accounts be approved for payment:-

SE Dutch	Clerk's Nov salary/expenses	517.97	314
Llanybri Hall	Hire fee for Llanybri Heritage App audio day	20.00	315
Pro Print	Copies	13.32	316

The Council's bank account had been credited by the RDP Heritage Grant of £7662.56. 317

7. CORRESPONDENCE

Resolved

That the following items of correspondence be noted:

Mid & W Wales Fire Authority Draft Strategic Plan 2015 Onwards and Draft Annual Improvement Plan 2015-16 - consultation ends 28th Nov 318

Welsh Government - Local Government (Wales) Measure 2011; Part 7: Communities and Community Councils

An email was received. 319

Resolved

That a link to the Welsh Government document, 'Part 7: Communities and Community Councils' be forwarded to members by email. 320

Carms County Council - The Pheasantry CLEUD

A letter had been received with the following extract: "*Application W/29846 has been subject to considerable careful attention and clarification has been sought from the applicant as to the precise nature and intensity of usage. The time delay in part is down to the comprehensive and detailed nature of the third party representations which have been received which require legal opinion. This has been forwarded to the Council's legal advisors for their guidance and advice, with a response still awaited.*" 321

You refer to the concept of the "Camping Barn", this having been the subject of submissions from third parties, and solicitors acting on their behalf. This is a material factor and is considered to have relevance to this particular submission. In particular, it is interesting to note that the definition of such appears to be an agreed position between the third parties." 322

The Planning Officer had advised that the application for a Certificate of Lawful Existing Use or Development (CLEUD) would be approved on the grounds that the description of the existing use on the application form was altered to that of 'camping barn' which would then fall under the Sui Generis class in the Use Classes Order (i.e. a use in a class of its own). 323

Carms County Council - Carms Sporting Stars of 2014

An email was received and in the absence of nominations, Cllr DB Davies took the details. 324

Requests for financial assistance

Bobath Children's Therapy Centre Wales 325
National Eisteddfod 2015 Montgomery & the Marches
Llangollen International Musical Eisteddfod

8. PLANNING MATTERS

Resolved

i) To note that no objection be raised to the following planning application: 326
W/31049 Extension to existing dwelling at Pilroath Lodge, Llangain

ii) To note the following planning decision: 327
W/30786 GRANTED single storey extension (Orangery) to rear of Mansion House Hotel, Llangain

9. COUNCIL STANDING ORDERS

An informative and consultative session focusing on the Draft Council Standing Orders proposed by the task group was delivered by the clerk on 3rd November. An in-house PowerPoint presentation helped convey key points for consideration. Cllr Perrett thanked Cllrs Howells and Jones and the clerk for the hard work undertaken in preparing the Draft document. The only additional amendment which was approved had been requested by Cllr Cooper in line with advice from One Voice Wales, namely, that motions that require written notice be received by the clerk 14 days before a meeting. Cllr Cooper proposed that the draft document be received and approved, but not implemented until the Member's Code of Conduct had been presented to members in a similar session in the New Year. The proposal was not seconded. 328

Resolved

That the Draft Council Standing Orders as prepared by the task group be approved and formally adopted by Llansteffan and Llanybri Community Council, subject to the amendment that motions that require written notice should be received by the clerk 14 days before a meeting. 329

10. LLANYBRI PLAYGROUND

The clerk informed members that the solicitor dealing with the proposed legal transfer of the gifted land measuring 48m by 32m along Heol Faen Llanybri required the Council to discuss and respond to observations raised by her client. The legal and surveying costs for both parties were estimated to be in the region of £1,200 plus VAT and members tended to agree that the landowner who was gifting the land to the Council could not be expected to pay his legal and surveying costs. The only matter which remained unclear in the absence of Cllr Charles related to the responsibility for fencing the play park. 330

Resolved

i) That Llansteffan and Llanybri Community Council would receive the land; 331

ii) That the land would only be used as a play park and recreational purposes only and once the use ceased, the land would revert to the landowner for no payment; 332

iii) That the Council would agree to meet the landowner's legal and surveying costs; 333

iv) That a Playground sub-committee be established to progress matters between Council meetings and report back to Council for approval, the first meeting being held on 1st December. 334

11. BLACK SCAR BYWAY OPEN TO ALL TRAFFIC 23/39

Cllr DB Davies declared a personal and prejudicial interest to take a safe stance on the basis that he was a personal acquaintance of the farming family in question and had undertaken contracting work for the family in the past. 335

Resolved

That the meeting be temporarily suspended for public participation - footings 336

The Chairman invited the owner of Pentowyn to speak. The first topic of concern related to the concrete footings that had apparently been laid on 7th October 2014 on a site which had accommodated footings back in the late 1980s. The site was located in the field opposite to the 337

quarry above Pentowyn, adjacent to a classified road which connected to the Byway lower down towards the marsh. Pentowyn advised that Land Registry documents in their possession referred to a covenant attached to the sale of farmland by Mwche to The National Trust whereupon footings and lower walls constructed for an agricultural workers dwelling on the site in question had to be demolished.

The clerk read out to the meeting the response received from the planning enforcement officer to the Council's email which in summary stated that no further action could be taken at this stage of the proceedings. 338

Resolved

- i) **That the meeting be re-convened to consider the matter of the concrete footings.** 339
- ii) **That a letter be written to the planning enforcement officer attaching a copy of the Land Registry document held by Pentowyn which referred to a covenant attached to the sale of farmland by Mwche to The National Trust whereupon the footings and lower walls developed for an agricultural workers dwelling on the site in question had to be demolished.** 340

Councillors now considered issues associated with Byway 23/39 which led down to Black Scar, namely, the relatively new farm gate at the start of the byway, the free roaming of cattle, the extremely muddy and rutted condition of the ground surface and the padlocked farm gate that led on to the marsh. Cllr Hunter had recently re-surveyed the BOAT 23/39 to Black Scar and supplied a new survey statement and annotated maps. It was recorded that the BOAT ran west from the terminus of the Classified Road, west of Pentowyn, along green cart-road for about a quarter-mile and across open scrub land to the beach at Black Scar. 341

The clerk summarised the legal position provided by County Highways as follows:- 342

- a. Section 41 of the 1980 Highways Act places a duty on the County Council to maintain Class C roads and Byways Open to All Traffic (BOAT) to a level commensurate with their use. County policy exists for inspection and maintenance of highways (but not BOATs at present) maintainable at public expense.
- b. Highway law only restricts certain breeds of bull from free roaming which may pose a danger to public access.
- c. Section 145 of the 1980 Act permits the installation of gates across a highway, 10 feet wide across carriageways and 5 feet wide across bridleways. However new gates are not encouraged and should not be erected without prior consultation with the Highway Authority. A locked gate would constitute an obstruction.

Resolved

That the meeting be temporarily suspended for public participation – gate across byway 343

The owner of Pentowyn declared that a fixed farm gate had never been witnessed until autumn 2013 at Point B, the start of the BOAT, annotated as Point B on Cllr Hunter's maps, as verified by Cllr James for the last forty years in an earlier meeting. However a Countryside Access ranger had maintained that a gate had been sited at this location for over thirty years. The new gate was difficult to open, albeit not padlocked, which hindered access to leisure walkers as well as holiday-makers staying at Pentowyn holiday cottages. Members raised concerns regarding (i) the potential use of public funds for supply of a new gate, fence posts and labour for installation, (ii) problems of farm vehicles and cattle poaching the ground surface and (iii) the safety issues associated with the padlocked wooden gate nearest to the marsh. 344

Resolved

- i) **That the meeting be re-convened to consider the new gate and byway issues.** 345
- ii) **That a letter be written to Mwche farm raising the Council's concerns relating to the justification for the new farm gate and the issues linked with cattle free roaming and poaching the byway and the padlocked gate that led on to the marsh. The National Trust as landowner to be copied in.** 346

12. BUDGET 2015/16 CONSULTATION

The clerk invited member's contributions towards the forthcoming draft budget which would be presented for consideration at the January 2015 meeting. Contributions included:- 347

- a. Llanybri playground
- b. Llansteffan School swimming lessons (no longer covered by County Council)
- c. Hen Gapel Llanybri roof repairs
- d. Clerk/Responsible Financial Officer's contractual hours and salary

The clerk thanked members for their input.

13. MATTERS FOR INFORMATION ONLY

- Lan Farm lane, part of Wales Coast Path, 18 lorry loads of chippings had been laid at the farm end; Coomb Farm may use this section to access top fields. 348
- Issue of lack of street signage to be included on December agenda (both villages) 349
- S137 donations will be publicised in advance of the February meeting. 350
- Llanybri village road resurfacing must be prioritised by County Council. 351
- Trinity students Miner's Strike performance 19th November in Llansteffan. 352
- Sections of Plas Farm stone wall along Church Road were in urgent need of repair. 353
- Castle lights had not been illuminated for several weeks. 354
- Kylsant Charitable Trust had enquired about worthwhile causes and local registered charities and Llanybri playground would be suggested. 355

The meeting closed at 21:32

DATES FOR YOUR DIARY:

Monday 19th January 2015 in Llanybri Community Hall at 7 pm (PRECEPT & BUDGET)

Monday 16th February 2015 in Llanybri Community Hall at 7 pm (S137 DONATIONS)

Signed..... Chairman/Vice Chairman Date

