

**LLANSTEFFAN AND LLANYBRI COMMUNITY COUNCIL  
MINUTES OF THE (REMOTE) MEETING HELD AT 7PM MONDAY 21<sup>ST</sup> SEPT 2020**

**PRESENT:**

<b>Chair – Cllr Cerian Lodwick</b>	<b>Cllr Sue Robinson</b>
<b>Cllr Anthea Evans</b>	<b>Cllr Bethan Ryder (Joined at 7.30 pm)</b>
<b>Cllr Brian Charles</b>	<b>Cllr Rhys Schelewa-Davies</b>
<b>Cllr Mel James</b>	<b>Cllr Zoe Woodruff</b>
<b>Cllr Brian Harrison (Joined at 7.53 pm)</b>	

**In attendance County Cllr Carys Jones and 8 members of the public.  
The meeting commenced at 7.09 pm.**

**Item 1 – Apologies**

1. Apologies were received from Cllr Helen John.
  - The Chair introduced and welcomed the new Clerk, Mrs Rhian Worrell. The Chair also took the opportunity to thank Cllr Evans for all her hard work whilst standing in as Acting Clerk.
  - The Chair informed the public present of Standing Order Para 3 sub-Para e, f and g which relates to public participation.

**ACTIONS**

**Item 2 – Disclosures of Interest and Dispensations**

2. CCllr Jones cited her official Dispensation from the County Monitoring Officer (awarded in Jan 20) to speak and write on matters relating to the Green.

*Standing Orders are suspended at 7.15 pm*

AW queried Standing Order Standing Order Para 3 sub-Para e, f and g which relates to public participation. AW referred to the Minutes of the 16<sup>th</sup> March 2020 meeting and queried how the 3 minute rule would fit in with Item 9 of that meeting where it was resolved that a member of the public could speak for no more than 10 minutes on any one item. The Chair asked Cllr Evans to respond. Cllr Evans explained that she had discovered that the proper procedure for making a variation had not been followed. Therefore, it was decided at the meeting dated 17 Aug 20 (Item 6) to retain the Standing Order as was.

AW asked whether there was any reason for the change of heart. Cllr Evans explained that LLCC had realised if 10 minutes were given to each member of the public who wished to speak then the 30-minute total relating to public participation would quickly be reached with fewer voices being heard. Therefore, it was considered preferable to retain the 3-minute limit per person, per item.

*Standing Orders Resumed at 7.20 pm*

**Item 3 – Minutes of the Last Meeting on 17<sup>th</sup> August 2020**

3. **It was resolved that the Minutes of LLCC meeting dated 17<sup>th</sup> Aug 2020 be signed as an accurate record of the meeting.** Chair requested a show of hands for the motion to accept the Minutes. All Cllrs present at the Aug 20 meeting agreed the motion. Proposed Cllr Robinson Seconded Cllr Schelewa-Davies

**Item 4 – Matters Arising (From Previous Meeting dated 17<sup>th</sup> August 2020)**

- **Item 5 Point 13** relating to the appointment of the Clerk – Cllr Evans asked LLCC to consider the purchase of a filing cabinet for archive material. Cllrs were asked to consider the proposal and make a decision at the next meeting. Cllr Evans confirmed that all Audit documentation had arrived safely with Grant Thornton (External Auditors).

**Clerk to note for next Agenda**

- **Item 8** - Cllr Evans gave an update. The stream clearing was completed successfully. Mr Griffiths asked Cllr Evans to mention to LLCC and CCllr Jones that it may need clearing at the end of Nant Jack, where it joins with stream that comes down the village and across Water Lane. Cllr Evans stated that the second delivery of play bark arrived. Cllr Evans informed LLCC that the process of costing a more permanent surface was not complete. However, any more permanent measure will need planning and budgeting for over the next 2 years as the alternatives are relatively expensive. Regarding the toilet block fence, this matter will be complete by the end of September. The swings have not arrived yet.
- **Item 11** Cllr Evans emphasised that the advice relating to Councils having remote meetings for the foreseeable future remains extant.
- Progress relating to the removal of the boat on the beach at Ferry Point. CCllr Jones confirmed that the local authority is going to move the debris and the person responsible will pay full costs for removal and disposal.
- Emergency phone at Scott's Bay. Cllr Woodruff stated it was still not working when she checked, she reported it and would check again to see if it was now working.

**Item 5 – The Unauthorised Clearance of the Land on the Foreshore in Llansteffan**  
*Standing Orders Suspended at 7.30 pm to allow for CCllr Jones to give her report on the issue so far and for members of the public participate.*

4. CCllr Jones gave her extensive report. CCllr Jones is researching into this matter on the basis that land in question is not owned by the CCC or LLCC. The main effort at present is to establish who owns the land. The land in question has Village Green above it under ownership of the CCC. The Crown land is where the land joins the sea, the boundary lies at the top of the foreshore (i.e. the land between mean high and low water marks on an ordinary tide between Spring and Autumn tides). The gap in between these two areas as described is the land in question. The land in question is in the Conservation Area. CCllr Jones went on to explain that she had made extensive inquiries with a multitude of relevant agencies to establish ownership. CCllr Jones stated that for some 3 years she has been attempting to get CCC to manage the land but has been unsuccessful as the CCC do not own the land. The list of contacts she has made so far in her investigation is as follows:

Alan Evans (CCC Asst Solicitor)

Isobel Macho (CCC Biodiversity Officer)

Andrew Paterson (CCC Common Land Officer)

Iestyn Jones (CCC Flood Defence and Coastal Protection Engineer)

Ben Kathrens (CCC Flood Defence and Coastal Protection Manager)

Rosie Carmichael (CCC Rural Conservation Officer)

Andrew Bradick (Welsh Gov. Marine and Fisheries Manager)

Other Sources Used:

Village Green Registration Map

Welsh Tithe Maps

Inland revenue Finance Act 1910-1915 Maps (Archive closed at present due to COVID)

Ministry of Agriculture, Fisheries and Food 1943 Maps (Archive closed at present due to COVID)

Church of Wales Land Records

Looked into whether it was 'Waste of the Manor Land'

The Plas Estate Sale Documents and Map 1920

Estate Map Database

5. None of these conversations or sources were able to identify ownership of the land. CCllr Jones stated that the issue was to establish an owner or non-owner status. In the case of not finding an owner the next step would be to advertise for the owner to come forward. This is a legal procedure, if no response then the land is deemed not to be owned by anyone. If this were the case the next step would have to be discussed with the community about what to do with the land.

**Cllr Evans** to write to CCllr Jones about stream clearance  
**Cllr Evans** to complete her research into permanent play surfaces. **RFO** to note point for future budgeting.  
**Cllr Evans** to chase the swing provider

<p>6. The Chair asked at this point if any Cllrs or members of the public had any questions. The Clerk gave a summary of the correspondence receive in relation to this matter. See Item 12 for detail.</p> <p>7. CCllr Jones added that another aspect of her investigation was what sanctions could be brought. Rosie Carmichael is the Wildlife expert and she is on leave. However, Jennifer Gilmore from the law dept sent a response with links to information about wildlife crime. CCllr Jones informed LLCC that there was a special Police dept that deals with environmental offences. The Chair asked that if no owner could be found could a prosecution still be brought and by who? CCllr Jones responded by saying that initially she understood that it if no owner could be found a prosecution could not be brought. However, as her research has continued it is becoming evident that a prosecution could be brought but by whom (Police or Environment agencies) that is not yet clear.</p> <p>8. The Chair stated that in response to the correspondence it was important that as a community we explore future management of the land to prevent anything happening like this again. CCllr Jones responded by informing the CC that once status of the land had been established then LLCC could investigate the options (e.g. LLCC may be able to make a claim on the land or the community as a whole etc). However, LLCC would need to consider carefully whether they wanted to take on the management of this land.</p> <p>9. AW suggested that LLCC explore the possibility of preventing access, to deter this kind of action happening again, as the access to the said land was across LLCC land. Cllr James commented that there were a number of access points and LLCC did not have jurisdiction over all of them. AW commented that there was a sign on LLCC part of the Village Green and one in the CCC car park saying 'No unauthorised Access' and he questioned who authorises access? Cllr James commented that individuals could still gain access via Coal Road. AW asked if access could be restricted down Coal Road in a similar way. Chair asked Clerk to note as an action point to look into this as a possibility.</p> <p>10. The Chair asked CCllr Jones if it would be realistic to know the ownership status by the next meeting. CCllr Jones stated that by then a definitive answer could and should be formulated at which point an attempt to put together a management plan could be made. CCllr Jones made the point that if the land turns out not to be CCC land then it would not fall within her remit and suggested that someone else might like to take the issue on and progress it further.</p> <p>11. CS asked why had LLCC and CCC allowed the land to remain anonymous for so long when it is obviously joined to other land that belongs to the village? Cllr Evans responded by saying that LLCC were unable to answer that question. CS explained that the current situation allowed for anyone to bulldoze the land adjacent to the beach with no consequence. The Chair responded by reminding all present that at this stage it cannot be said that nothing will happen in response to this action, there were laws that had been broken regardless of whom owns the land. There were options once we establish ownership. CS asked whether LLCC would prosecute once the status of the land is known? CCllr Jones stated that she was not able to answer the question at this point. CS then asked what plans would be put in place by LLCC or CCC to ensure this will not happen again? The Chair stated that once the status of the land is discovered LLCC would consider putting together a sub-committee that could be responsible for developing a way forward, this would include input from the community. Chair stated that this issue would be on the agenda for the next meeting.</p> <p><i>Standing Orders were resumed at 8.02 pm</i></p> <p><b>Item 6 – Parking: Challenges Faced by Llansteffan and Possible Ways Forward</b></p> <p>12. The Chair referred to the recent Site Meeting with CCC representatives (see Jul 20 Minutes for detail). They fully understood the difficulties faced by Llansteffan. CCC</p>	<p><b>Clerk</b> to investigate Police and Enviro options</p> <p><b>LLCC</b> to consider taking on the management of the land</p> <p><b>Clerk</b> to investigate road restriction options</p> <p><b>Chair</b> to consider formulating a committee to deal with this issue <b>Clerk</b> to note for next agenda</p> <p><b>Clerk</b> to note for next agenda</p>
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recognised the complex nature of the problem and in terms of a way forward this would have to wait for resolution of the complaint relating to the Green. CCC felt that it was important to take account of the community's view as one action in one area to restrict parking would have a displacement affect in another. Extensive discussion took place and the Chair summarized that this problem has been looked at many times and LLCC come back to the same problem: if restrictions are placed in one area a problem develops in another. That said the problem is growing so the Chair ask if anyone had any suggestions. SH asked about whether the closed area on the Green would be reopened. CClr Jones stated that the Legal Dept would not allow that until QC opinion had been received. The Site Meeting determined that a plan was needed that stretched right across from the play area to the North end of the Green, that was cohesive and catered for the needs on the Green but this would need to come in after QC opinion on the legality. She advised to separate the parking issue relating to the Green and the village parking as the village parking was a problem all year not just in the Summer. CClr Jones also remarked that villages such as Llansteffan were never built for parking cars, the problem is across all small villages in Wales. Any regulation would cause displacement. The discussion continued; many problems were highlighted. The Chair asked that the Clerk investigate the options available and then a sub-committee should be put together to attempt to come up with measures that would ease the parking problems. CClr Jones reminded LLCC that she had investigated this matter approx. 2 years ago and had brought her findings to LLCC but at that time there were more pressing issues. She still had the documents which she would be happy to hand over to the Clerk.

**It was resolved that the Clerk would review the documentation from CClr Jones and bring forward findings to the next meeting.**

Proposed Cllr Woodruff seconded Cllr Evans

13. Chair suggested that now would be an appropriate time to discuss the problem of the overnight parking of motorhomes. CClr Jones was asked to report on her experience during the previous week when she attempted to remind motorhome owners of their responsibility to know the rules relating to where motorhomes could park overnight. There were 12 motorhomes on the North end of the Green and 13 in the main CCC car park. She visited each motorhome and received abuse and photos were taken of her. Many said they would be moving on so CClr Jones went back out at 8.30 pm, none had moved so she took a record of all the VRNs and reported them to the Police and the CCC. The Police said there was little they could do as it was not a road traffic offence. The County stated they could not prosecute on the main car park because there was no Traffic Order on the car park. CClr Jones has asked County for a Traffic Order, it will take months but support from LLCC would aid the Traffic Order application. CClr Jones informed LLCC that the initiation of the Traffic Order application will inevitably kick off the process of making it a charging car park which will assist in the maintenance of the toilets. CClr Jones will initiate the process and asked for LLCC to consider supporting the application.

14. A Public Space Protection Order resides on the Green and CClr Jones is currently looking into whether Motorhomes can be banned from overnight stays using this Order. CS made the comment that law-abiding vehicle owners should not be made to pay, and could a height barrier be installed? There was some discussion about a height barrier, and it was explained that this matter had been investigated and a height barrier would just displace the problem. In addition, payment would not be used as a means of deterring Motorhomes, the objective of introducing payment would be to contribute to the maintenance of the toilets.

**It was resolved to put the issue of parking on the agenda for the next meeting.**

Proposed Cllr Robinson Seconded Cllr Ryder

#### **Item 7 – The Green: Update Regarding Options**

15. LLCC held an extraordinary meeting on the 26<sup>th</sup> Aug and at this meeting there was a confidential element which was to consider the legal advice in relation to the formal

**Clerk** to review previous work on this issue

**Clerk** to liaise with CClr Jones

**Clerk** to note for next agenda

complaint received relating to the Green. Following consideration of the legal advice LLCC considered 5 options available to LLCC in relation to this matter:

- Shutting of the Green at the North section.
- Leaving the situation as it is.
- Deregistering that part of land as village Green.
- Investigating the possibility of a land swap with another piece of land in the village
- Offer the land to the CCC.

LLCC agreed unanimously to investigate the feasibility of each option and that public opinion must be sought before any final decision was made.

*Standing Orders are suspended at 8.42 pm*

AW asked whether LLCC could say which options were lawful and which were unlawful? Cllr Evans responded by saying that LLCC had not been advised to take any unlawful action. AW proposed that if LLCC took no action it would be acting unlawfully. The Chair responded by reiterating that any final answer could not be identified until the feasibility study had been done. AW emphasised that his complaint was made 10 months ago and still nothing had been done. The Chair explained that LLCC was exploring the options. Cllr Evans explained that there had been many delays due to COVID and LLCC was actively pursuing a solution. She reminded AW that in line with Standing Orders, he had received due audience and any additional questions should be put in writing and would be dealt with appropriately. Cllr Evans reiterated that LLCC has a responsibility to the whole community. The complaint has been and continues to be taken seriously and a tremendous amount of time has been spent exploring how to answer the complaint laid before LLCC.

*Standing Orders are resumed at 8.45 pm*

**Item 8 – Benches: Revision of Policy for Allocating Benches**

16. After much discussion it was decided that Cllr Evans would do a full survey of all current benches and this would be used to put together a draft Bench Policy for LLCC to consider. To put back on agenda when this action is complete.

Proposed Cllr James Seconded Cllr Ryder

**Item 9 – The Pheasantry: Update**

17. Chair stated that there was no update at present therefore this item will be moved to next month's agenda.

**Item 10 – Payment of Accounts**

INCOME		
26/08/2020	Precept	£7500
EXPENDITURE		
04/09/2020	J Davies Grass Cutting Llanybri (agreed 17/08/20)	£380
04/09/2020	R Davies Stream Clearance (agreed 17/09/20)	£250
14/09/2020	Gravelmaster Play Bark (agreed 17/08/20)	£321
21/09/20	Mr E Evans maintenance /grass cutting/ bark laying	£296
21/09/20	Clerk's Salary	£486.33
21/09/20	One Voice Wales Annual Subscription	£200

**It was resolved that the accounts be accepted for payment.**

Proposed Cllr Robinson Seconded Cllr Woodruff

**Green Committee** to examine the 5 options

**Cllr Evans** to complete survey and to draft Bench Policy

**Chair** to liaise and report back to LLCC, **Clerk** to note for next agenda

## Item 11 – Health and Safety Reports

- Cllr Charles – Llanybri Park: Awaiting a bench to come up from Llansteffan as previously agreed. Two of the current benches need their floor fixings examined as some bolts are missing. Hen Gapel: There are slates still missing. Requirement to contact Mr Siggery.
- Cllr Schelewa-Davies – Croft: No issues.
- Cllr Robinson – Morfa: No issues. Bins situation at Ferry Point much improved and the phone at Ferry point is in good order.
- Cllr Lodwick (Chair) – Play Area on the Morfa: Area has had new bark; more permanent surface being investigated as mentioned previously. Still awaiting delivery of swings.
- Cllr Woodruff: Bins in Scott's Bay seem to be an ongoing issue. CCllr Jones was asked for some advice, CCllr Jones would look into getting a sign near the bin giving details of how to report the problem through 'Fix my Street'. Telephone at Scott's Bay still not working, Cllr Woodruff would chase this up. Bees in the shelter: Cllr Woodruff spoke about the bees in the viewing shelter at First Steps. LLCC have now put a notice asking people to leave the bees alone and it was her opinion that the bees should not be rehomed and or any attempt made to move them. It was agreed that the existing notice would be amended to warn people that a prosecution may occur should the bees be interfered with again.

### **It was resolved not to move the bees and to amend the LLCC notice.**

Proposed Cllr Robinson Seconded Cllr Evans

- Cllr Evans - Carriers Lane: No issues.

## Item 12 – Correspondence

18. The greater part of the correspondence was discussed Item 5. After close examination of the 15 forms of correspondence six common themes of concern emerged the following summary was given by the Clerk:

1. Destruction of the biodiversity, wild-life habitat now left as a wasteland
  2. Concern relating to the lost function of the trees and scrubs etc. pinning down the sand and the part it played in limiting erosion and flooding.
  3. Community members wanted to know that such action can be prevented in the future and that the Council would ensure no repeat of such action.
  4. Members of the community wanted to understand why such action could be taken without the permission of LLCC. LLCC was asked to establish, who, why and the legality of such action.
  5. A number of community members expressed a desire for the person responsible to be held to accountable by way of prosecution and to make good the damage.
  6. The clerk impressed upon Cllrs that the strength of feeling in the correspondence was significant and heartfelt and deep upset was expressed in some cases.
- Cllr Evans brought the Code of Conduct training to the attention of Cllrs to ensure they all undergo that training. Cllrs to let Clerk know when they have completed the training.
  - Chair explained that she had contacted Jane Jones of the Marine and Fisheries Dept in relation to complaint received relating to the cocklers and asked her to remind cocklers that there is no agreement for them to load in the North section of the Green and also that there is to be no overnighting on the North section. She has done this and copied the correspondence to the CCC.
  - Cllr Evans explained that LLCC had received correspondence from CCC explaining that the consultation period for the Local Development Plan had been extended by 3 weeks due to COVID.

**Cllr Woodruff** to monitor  
Emergency  
Phone repair

**Clerk** to amend  
current Bee  
notice

**All Cllrs**

<ul style="list-style-type: none"> <li>• Cllr Evans stated that LLCC had received a request through the website to hire Hen Gapel. In principal LLCC does not have an objection to the event going ahead. It was agreed that LLCC insurance provider would be contacted, any additional charge would be met by the hirer. COVID restrictions would apply and the location left clean and tidy after the event.</li> <li>• Chair stated that LLCC had had a letter of complaint concerning potholes at the North section of the Green. There was much discussion, legally LLCC has no responsibility to maintaining this part of the land. Cllr Evans stated that a risk assessment has been done and that would need to be followed up. Cllr Woodruff asked that LLCC to consider removing the current out of date signage. However, given the ongoing issue of the legalities pertaining to parking on this part of the Green it was decided to leave the situation as it is. <b>It was resolved to leave the situation as it is at present.</b> Proposed Cllr James seconded Cllr Evans</li> </ul> <p><b>Item 13 – County Councillor’s Report</b></p> <p>19. CCllr Jones remarked that the maize harvest is about to start. She has written to the farmers concerned and requested that they adhere to a charter relating to road safety, road cleaning, appropriate road signage and proactive measures to avoid danger or distress to pedestrians and other road users. As yet she has had no reply from either. Cllr Woodruff asked how LLCC approach the smaller farmers when there is infringement. CCllr Jones advised that the CCC had sent out an information leaflet relating to road safety and their responsibilities. She advised that each time an infringement is witnessed by a member of the public it should be reported to the Police on the non-emergency line (101) immediately so that a record showing the volume of infringements and corresponding complaints can be built up. CCllr Jones reminded LLCC that it was agreed that Cllr James and Cllr Charles would join her and the other two community councils for a meeting to look at the issue in an attempt to come up with suggested solutions. CCllr Jones stated she would reignite that initiative and that she would set it up before LLCC next meeting. She also informed LLCC that she would be having a meeting with the Police to discuss this matter within the next week. <b>It was resolved that LLCC would make a formal written representation about this matter to Richard Waters.</b> Proposed Cllr Evans Seconded Cllr Schelewa-Davies</p> <p>The Chair directed the Clerk to place the issue of the dangers posed by tractors travelling through Llanybri on next month’s agenda.</p> <p>20. CCllr Jones continued her report; the issues relating to the Tudor Bevan Memorial Garden are now being addressed. The signage relating to dogs on the main beach will be in place ready for the 1 May 21 and there will be publicity informing the public of the regulations.</p> <p><b>Item 14 – Matters for Information</b></p> <ul style="list-style-type: none"> <li>• Cllr Evans – All Minute Books have been returned, now have a full set.</li> <li>• Cllr Charles – Coastal Path sign near Pentowyn is missing. There is a large branch hanging across the path just beyond First Steps. The warning sign at Second Steps is falling apart. Problem of Ash Die Back getting worse in a number of areas. Cllr Evans commented that she has contact Steven Edwards at County and she was told that it is the responsibility of the landowner. County will notify the landowner, a record of notification is kept, and if there are then adverse consequence an audit trail will exist. The sump on the football field may need checking before the winter. The issue will be addressed.</li> </ul>	<p><b>Clerk</b> to contact Zurich and follow up with hirer</p> <p><b>Cllr James and Cllr Charles</b> to liaise with CCllr Jones</p> <p><b>Clerk</b> to note for next agenda</p> <p><b>Clerk</b> to liaise with Mr Evans (sump issue)</p>
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- Cllr Ryder – Formally thanked CCllr Jones for tackling the dog issue on the beach and the motorhome owners. Cllr Ryder also asked if LLCC would agree to sending a card of thanks to a lady in Llanybri helping the community with face masks. A request was made by CCllr Jones to send a similar message of thanks to Sarah Heckler for her part in making bags for the COVID effort.
- Cllr Schelewa-Davies asked for the dedicated number for reporting dead animals on the beach to be published on the website. Clerk to put this on the website 'Noticeboard'. Cllr Schelewa-Davies asked for a sign to be placed at the Village Square to indicate that the road up to the castle was a 'no through road'. CCllr Jones said she would follow this up.

**Clerk for  
'Noticeboard' on  
website**

Chair closed the meeting at 1000 pm.

..... Date:

Chair  
Cerian Lodwick