

LLANSTEFFAN AND LLANYBRI COMMUNITY COUNCIL

MINUTES OF EXTRAORDINARY MEETING HELD IN THE BEN HARRIES INSTITUTE 6pm MONDAY 10th FEBRUARY 2020

PRESENT:

CHAIR CLLR CERIAN LODWICK
VICE-CHAIR CLLR RHYS SCHELEWA–DAVIES
CLLR ZOE WOODRUFF
CLLR BETHAN RYDER
CLLR BRIAN CHARLES

CLLR ANTHEA EVANS
CLLR MEL JAMES
CLLR SUE ROBINSON
CLLR HELEN JOHN

APOLOGIES

CLLR BRIAN HARRISON
COUNTY COUNCILLOR CARYS JONES

1. The Chair explained that, as the Clerk is not present, Cllr Evans would take the minutes of the meeting and act as Proper Officer.
2. Cllr Helen John declared an interest in item 1 on the agenda but stayed to hear information being presented.
3. The Chair introduced the two representatives from the County Council. Alan Evans, (Assistant Solicitor, Carmarthenshire County Council) Andrew Paterson (Common Land Officer, Carmarthenshire County Council) and welcomed the 14 members of the public who were in attendance.
4. The Chair explained that this Extraordinary Meeting had been called to explore some of the issues raised in a formal complaint received by the Community Council. The County Council representatives were present to clarify some of the issues and to help to find a way forward.

PARKING ON THE GREEN

5. The Chair read the presentation prepared by County Councillor Carys Jones as she was unable to attend. (presentation attached as separate document) County Councillor Jones stressed her willingness to work with the Community Council.
6. Standing Orders were suspended as the officers from Carmarthenshire County Council expressed a willingness to answer questions from the public and the Councillors.
7. There was a wide range of questions from the public which were responded to by the officers from the County Council
8. It was established that:
 - a. Permission that was given to the film crew to park on Village Green probably came from the media department at the County Council.
 - b. It is unlikely that the Community Council could use the County Council legal department to give advice, as it would cause a conflict of interest.
 - c. There had been a dispute over the land that is currently used for parking at the northern end of the Village Green but this was resolved in 1980. Parking is

- breaching the regulations about parking on a Village Green and there are Restrictive Covenants on the area that is currently used for parking.
- d. Driving and parking on this land is at odds with the regulations regarding a Village Green.
 - e. Difficulties in that vehicles have been on this land prior to the legislation and there is almost scope to say that the cars are part of the recreational use. Historical use is well established.
 - f. Discussion about caravans and motor homes; the area is not registered as a caravan site but is being used as one. If it were a licensed site there would be regulations.
 - g. There is an issue about fairness of treatment as no vehicles should be on a Village Green although there are contradictions in the legislation.
9. There was discussion regarding the Morfa and the Village Green, the Covenants on the Morfa, recreational use of the Morfa and the Village Green. A question was raised regarding a 'land exchange' and the feasibility of this. Whether the land could be split and what this would involve, and whether access could be restricted. The Assistant Solicitor explained that the courts have looked at Village Greens and it is possible to acquire Prescriptive Rights. The issue of barriers was raised but it was thought that barriers would have to go on both car parks and then large vehicles would not be able to turn.
10. **It was resolved** to ask the County Council to consult with a Barrister who could identify options for the Community Council to consider. This would then lead to a public meeting to gather views from the residents of the two villages.
11. **It was resolved** to ask the County Council if it would be possible to create a new Byelaw to prevent campervans using the parking area to the northern end of the Village Green.
12. **It was resolved** to follow up the Freedom of Information Act request; regarding payment from the film company using Llansteffan in 2018.

The representatives from Carmarthenshire County Council left the meeting at 6.55pm.

THE PHEASANTRY PATH

Edward Harris, solicitor joined the meeting at 7pm. to discuss the Pheasantry path and progress on the Modification order.

13. Standing Orders remained suspended, as Edward Harris was also willing to take questions from the public.
14. Edward Harris was in Llansteffan working on the Modification Order 5 years ago, he explained about the Definitive maps for footpaths and the duty under the Wildlife Act to keep those maps up to date. He shared maps with the public and the Community Council outlining the area under discussion. He went on to outline the history of the development of 'the Pheasantry', the current status and the issues regarding the path that passes in front of the Pheasantry.
15. Proof had been established 5 years ago that the footpath that is in dispute had been used for 20 years, 50 people had given evidence of this. The part of the footpath in front of Mrs Rhys' house is part of the All Wales Coastal Path, which can still be walked.

16. A Modification Order was presented on behalf of the Community Council to the County Council, to seek a modification to the Definitive Map of public paths, but the County Council have not proceeded with any action since then.
17. Mrs Rhys has agreed to the path going in front of the Pheasantry but wants to restrict the width, erect gates at each end and put up signage indicating that the Coastal path goes up the hill behind her property.
18. Mrs Rhys is claiming that she owns all the land up to Lord's Park Farm but this has not been established by the Land Registry and has been challenged by Edward Harris. The National Trust own most of this land.
19. Edward Harris suggested that the next step would be to go back to the County Council and to proceed with the Modification Order (submitted April 2019) and that a formal objection to the Land Registry application should be lodged.
20. **It was resolved** that we ask Edward Harris to speak to the Solicitor at Red Kite to see if we can ask the County Council to go ahead with the Modification Order.
Proposed Cllr Charles Seconded Cllr Schelewa-Davies
21. **It was resolved** that if we get a positive response we will ask the County Council to proceed with the Modification Order.
Proposed Cllr Charles Seconded Cllr Schelewa-Davies
22. Questions were asked about the Enforcement Officers who have been out, the septic tank above the beach and why National Resources Wales have not taken any action. They have all been presented with a great deal of evidence but without any resulting action.
23. Edward Harris left the meeting at 7.50pm
24. Standing Orders were resumed.

Signed Date

A.E. 14.02.2020