

MINUTES OF MEETING OF CILCAIN COMMUNITY COUNCIL AT THE VILLAGE HALL
CILCAIN ON 20 APRIL 2023.

Present: Chairperson: Cllr Gwenda Hardman

Councillors: John Emyr Davies Malcolm Down
J Pauline Douglas John Doyle
Gareth W Hughes Ian Hughes
Karen Parker Christine Vaughan
John V Worthington
The Clerk was also in attendance

1. CHAIRPERSON'S OPENING REMARKS

The Chairperson welcomed Members to the April Meeting. Croeso i bawb i Gyngor Mis Ebrill. The Chair also welcomed one Cilcain resident (SJ) and County Cllr Andrew Parkhurst to the meeting.

2. APOLOGIES FOR ABSENCE - Cllr Michael Parr.

3. DECLARATIONS OF INTEREST - Cllr Gareth W Hughes, Cllr Malcolm Down and Cllr Karen Parker declared an interest in item 9 (10) and 9 (11). regarding the Rhydymwyn and Hendre Community Group.

4. MINUTES OF LAST MEETING The Chair explained that Item 2A on the March 2023 Agenda had referred to the appointment of a new Vice Chair. The March Minutes had been subsequently corrected so as to include the decision taken in the March Council Meeting. The corrected copies of the March Minutes were distributed at the Council Meeting. Acceptance of the corrected Minutes was proposed by Cllr Gareth W Hughes and seconded by Cllr Ian Hughes. All Members in attendance agreed.

5 HIGHWAY MATTERS

Mr Hickie went though the Action Plan included in the Correspondence pack supplied to Members.

Resolution: With regard to the position of outstanding potholes, Cllr J Emyr Davies proposed and Cllr Gareth W Hughes seconded - Clerk to write to Mrs Kate Wilby regarding the extent of potholes requiring repair on the rural roads.

Mr N Hickie presented the latest version of the white lettering on grey background with the following changes included:

- (i) Grouping of the two Welsh lines together with more space between the Welsh lines and the two English lines (Cllr Gareth W Hughes)
- (ii) Add 'f' at the end of 'pentre' (Cllr Christine Vaughan)
- (iii) Gate 'may' be locked instead of gate 'can' be locked. (Cllr John Doyle)

- (iv) 'Special' events becomes digwyddiadau 'arbennig' instead of digwyddiadau 'penodol' (Cllr Christine Vaughan).

Mr Neil Hickie to proceed with the sign manufacture and erection on the Bowling Club boundary fence.

6.0 MATTERS ARISING (NON HIGHWAY MATTERS)

- p101 Proposed solar panels - Chair reported on the current position. Application and supporting documents had been submitted to Flintshire Conservation Section.
- p102 King's Celebrations Cilcain -Thank you note received (see Item 7 in the correspondence section)
- p103 Anaerobic Digestion proposal -
 - (i) A meeting of the Rhydymwyn Action Group had taken place at the Rhydymwyn Church on the 23 March. Cllr Gareth Hughes referred to another meeting of the Action Group being scheduled for Thursday next week.
 - (ii) Clerk to write to Mr Andrew Roberts at Flintshire Planning to request guidance on the planning status of the application site as indicated in the current version of the Local Development Plan.
 - (iii) Clerk to contact Halkyn Community Council to establish the identity of the Chair and Vice Chair - A copy of the Community Council 's submission to Caulmert to be sent.
 - (iv) Chair explained that the NRW had been requested to supply the Council with a copy of NRW's response to Caulmert. NRW had responded to suggest that the Council would need to obtain a copy from Caulmert.
 - (v) Clerk had spoken to the Officer who had prepared the NRW's submission. NRW were not commenting on any potential safety issues.
 - (vi) Caulmert had been subsequently requested to supply a copy of NRW submission. Caulmert not prepared to release any documents at this stage.
 - (vii) Item12 in the correspondence section. Cllr Andrew Parkhurst information was in line with the position outlined by the Chairperson. The Site Notice had to be bilingual but not the supporting documents. Flintshire Legal Section had been requested to advise, but no legal views had yet been forthcoming.
 - (viii) Chair reported on her investigation into the Planning Wales Act 2015 and guidance on Major Development projects. Caulmert will be required to submit with their planning application a PAC report regarding how they carried out their pre-application planning consultation. They will also be required to set out what issues were raised by consultees and how they have been considered when finalising the application

- (ix) The Digestion facility site is in Halkyn Ward - The County Councillors in Halkyn had not received any expressions of concern from residents of the local area so the Halkyn Councillors could not put residents' views forward. Cllr Parkhurst to forward the Email addresses of the two councillors to Cllr Gareth W Hughes.
- (x) Item19 in the correspondence section - Report from a Rhydymwyn resident (DP) citing leaks of methane, CO₂, and traces of the toxic gas hydrogen sulphide at a digestion facility in Dorset (2023).
- (xi) Chair indicated she would check her notes for the Cilcain Housing pre-planning application to establish if there was any obligation mentioned at the County Forum Meeting (she and Cllr Ian Hughes had attended) for the applicant to put forward the views of the residents in the Planning application.

p104 Dolfechlas Rd, Rhydymwyn, drainage odour

Clerk had written again to Welsh Water to enquire:

- (i) If the MH by Impala has yet been sealed.
- (ii) Can the filter be placed in the manhole at Impala instead of the manhole higher up Dolfechlas Road.
- (iii) When is the filter due to be changed

Clerk reported on his telephone discussion with Mr Kelbrick when one new possible solution was considered.

The Hendre drainage system due to its age would contain a 'combined' system in many parts (as opposed to the modern systems that tend to have separate surface water and foul water pipe systems).

Under wet conditions, the concentration of the sewage would be diluted and there would be less smell. Former Councillor Ian Smith had volunteered to keep a regular note of the odour and to make a note if there is a dry weather period preceding the odour. If the odour was due to the 'concentration', then Welsh Water would consider having a regular supply of mains water introduced into the pumping system.

Sealing of the manhole would take place in two or three days. Mr Kelbrick is prepared to look at two filters instead of one, in due course. Filters were a fairly new idea and their efficiency is being questioned.

Dwr Cymru was prepared to sample in the wet verge next to the depression in the road by the recently re-paired surfacing (costing £6,000) to check on possible leakage from the siding main between Hendre and Rhydymwyn.

p104 Cilcain Shop - Cllr Karen Parker reported that herself and Cllr Gareth W Hughes had now met the two representatives from the Shop Ctee. They were happy with licence and were going to share the proposed licence with the rest of the Membership. Clerk to send Cllr Gareth Hughes a coloured plan showing the shop area. Cllr Hughes explained that once the Shop Ctee Members have agreed the licence, the licence will then be sent to the Village Hall Management Ctee.

p104 Hendre Quarry - Cllr Karen Parker and Cllr Gareth Hughes had met with Frazer Harding (Acting Quarry Manager) on the 3rd April 2023. Frazer had looked again at the Sweeping Contract. The contract between GoPlant and the Quarry had been drawn up by Tarmac Procurement Section based in Birmingham. Frazer to look into the matter further to check on the contracted frequency and the section of road to be swept in accordance with contract.

Members agreed for the Clerk to check with Flintshire Minerals Section to establish if the planning conditions cover the sweeping requirements.

Cllr Gareth Hughes requested Cllr Andrew Parkhurst to make an approach regarding the funding for the Llys Alyn bus service facility.

The possibility of asking Tarmac discussed to consider funding a new commemorative seat for former Cllr Ramsay was discussed. Cllr Karen Parker to make enquiries with the family.

p104 Cilcain cemetery - Cllr John V Worthington reported that birds had already started nesting in the central area bushes when he inspected the bushes the day after the March Council meeting. It was too late therefore this Spring to cut the hedge. If the bushes encroach on to the central path, Cllr Ian Hughes indicated he would deal with the encroachment.

p105 Caravan in field near the Rhydymwyn Bowling Club - Clerk had sent a reminder to Flintshire Planning enforcement on 12 April 2023. Planning Enforcement responded on the 14 April to inform the Council the removal of the caravan was being pursued.

p105 Cilcain and Rhydymwyn LED lamps - Clerk reported that 7 No LED Lamps had been installed in Rhydymwyn last month and the confirmation of the Council for the payment made prior to the 31 March was requested. Members approved the action taken by the Chair and Vice Chair since the March Council meeting. Regarding the LED lamps for Cilcain, Clerk to clarify the position with the AONB. An on-line meeting may be required with the ANOB's Electrical advisor in due course.

p105 Sign at bottom of Garth Lane - Cllr Andrew Parkhurst to email Mr Hickie to request an update.

p105 Play Area, Cilcain - Chair referred to information received from Flintshire CC to report that the new play units (for the under five year olds) had been installed and the scheme had been completed today. The new grass area had been re-seeded.

p105 Replacement stile - Clerk had enquired with Mr John Hill whether or not the stile installed was higher than the recommended height. Mr Hill confirmed that the stile was of the correct height. A kissing gate could not be installed, because the landowner's permission would be required for a kissing gate. Mr Hill was reluctant to install steps on the incline leading up to the stile.

p106 Gwysaney Arms - Meeting to take place on Tuesday at 10am. Three Council Members indicated they were able to attend.

- (i) Members noted that if the site is developed for houses, it is important that the relevant condition is included in the planning permission to require the developer to make a

contribution towards village amenities. In the last two sites developed for housing in Rhydymwyn, this planning condition was left out of the planning permission 'in error'. Cllr Gareth W Hughes and the Clerk had a meeting with the Planning Office regarding the omission, but there was nothing that could be done at that late stage. Once the condition is not included in the planning permission, the community loses out by a substantial amount.

Cllr Andrew Parkhurst referred to a similar scheme elsewhere in Flintshire where the developer is having to pay a substantial amount in accordance with the Section 106 requirements.

- (ii) If planning permission is given for development it will be important to include a condition to ensure that development has to take place within a certain period.

p107 Defra Flood Gates - Cllr Gareth W Hughes reported that DEFRA was still waiting for parts for the flood gates.

The Clerk mentioned having received a report from two Rhydymwyn residents via Cllr Gareth W Hughes regarding a brown sludge in the River Alyn, seen from the DEFRA bridge. The sludge had been reported to DEFRA to its 24 hr emergency telephone number on Sunday 16 April 2023. Six NRW river pollution inspectors had investigated the complaint on Sunday and Monday.

One of the NRW Officers (Sally Sheehan from the Buckley Office) had contacted the Clerk just before the Council Meeting to report that the sludge pollution was widespread and had been detected well up river of the Cilcain Sewage Treatment Plant below Bont Newydd. Natural causes suspected but further tests and analysis to be undertaken.

Cllr John Doyle had also reported the pollution on line. Cllr Hughes felt it was important the Council does receive a written report in due course. Clerk to pursue.

7.0 PLANNING MATTERS:

Community Council observations requested on:

- (i) Proposal: Extension to side and internal alterations
Location : Tan Lan Cottage, Bryn Alun Junction to Maes Y Groes Junction, Cilcain, CH7 5PG
Ref No: FUL/000238/23

The Community Council **supports in principle** the development.

However, Planning Guidelines allow for a 50% addition to an original dwelling footprint. The Community Council is concerned that the dwelling has already had substantial additions in the past. The extension of this dwelling again will result in the new footprint breaching the planning guidelines by a significant amount.

8.00 CORRESPONDENCE / COMMUNICATIONS

- 1) 19/03 N W Energy proposed Anaerobic Digestion facility - Request sent to North Planning Section of NRW for access to its submission to Caulmert. Item already dealt with.
- 2) 19/03 Rhydymwyn cemetery - Letter sent to the Undertaker to express concern regarding settlement of the grave space. No response received as yet. Two bags of topsoil purchased in readiness. Topsoil bags can be used in Cilcain cemetery this Summer / Autumn, if not required / used in Rhydymwyn.
- 3) 24/03 N W Energy proposed Anaerobic Digestion facility - Response received from North Planning Section of NRW regarding the Council's request for information. Item already dealt with earlier
- 4) 30/03 Proposed Anaerobic digestion facility at Rhydymwyn - Request sent to Caulmert to request a copy of NRW's submission. Item already dealt with earlier.
- 4B) 31/03 Nant Alyn, Rhydymwyn - Proposed tree felling. Cllr Gareth W Hughes had received concern from two separated Rhydymwyn residents regarding a tree marked for felling. Wild bees nest in the trunk and an owl's nest would be affected. Concern passed on to Flintshire CC. Item already dealt with earlier.
- 5) 02/04 Cilcain cemetery, grass cutting - Photograph from Cllr J V Worthington following the first grass cut in the cemetery. Position noted. Cutting operation by Bloomin Gardens very satisfactory.
- 6) 02/04 Parkinson's Sufferer - Email from Cilcain resident (DF) to express concern regarding the parking sign in the village car park. A copy of this email had been forwarded to all Council Members. Members noted that Flintshire Streetscene had been requested to proceed with the purchase and erection of the signs at the 20 March 2023 Council Meeting. Position noted.
- 7) 03/04 Kings coronation celebrations, Cilcain - Thank you note for the Council's £300 donation. Position noted.
- 8) 04/04 Proposed Anaerobic digestion facility Rhydymwyn - Response from Caulmert Ltd to the Community Council's request for information. Item already dealt with earlier.
- 9) 05/04 Cilcain Play area additional play items scheme. Information from Mr Richard Roberts Flintshire CC regarding the proposed starting date for the installation. Please note Flintshire's comment regarding only closing part of the play area for the works. The equipment had been purchased in March, but Flintshire had delayed site works until better weather in April. Position noted.

Cllr Gareth W Hughes wanted an update from Flintshire CC regarding the current position with the proposed refurbishment of the Rhydymwyn play area. Clerk to request Mr Richard Roberts to contact Cllr Hughes with a view to having a site meeting to discuss the current position.

10) 05/04 Kings coronation celebrations Rhydymwyn - Information from Rhydymwyn and Hendre Community Group regarding the date for the celebrations. Request for donation - Suggested donation - £300 (same as Cilcain's King's celebration event donation). Members agreed to give a £300 donation.

11) 05/04 Replacement defibrillator battery - request for donation to assist with the replacement battery for the Rhydymwyn unit. Suggested donation (£140 - approximately half the cost of replacement battery). Members noted that the Council made a £500 donation in May 2018 towards the purchase of the Cilcain defibrillator. Members agreed to give a £140 donation.

Since these battery replacement item cannot be predicted, the Council agreed to include in next year's precept an amount that will cover the Cilcain and / or Hendre defibrillator battery replacement.

12) 05/04 N W Energy Ltd - Pre-application Consultation - Copy of correspondence between Cllr Parkhurst and the Rhydymwyn Action Group regarding the need for the Site Notice to be bilingual. Item already dealt with earlier.

13) 06/04 Waen Field, Cilcain, grass cutting - Letter from a Cilcain resident (DF) to give the Council notice that he will be monitoring the grass cutting in Waen Field this year. A copy of this email has been forwarded to all Council Members. Position noted.

Cllr John Worthington reported that the grass on the bonfire area (re-seeded by Cllr J Emyr Davies) was growing well.

14) 06/04 Pedair y Groesffordd parking area - Email from Cilcain resident (DF) to update the Community Council on the parking survey started pre 2023. A copy of this email has been forwarded to all Council Members. Position noted.

The Clerk reported that on Saturday 15 April, 2023, there were 24 Cars parked in the View Point car Park at 1.00 pm with one of the vehicles being parked on the grass verge at end of the car parking area. Normally there are 7 vehicles parked by the Water Works, but on Saturday 15 April 2023 there were 18 vehicles parked by the Water Works.

Cllr J Emyr Davies reported that the View Point car park was full at 2.30 pm on Saturday and the Village Car Park was full. On Sunday, 16 April 2023 at 5.00pm the View Point car park was half full and the Village Car Park was full again.

The Chairperson reported on a very successful cafe session in the village on that Saturday. The village car park was full, and cars parked all along the road outside the village car park.

Cllr Karen Parker recalled proposing that the Council needed to write to the Public House Landlord/Landlady to ask when the car park at the rear of the public house was going to be opened again but a response had not been forthcoming. During Covid 19, the car park was used as an outdoor area (beer garden) to serve customers. Now that Covid 19 restrictions have been lifted, the public house car park is still being used as a beer garden and this is affecting car parking in the village.

The options were:

- (i) to write again
- or (ii) to write directly to the Planning Authority to enquire if a Public House should have its own parking facilities.

Option (i) was approved.

Cllr Gareth W Hughes enquired what happened to the request that was made to Flintshire CC to sketch out a design and estimates for extending the View Point Car park. Clerk reported that Flintshire had been reminded about preparing some sketches.

The Chair maintained that since the site discussion that the Community Council had with Mr Richard Jones from Flintshire Tourism, a meeting had taken place with Mr David Shiel from the AONB. The Chair felt that another meeting with the AONB was recommended before reminding Flintshire to come up with design and estimates.

Cllr John Worthington felt the Council should be aware of the danger of the Cilcain side of Moel Famau being used as an overflow parking area for the Loggerheads side of the Moel Famau.

The Chair maintained that public information was stressed by David Shiel at the last site Meeting she and Cllr Worthington had with the AONB.

Cllr Christine Vaughan agreed that more in the way of public tourist information was necessary regarding the alternatives available for pedestrians to gain access to Moel Famau and this is where the information scheme by David Shield could be useful.

Members noted the presence of double yellow lines on the road leading up to the Bwlch Pen Barras. Presumably this was to encourage visitors to use the provided parking areas.

Meeting to be arranged with Mr David Shield in due course.

- 14B) 07/04 Cilcain Play area - Photo from Cilcain resident (SJ) showing barriers closing part of the play area for the work by Flintshire CC's Contractor. Item discussed earlier.
- 15) 07/04 Parking, Cilcain - Report from Cllr J V Worthington:
 - 17 vehicles parked at 1.45pm with one vehicle parking in the adjoining verge (shown on photo 'A'). The erosion of the highway verge at the edge of one of the 'View Point' parking areas suggests that this verge parking may be taking place on a fairly regular basis.
 - 7 vehicles parked at the Waterworks pull-in.
 - 3 vehicles parked in the verge on the Pen Line RoadItem discussed earlier.
- 16) 08/04 On Saturday 08 April 2023 the second photo (B) shows (at 1.00pm) four vehicles parking in the highway verge on the Pen Line leg of the Pedair y Groesffordd junction. Item discussed earlier.

- 17) 08/04 Rhydymwyn cemetery - Three bushes planted in grave space. Notice attached to the headstone to request owner of grave space to contact the Clerk. Position noted.
- 18) 09/04 Cilcain cemetery - Report received from a Cilcain resident (DF) regarding the need to repair the Biere House roof. (See photo attached). The Chair reported also having noted the damage on the 9 April 2023 and had reported the repair requirement to the Clerk.

The Clerk had made some enquiries regarding the necessary repair with Mr Tom Smith.
- 19)10/04 Proposed Anaerobic digestion facility Rhydymwyn - information from a Rhydymwyn resident (DP) citing leaks of methane, CO2, and traces of the toxic gas hydrogen sulphide at a digestion facility in Dorset (2023). Item already dealt with earlier.
- 20) -- /-- Flintshire Streetscene Action Plan - For Members to comment on, and to add to as appropriate. Item already dealt with earlier.

09.00 **PAYMENT OF ACCOUNTS** - The accounts scheduled in the Appendix were approved for payment.

10.00 **COUNTY COUNCILLOR ISSUES**

- (i) Writing to Flintshire re. potholes, Cllr Parkhurst suggested the letter should be written to Mrs Katie Wilby and a copy to Cllr Dave Hughes, Cabinet Member for Streetscene and Regional Transport.
- (ii) Speed Limit through Hendre - Cllr Parkhurst had received an answer today from Mr Lee Shoe in Flintshire Traffic. Flintshire had identified the Hendre speed limit as having an exemption to the speed reduction changes, whereby the limit will remain at 30 mph unless an objection is received, considered and agreed for the speed limit to be lowered to 20 mph.
- (iii) Mill Terrace, Hendre - Cllr Karen Parker referred to discussion having taken place in the village regarding Flintshire's proposal for dealing with the potential flooding in the Mill Terrace area of Hendre. Cllr Andrew Parkhurst indicated he would request Mr Andy Roberts to give him an update.
- (iv) Coed Du Hall, Nant Alyn, Rhydymwyn - Cllr Pauline Douglas referred to a recent incident (Thursday before Easter) whereby a patient at the Nursing Home had been knocking on doors in Nant Alyn at an early hour. The Council were concerned about the security at the Nursing Home. Clerk to make enquiries to establish if the Nursing Home is subject to a 'licence' and which local or regional authority is responsible for issuing / monitoring the licence.

11.00 **DATE OF NEXT MEETING** - The next meeting of the Council will be the AGM of the Council and is scheduled for the 15 May 2023.

SignedChairman Date: Clerk

PAYMENT SECTION NOT FOR PUBLICATION UNTIL APPROVED AT THE COUNCIL

1. Payment of Accounts

| | | |
|--------|---|--------|
| (i) | A E (sal + fixed exp) for March 2023 | 625.85 |
| (ii) | HMRC - PAYE (L.G.A.1972 S112) | 97.45 |
| (iii) | Bloomin Gardens - grass cutting at Cilcain and Rhydymwyn cemeteries, plus around two Rhydymwyn seats. | 220.00 |
| (iv) | Office Equipment and stationery - (L.G.A.1972 S111) (Invoices were available at the Council Meeting) | 107.84 |
| (v) | AE - web fee | 18.00 |
| (vi) | AE - Cemetery materials for Cilcain and Rhydymwyn cemeteries | 21.17 |
| (vii) | Flintshire CC - Cilcain cem rates | 92.56 |
| (viii) | Transfer to Chairman Account | 150.00 |
| (ix) | Donation to Rhydymwyn's King's coronation celebrations | 300.00 |
| (x) | Donation to Rhydymwyn and Hendre Defibrillator battery replacement | 140.00 |
| (xi) | Cilcain Vill Hall Mang Ctee - donation to assist with insurance premium | 325.00 |
| (xii) | JD-K Website - 3 months (Jan to March) | 60.00 |
| (xiii) | Power Systems - Street Lighting Energy - 3 months | 423.86 |

2. ACCOUNTS FOR 2022/2023 FINANCIAL YEAR

- (i) The computerised version of the Payments and Income and the Council's 'balance' for the year ending 29 March 2023 was attached to this month's Agenda. Members noted that the 'balance' on 29 March 2023 was £29,185.96 (Balance at 29 March 2022 was £33,730).
- (ii) The accounts will shortly be submitted to the Internal Auditor. The current system involves the Accounts being audited by the Internal Auditor prior to being considered and approved by the Community Council. However, the Council needs to note the following:
 - (iii) Risk Assessment - The Council reviewed its schedule of risk assessment which identifies the risk, the potential consequence of risk, the assessment of impact, the likelihood of risk occurring and the controls in place to manage the risk. The Council considered every aspect of the risk assessment in detail and was satisfied that all possible action to keep risk to an absolute minimum is being taken.
 - (iv) Council's System of Internal Controls - The effectiveness of the Council's system of internal controls was reviewed and approved.
 - (v) Investment Strategy - The Council's Investment Strategy was reviewed and approved.

- (vi) Standing Orders / Financial Regulations - The Council’s Standing Orders was approved by the Council.
- (vii) Council approve the Council’s Asset Register and approved the basis on which the Register is drawn up.
- (viii) The Council needs to authorise the Clerk to appoint JDH, Business Services Ltd, Pantymwyn to undertake an internal audit of the Council’s 2022/2023 accounts. The Council to request the Internal Auditor to provide an updated statement to confirm their independence from the Council.
- (ix) The External Auditor will shortly be notifying the Council of the various target dates for the Annual Return process.

3. **Current Council Bank Balance.** Please note that the closing balance in the Council's Bank Account on 29 March 2023 was:

Current Account: £1,896
 Deposit Account: £ 27,290
 Dep. Acc. interest (March £26.85) (Feb £21.53) (Jan £19.08) (Dec £15.52)

Chair Clerk Date