

Minutes of General Meeting held on 9th February 2023

Present: Cllrs

Allan Morgans – Chair
Paul Sheldon
Amanda Curtis
Simon Grice
Lyn Gibson
Margaret Narburgh – Clerk

Apologies:

Jac Armstrong – Vice Chair

Members of the Public:

John Almond
Tony King
Hugo Watts
Gwenda Jelley
Paul Jelley
Paul Dyson
Yvonne Davies
Phil Mann
Liz Mann

551. Apologies

Cllr Armstrong sent his apologies due to being delayed at work.

552. Opening Remarks

The Chair thanked everyone for attending and given the public interest, proposed moving item 11, revised planning application 21/2022/0980 to the beginning of the meeting to enable members of the public to leave if they wished after this item had been discussed. Cllr Grice seconded and all councillors voted in favour.

553. Declarations of Interest

None

554. Meeting Open to the Public

1. Mr & Mrs Jelley stated they were pleased the applicant for the donkey trekking business has agreed to installing 2m high fencing which will protect their privacy but disappointed nothing has been done to address the noise, lighting, opening times and impact on wildlife.
2. Mr Dyson stated:
 - i. the revised drawings for the donkey trekking business included additional planting in the hedgerow and although he was grateful for this as it would help with noise and privacy, the applicants plans are to undertake the work on completion of the business plan in five years' time. It would take another few years before the hedge was established so this does not solve the immediate problem.
 - ii. There were still obstructions littered along the footpath and the 'way markers' given to the applicant had not been installed along the footpath. The Footpaths Officer has visited the site and asked the owner to remove the 'way markers' installed along the permitted route and install them along the footpath instead then install correctly coloured ones supplied during the visit along the permitted route.
 - iii. He felt things were moving in the right direction but still had some way to go.
3. Mrs Davies stated she lived opposite route 1 for the donkey treks and was concerned that:
 - i. The lighting issues had not been addressed
 - ii. The revised application included two additional advertising signs at the entrance to the property bringing the total to six. She asked if one design could be used for both businesses to reduce the number needed to two.

The Chair read out correspondence received from Mr Wilding and Mr & Mrs Hemming stating their objections to the application – copies attached as Appendix 1 and 2.

555. Planning Applications

1. 21/2022/0980 – second revision for change of use of land and part of building to form donkey trekking business

The Chair summarised where the council believed the application was now at as follows:

- i. The footpath had almost been re-instated
- ii. The portaloo had been removed from the revised drawings
- iii. The revised drawings included a 2m high fence and additional planting in the hedgerow
- iv. There were still several areas of concern as outlined by members of the public earlier
- v. Cllr Morgans was invited to visit Mr & Mrs Hemmings property to discuss the concerns they had raised in their email, which he did on 4th February
- vi. Cllrs Sheldon, Grice and Morgans were invited to visit the applicant's property to walk around the site and discuss the business plan which they did on 4th February. The applicant stated:
 - o the sawmill business would be open Monday to Friday and the donkey trekking Saturday and Sunday so there would be no interaction or issues with traffic or parking on site
 - o the donkeys would only be walked during daylight hours eliminating the need for lighting
 - o hand washing facilities were available in the barn
 - o toilet facilities were available in the sawmill
 - o manure would be dried and burned in a biomass boiler
 - o additional hedging and fencing would be installed to screen the lower level
 - o issues with the footpath were being addressed
 - o Denbighshire CC had given permission for a 28-day trial last year so he had not been operating illegally

Cllr Sheldon reported that another revised drawing had been posted on Denbighshire's portal. The Clerk stated the Council had not been made aware of this yet. After due discussion councillors concluded, the applicant was striving to resolve the concerns raised by neighbours but information in the application did not reflect what had been said during the site visit and that the Council could only respond based on what it had in writing. As a result, Cllr Curtis proposed objecting to the application based on the inconsistencies between what had been said during the site meeting and what was in the application. Cllr Grice seconded and all councillors voted in favour. Action: Clerk to notify planning.

556. Approval of Minutes of General Meeting on 12th January 2023

Cllr Sheldon proposed accepting the minutes as a true and accurate record of the meeting, Cllr Morgans seconded and all councillors voted in favour.

541. Matters Arising from the meeting on 12th January 2023

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| 388/4 | Ongoing, Countryside Services have still not responded to Cllr Morgans which is unusual. Action: Cllr Morgans to chase |
| 391 | On agenda for discussion under Improvement Plans for Maes Ysgawen park |
| 448/3 | Parts to be fitted to Tafarn y Gelyn bench in spring 2023 |
| 452 | On agenda for discussion under Improvement Plans for Maeshafn playing field |
| 533/2 | Cllr Grice reported he has had a favourable response from residents. They have suggested new dog foul bins next to the bus stop on the A494 near the church and at the junction on the bye pass at Tafarn y Gelyn. Action: Cllr Morgans to provide Cllr Grice with contact details at DCC to enable him to progress. |
| 533/5 | Cllr Morgans has received accident and speed data along the A494 which shows over 15% of users are exceeding the speed limit by 10% plus 2mph. He is now trying to correlate the data and will draft a letter to the minister responsible for road safety asking for permanent flashing speed signs to be installed. Action: Cllr Morgans to progress. |
| 538 | Action: Clerk to resend Declaration of Interest form to Cllr Grice |
| 539,542 & 549 | Completed 13.1.23 |

557. Co-option of Councillors

Jane Hemming has withdrawn her expression of interest in becoming a councillor due to other commitments. This means the Council still has three vacancies which the Clerk is continuing to advertise on noticeboards, the website and in News & Views.

558. External Audits

The Welsh Audit office has issued its 'Consideration Document' and invited the Council to respond by 6th March. The Clerk has obtained an extension until 17th March and will include this item for discussion during the meeting on 9th March under Part II.

559. Training

Cllrs Morgans, Curtis and Sheldon and the Clerk attended Code of Conduct training run by Denbighshire CC on 2nd February. Cllrs Grice and Gibson are booked to attend in March. Action: Clerk to update training records

560. Correspondence List

1. Welsh Government have circulated a consultation document re Commemorations in Wales
2. The Elections Division are offering grants to encourage more democratic engagement
3. Denbighshire CC has started using electric bin lorries
4. Denbighshire CC has setup a BookStart baby book club
5. One Voice Wales have invited councils to comment on revisions to the Technical Advice Note on Flooding and Coastal erosion
6. The editor of News & Views has thanked the Council for its grant
7. Denbighshire CC have started removing trees affected with Ash Dieback in Loggerheads country park
8. Denbighshire CC has circulated details of their 2023/24 budget
9. Darren Millar has offered to attend a council meeting. Action: Clerk to invite him to attend the April meeting
10. The boundary fence between Llanferres school and Maes Ysgawen park has collapsed. Cllr Morgans attended a meeting with the caretaker and a member of the village hall committee when it was agreed Denbighshire CC should be asked to replace it with a more secure fence to safeguard children.
11. The church has questioned new footpath 'way signs' having been installed through the church yard linking Cae Derwen with Rectory Lane. The footpaths officer has confirmed the footpath is not shown on the map but was agreed when Cae Derwen was built. A member of the Village Hall committee questioned how this was agreed without consulting the Diocese.

561. Park Maintenance and Improvements

1. Maes Ysgawen Park

Replacing the main entrance gate to facilitate easier access for wheelchair and mobility scooter users has been discussed for over 2 years with no progress made due to difficulties trying to arrange for the kerb to be dropped along the road. The existing paths are in a poor state of repair, the graphics panel on the information lectern has faded and the woodland area is overgrown.

There is scope to upgrade facilities so the less able bodied can use the park more easily and improve biodiversity by creating a nature trail. The estimated cost is between £10,000 and £20,000 which would need funding by a grant from an outside agency.

After due discussion Cllr Grice proposed the following:

1. Asking residents for their views and suggestions for improving the park
2. Obtaining indicative quotes from contractors
3. Exploring funding options

Cllr Sheldon seconded the motion and Cllrs Morgans, Curtis and Gibson voted in favour. There were no votes against or abstentions. Action: Clerk and Chair to progress and report back at next meeting

2. Maeshafn playing field and orchard area

A recent survey has highlighted several safety and maintenance issues in need of attention

- i. The front boundary wall has collapsed in part and was cordoned off to prevent people walking through to the park. Cllr Morgans is still having difficulty finding contractors prepared to quote to either repair or replace the wall. Estimated cost is between £2,000 and £8,000 depending on the scope of work.
- ii. There are large gaps at the base of the hedge and local children have been seen crawling through to enter and leave the park presenting a road safety hazard. The hedge can be cut back or laid to regenerate growth and the gaps filled with bare root whips. The hedge blocks the view around the corner of the entrance to the village resulting in traffic having to slow down or stop at the junction. Cutting back would expose the corner for as long as 5 years until the hedge regrows. Contractors estimated cost £800.
- iii. The fence posts behind the hedge have rotted in the ground and fallen over in parts. They need replacing at an estimated cost of around £1,250 for post and wire and £1,750 for post and rail fencing.
- iv. The rabbits have eaten almost all the plants in the butterfly garden compromising biodiversity. Estimated cost to replace with more robust shrubs £300 plus voluntary labour to install.

These are all maintenance or safety issues and therefore it is unlikely that grant funding would be available.

After due discussion Cllr Sheldon proposed the following as the most practical solution:

1. Asking the AONB Sustainable Development Fund if they can replace the wall at their cost but if not, ask a contractor to repair funded from 2023/24 precept
2. Leaving the hedge intact and underplanting with bare root whips funded from 2023/24 precept
3. Replacing the fence with post and wire funded from council reserves
4. Replanting the butterfly garden funded from 2023/24 precept

Cllr Gibson seconded the motion and Cllrs Morgans, Seldon and Grice voted in favour. There were no votes against or abstentions. Action: Clerk and Chair to progress and report back at next meeting

562. Banking and Accounts

Cllr Sheldon reported he had checked December and January accounts/bank statements and all were correct.

563. Payment of Bills and Invoices

The following bills were presented for authorisation to pay

1. AVOW – payroll invoice for February 2023	£497.71
2. HSBC – bank charges for January 2023	£5.00
3. XXX – councillor allowances	£75.00
4. Signs Workshop – Contact information for Maeshafn park	£50.95
Total bills for payment	£628.66

Cllr Sheldon proposed all bills be paid, Cllr Gibson seconded, and all Councillors voted in favour. Action: Clerk to pay all bills on the schedule.

564. Other Matters brought to the Council's Attention

1. Cllr Morgans now has accident information and speeding data for the A494 and will be drafting a letter to the highways minister asking for permanent flashing speed signs to be installed along the road to improve safety.

2. Cllr Morgans is still waiting for Countryside Services to respond to the Council's request to remove dangerous trees and restore the Huelog.
3. Cllr Morgans reported the planned resurfacing of Maeshafn Road has been delayed until 15th February due to weather conditions in January.
4. Cllr Morgans has reported the damaged chevron signs around the 'S' bend to highways dept and asked for them to be replaced.
5. Cllr Morgans reported the bus timetable being out of date in Maeshafn and the bus company have now updated it.
6. The Clerk asked if the Council wished to celebrate the King Charles III coronation in any way. Supporting local initiatives and planting trees were suggested. Action: Clerk to include on agenda for next meeting.

Cllr Morgans proposed closing the meeting, Cllr Gibson seconded, and the meeting was closed at 20.55 pm.

**The next General Meeting of the Council will be held on Thursday 9th March 2023 at 7.30 pm
in Llanferres Village Hall**

To Llanferres Community Council:

We are writing to the Community Council as we are unable to attend the next meeting (9th Feb2023) to discuss our ongoing concern about the proposed donkey trekking business at BrynFfynnon Sawmill (ap.no.21/2022/0980). We are not able to access a wi fi connection to attend via internet on that date therefore we would appreciate it if our views could be shared at the meeting.

We do recognise the efforts by Mr Davies to address concerns raised by his neighbours, however there remain, for us, significant unresolved issues.

Having extensive and continuing experience of working in Mental Health, in the NHS, we are very aware of the therapeutic benefits of activities in the countryside and were personally fortunate to be able to de-stress in our lovely environment during the Pandemic. This certainly helped us cope when working during this very difficult period and continues to do so. However, we believe that these proposals will have a negative impact on our well being

The revised proposal includes planting hedges along Forestry Rd adjacent to our property. Obviously, this is welcome as it improves biodiversity, however it won't mitigate against our loss of privacy, the visual impact and noise intrusion. As stated in our previous responses to the planning authority, our home & garden lie in an elevated position overlooking much of the Operational Site and we can see and hear activity when we are inside and outside of our home. *We became particularly concerned about our lack of privacy having, last year, been able to recognise visitors in the adjacent fields and they us. In our last home we had some very difficult experiences when Service Users discovered where we lived and we do not want these repeated.*

Our other concern is that there is no change in the proposed opening hours so our comments of 12/12/2022 and 03/01/2023 still stand. *We believe it unreasonable to subject neighbours to disturbance potentially for 12 hours a day, 7 days a week, for 9 months of the year. (bearing in mind the Sawmill operation during the day) and there will always be a sense of expecting disturbance up to 9pm in the evening. This, we believe contravenes our right to enjoy peaceful time in our homes*

We would be pleased for a member of the Community Council to visit our property to ascertain for themselves the nature of our concerns

We can be contacted on 07773111240

Thank you

Regards

Ian & Jane Hemming
8 Bryn Eithin

Appendix 2

Planning Application 21/2022/0980 Objection to proposals (including the latest submitted revision of 07/02/2023)

Without exception, every neighbouring householder adjacent to the main donkey trekking facilities along the southeast boundary of this proposed tourist attraction has objected to planning application 21/2022/0980 on the grounds of detriment to residential amenity. This is not based on residents having to imagine what might happen if consent was granted.

The unapproved trials in 2022 were a first-hand demonstration of the negative impact of the late-night activities on neighbouring homes and clearly demonstrated detriment to those residences in terms of:

- Noise in the quiet hours
- Privacy
- Additional traffic
- Effluent from the site
- Intrusive lighting
- Litter

All of those neighbouring properties have been people's homes long before The Paddock, its associated rural enterprise dwelling, and its numerous businesses began to erode the valued residential amenity of the area. These immediate neighbours have over 100 years of shared experience of living in this mainly residential part of the AONB and are passionate about protecting the amenity that it affords our families.

We're not experts in many of the documented and concerning aspects of this application - water, waste, toilets, AONB policy, footpaths, lighting, planning policy, public safety, donkey husbandry. However, we are experts on the detriment this largely retrospective application has on our homes and lives.

We've already lived with it. The effects are real and clearly felt by many.

This is not about whether this seemingly harmless enterprise is a worthy idea or a viable business. We're not judging a business award submission here. It's about acknowledging that yet another largely retrospective plan causes significant detriment to those homes and lives adjacent to the site.

The plans show the main focus of activity as close as is possible to residential neighbours of the site. What is needed is a fundamental rethink in terms of proximity to neighbouring homes and opening hours to eliminate the impacts we've experienced. The most recent cursory inclusion of a few hedging plants, a few meters of additional fencing, a litter bin and a sleeping policeman as mitigation is woefully inadequate.

Mark Wilding 08 February 2023