

DRAFT

MINUTES OF DEVAUDEN COMMUNITY COUNCIL

Held on Monday 23rd June 2014 at Itton Village Hall

Councillors present:

J. Rowlands (Chairman)
K. McElroy
A. Williams
N. Knowland
M. Powell
J. Williams
I. Cavill

In attendance:

PC L. Thorpe
CO.S.Parker
N. James (Clerk)

Robert and Irene Brooke

Jeremy Horton

David Maddocks

Les Modget

Cliff and Eluned Parris

Rob and Val Thompson

1. Apologies

Apologies were received from Ann Cooke and Bob Greenland.

2. Open Session

a. The police report for the period is attached at the back of these minutes. In addition PC Thorpe produced a list of road traffic collisions on the B4293 between Chepstow and Devauden in the last 3 years. There were 13 of which most involved one vehicle only and in only two were there any injuries. In discussion it was acknowledged that, given that these happened mainly in the daytime with only one car involved, it could suggest that the problem on that stretch of road was to do with the road and not the drivers. CC B Greenland was in the process of arranging a meeting on site with the MCC engineers to discuss the road especially the stretch between Itton and Devauden. PC Thorpe was also asked to comment on the background to the vintage car rally that came through Devauden – and specifically Well Lane – in May. She advised that the local police often were unaware of such events. For some small events police permission was not required and the larger events were considered by an events planning

organisation at police headquarters. It was agreed that the Clerk would contact the organisers of this particular event and ascertain their route and whether this was formally approved. **Action: NJ.**

b. Mr and Mrs Thompson were concerned that the Devauden Hall Committee had put up a large sign on Itton Common without consulting any of the local people. The sign looked a real eyesore and was not appropriate in that particular location especially as the village had entered the best kept village competition. They felt that there were more appropriate places for such a sign further along the B4293 out of the village.

c. Mr and Mrs Parris had forwarded a letter to JW complaining about the recent Devauden Music Festival. JW read out the letter which expressed their grievance regarding the noise and disruption to their lives from the way the Festival was run. Their house was very close to the Hall grounds and they were seriously affected by the general noise levels, especially the noise levels after 11pm at which time the noise should stop, and the camping which was allowed in the Hall grounds. They would wish DCC to bring some influence on the Hall Committee to amend their plans for future events including next month's Fete. For the Hall Committee Mr Horton advised that the event was a very successful village family affair attracting over 2000 people and which raised over £9000 for the Hall. He had received only one complaint – from the Parris'. Over 30 local people were involved with the organisation and planning for the annual event. Mr Modget advised that he was involved with the Monmouth Festival and not only did they try to do everything possible not to antagonize local residents, but they also adhered to the Environmental Noise Control Code of Practice, a copy of which he passed to the Chairman. He felt that it should certainly be possible to position loud speakers for instance facing away from houses in close proximity to the event. Mr Maddocks felt that the Festival was a great advert for the village and brought pleasure to very many people; he would not wish to see it stopped. The Chairman advised the meeting that, although he was also Chairman of the Hall Committee, he did not believe there was a conflict of interest in this as per The Good Councillor's Guide page 18 and this was accepted by Mrs Parris. He thanked all participants in the debate and advised that it would be discussed in closed session, to which they could stay and, due to uncertainty as to the Standing Order rules, they would be allowed to ask questions on this occasion.

d. Mr and Mrs Brooke wished to raise formally the status of Coal Lane, having noted in the DCC minutes that MCC had in their view incorrectly classed it as public highway and therefore open to motor vehicles. In their view the lane from Chapel Cottage to the Fedw was not recorded as having any public highway rights and a barrister's report for MCC in 2012 considered the effect of the Natural Environment and Rural Communities Act 2006 on the rights of vehicles to use unrecorded routes. He advised that no mechanically propelled vehicles had the right to use that part of the lane. They had spoken to Ruth Rourke at MCC who had agreed with their view. The Brookes had written to the Clerk who had subsequently written to MCC and its response was awaited.

e. Mr Maddocks wished to record that at the last meeting he had passed to the members of the DCC a copy of the Governance Toolkit for parish and town councils. He further advised that he had received a lot of complaints from farmers and local contractors about the new grass cutting policy. There were still in his opinion a lot of

areas to be cut, some had not been cut very well, and 3 local contractors had real difficulty with overhanging hedges; their vehicles had been scratched by them.

2A. **Responses in Closed Session**

a. The Council agreed that the erection of the sign at Itton Common was inappropriate and the Chairman – in his role as Chairman of the Hall Committee – agreed to take it down and reposition it outside of the village. **Action: JR.** The Council also asked that the Hall Committee could remove its signage immediately after the Festival weekend.

b. It was agreed by the Councillors at the outset that DCC was not involved in the planning and organisation of the Music Festival and had no responsibility for it or jurisdiction over it. The Council acknowledged the tremendous success of the Music Festival and the pleasure it brought a large majority of local families. They accepted that this year's event had now passed but that steps needed to be taken to ensure that, as far as possible, a recurrence of the real concerns expressed this year could be avoided for future events. In this respect they noted that the complainants would be content if the organisers could adhere to the Environmental Noise Code of Practice and asked the Hall Committee to consider this in the first instance. As Chairman of the Hall Committee, the Chairman had taken on board the thoughts of the Council and advised that a telephone landline was to be installed, noise levels were being considered and the issue of camping at future events was currently under discussion by the organisers. The Hall Committee would be sending out a letter to all local residents in Devauden about the Fete and what was agreed with MCC and the Environmental Health Organisation. KM was asked to report back at the next meeting on the results of the Fete. **Action: KM.**

c. The Council was very grateful to Mr and Mrs Brooke for raising the legal position regarding Coal Lane as the use of the Lane by motor cycles had also concerned Council members. The Clerk was asked to request from MCC any documents they might have which would help identify definitive rights of way, and also to push for a speedy response from MCC and keep the Brookes' informed of any developments. **Action: NJ.**

d. The Council acknowledged the damage caused to the vehicles of some local contractors from overhanging hedges and felt that the contractors should formally write to MCC to complain. Regarding grass cutting the Council did wish to express their extreme gratitude to Mr Ken Rees for his voluntary contribution in keeping the verges along the B4293 going out of Devauden towards Monmouth cut and so tidy. The Clerk was asked to write a letter of appreciation on behalf of the Council. **Action: NJ.**

3. **Minutes of Previous Meeting**

The minutes of the Committee meeting on 19th May were approved and signed by the Chairman. A discussion took place about changes that a member of the public had made to the draft minutes displayed in the shop. It was agreed that it was unacceptable for any member of the public to amend or deface DCC minutes or draft minutes displayed. Cllr Rowlands had spoken to the individual concerned.

4. **Matters Arising**

a. Minute 4a – KM advised that he hoped that the defibrillator would be fully operational by the end of this week. He had written to AED Locator to set up the first training session. Once that was agreed he would be distributing a note to all Devauden residents to advise them. He passed to the Clerk an invoice which he had paid for the wooden panel as agreed at the last meeting.

b. Minute 7e – MCC had advised that the condition of the planning consent for Parc Maes Ffynnon did not give time for the work to reposition the wall to be completed. MCC was therefore unable to take enforcement action to compel the owners to do the work. As the wall was in situ when the application was approved in 2009 it would now be regarded as lawful and immune from enforcement action. However, MCC had reintroduced it on to the latest list of cases and written to the owners to find out if they intended to reposition the wall.

c. Minute 10c – AW had received some ideas to his request for potential sites for natural planting and reminded members of his plans for planting.

e. Minute 10e – the Clerk had circulated a copy of the Outstanding Highways Issues and had subsequently visited MCC Highways Department to discuss timescales for action of them. In discussion, it was noted that, contrary to the MCC response, the following had not been completed: 57.6 erosion in Itton Church Lane; hedge cutting at School House – this had been trimmed but needed to be cut right back to the wall. In addition, although MCC had passed details of its grass cutting plan, the Clerk was asked to obtain a map from MCC showing the grass cutting plan for 2014 in the area.

Action: NJ.

5. Finance

a. Balances at 31 May 2014 were: Current Account £3835.57, Notice £275.64.

b. The Certificate of Employers' Liability had been received following the Council's agreement at the last meeting to continue with Zurich Municipal. Copies were given out for putting on the 3 area notice boards. **Action: AC/MP/JR.** Cheque number 101399 was signed for the annual premium for Zurich of £333.15 who had advised that they had included the defibrillator on the list of assets at no extra cost for this year; there would be an additional premium next year for it of £19.

c. Cheques were also signed for grasscutting at Wolvesnewton Church for 2013/14 (as agreed in the Committee meeting of 22 Apr 14) for £50 (cheque number 101400) and the Clerk's expenses for June of £15 – cheque number 101401. Cheque number 101402 was passed to KM for £61.44 (see above).

d. A copy of the Annual Return for the auditors had been prepared and, after consideration by the Committee, was duly signed by the Chairman and Clerk, together with the notes and variations to the financial statements as required by the auditors.

e. New draft Financial Regulations had been circulated for councils from OneVoice Wales. The Clerk had looked through these and would produce a shortened set of regulations based on the draft for the Council. **Action: NJ.**

6. Correspondence

- a. Training courses being held on Equality and Diversity, The Council Meeting, Chaining Skills and Community Planning;
- b. Public Health White Paper on Listening to you: Your health matters;
- c. Letter inviting people to join the National Conversation;
- d. Letter inviting applications to join the Board of Trustees at Llanelli Mind;
- e. Letter advertising the post of Chair of Welsh Specialized Services Committee;

4

- f. National Resource Management Bulletin for May 2014;
- g. The Spring 2014 issue of The Voice from OneVoiceWales.
- h. Current status of the Review into boundaries by MCC.
- i. Invitation to apply to work with NEA Cymru to help tackle fuel poverty.
- j. Invitation to attend a meeting between the Caldicot and Wentlooge Levels IDB and the local town and community councils.

7. **Planning**

- a. DC/2014/00624 – extension to garage and addition of a pitched roof at 1 Croes Bleddyn Cottages at Itton. IC reported that there were no objections from local residents and the Council recommended it for approval. **Action: NJ.**
- b. Completed and new enforcement cases for May 2014.

8. **County Councillor's Report**

In his absence, there was no County Councillor's report.

9. **One Voice Wales (OVIS)**

There was no further information received from OneVoiceWales.

10. **Ward Reports**

- a. JW advised that there was a large pothole in Well Lane, opposite the second drive down the Lane, and a streetlight inoperative in the Pensioners Complex in Wesley Way. **Action: NJ.** She advised that she had recently heard on the radio the NALC guidelines on speaking to the press. Whilst the Council had always adhered to the principle of no comments to the press unless they were the unified view of the whole Council, she felt that DCC should produce its own policy for this subject. **Action: NJ.** She advised that she had attended the Buckingham Palace Garden Party in her position as retiring Chair.
- b. MP advised that there was a drain blocked on 57.4 outside The Woodlands in Itton. **Action: NJ.** Also, Herefordshire CC had responded to our request for a final payment instalment towards the telephone boxes in Itton advising that it had overpaid us on the basis of what work had so far been done, and asked if we could forward further

receipts to cover this overpayment. MP was trying to secure agreement in the village for what further work should be done before responding.

c. JR stated that the grass verge outside Wesley House in Devauden needed cutting. **Action: NJ.** He reported on a meeting he had had with a local firm who were willing to install 3 dog poo bins in Devauden and empty weekly for £3.39 per bin, an arrangement they had with other villages. In discussion, councillors acknowledged the benefits of introducing such an arrangement but wondered whether there was sufficient evidence of a requirement to justify what could be a considerable expense especially if provision was made also for other villages in the area. It might be feasible to introduce it for a set trial period – say a year. The Clerk would look at the financial implications for the area of introducing this. **Action: NJ.**

d. AC had forwarded her report:

(1) Michael Laysell had been elected to the trustees of the Kilgwrrwg Charity.

(2) The bridleway sign on BR 8 Wern-y – Cwm to Lower Hillside was still missing. **Action: NJ.**

(3) Ty Betwas Hill – the lane passing Lower Nex Farm and Ty Betwas House – was not suitable for heavy vehicles or for satnav users and should be included in those lanes with a restricted access sign. **Action: NJ.**

(4) The congregation of Holy Cross Church wished to pass on its thanks to DCC for its generous donation towards the upkeep of the Churchyard.

11. Any other business

The Clerk had attended a OneVoiceWales seminar on Data Protection and the Freedom of Information Act. He advised that the Council did not have its own Complaints Policy and he had produced a draft policy which the Council accepted. **Action: NJ.**

12. Date of Next Meeting

The next meeting will be held in Itton Village Hall on Monday 28th July at 7pm.

POLICE REPORT 19TH MAY-22ND JUNE

24/05 - report of a careless driver on the B4293 – a black Audi Q7. Unfortunately the caller finished the call before a telephone number was obtained and the caller was not local.

27/05 – report of power lines having been driven into in Devauden. The driver had swerved to avoid another driver reversing from their drive; no injuries.

27/05 – report of a sheep suffering facial injuries from an unknown animal – no witnesses to the attack but a local dog could be the suspect.

27/05 – report of a Devauden resident having had their gate locks superglued together. It is believed that it was over a dispute involving land.

28/05 – report of suspicious people dressed in black having been in Chepstow Park Woods on the night before.

29/05 – report of suspicious people looking around the perimeter of an empty property in Newchurch in the early morning.

30/05 – report of a sudden death of a local Devauden male.

31/05 – report of noise from the Chepstow Racecourse being heard in Itton until 1 am. Several other calls were received about this over the weekend.

05/06 – van stolen from Devauden green whilst workmen were working, and headed towards Shirenewton.

6

06/06 – fly tipping about $\frac{3}{4}$ mile from Itton towards Devauden.

07/06 – male with a chainsaw chopping a fallen tree in Fedw Wood; male driving a small black hatchback.

09/06 – theft of diesel from a vehicle and some tanks at Chepstow Park Wood; offenders unknown.

7