

DRAFT

MINUTES OF DEVAUDEN COMMUNITY COUNCIL

Held on Monday 26th January 2015 at Devauden Village Hall

Councillors present

J. Rowlands (Chairman)

N Knowland

K McElroy

AWilliams

M. Powell

J. Williams

I.Cavill

A Cooke

In attendance:

CCRGreenland

CO A Jones

N. James (Clerk)

Also in attendance: Mr and Mrs R Brooke, Mr C Jackson, Mr J Miles, Mary Cushen, Georgene Hancock, Anne Underwood, Mr and Mrs Carr, Mr G West, Mr M Davies.

1. Open Session

a. The police report is at the back of these minutes. CO Jones advised that the annual Wyedean Rally would take place on the 14th February and go through Itton; notices would be displayed so that local people were aware.

b. Mr Jackson briefed the meeting on the disappointing response from Harlequin regarding the proposed alternative sites for the mobile telecommunications mast. Given the timescale he also doubted that planning permission could be achieved before 31 March as initially advised. He reiterated his support for the mast but objected to the currently proposed location.

c. The Chairman welcomed Mr Robin Carr to the meeting to discuss his investigation on behalf of MCC into the status of 3 routes around Devauden. Before inviting him to speak the Chairman asked CC Greenland to provide a brief overview of the history to this issue as it related to route 53.16. A local walker initially raised the issue with MCC claiming all the evidence he had found pointed to 53.16 being a highway even though it was impassable in places with a deep gully, and completely overgrown. MCC Countryside Department and then Highways researched this route and

concluded that it had been a highway and, although there had been an intention to deregulate it, this had never happened. The landowners however, Mr and Mrs Brooke, disputed this and felt that evidence confirmed it was no longer a highway. After various legal opinions were sought and no agreement forthcoming and a complaint made to the Ombudsman, the Ombudsman decreed that MCC should obtain a modification order and MCC had engaged Mr Carr, an independent expert, to investigate the status. Mr Carr was aware that there had been debate about certain of these routes over many years and he was attending this meeting to hear evidence from local people. He explained that his report was aimed at collecting relevant evidence to identify the status of the routes to advise MCC whether or not to apply for a modification order. He stressed that he would only be considering relevant evidence and would ignore any information which didn't fit into that category. He explained that if there was evidence that a highway originally existed and there was no evidence to show such rights had ever been removed then it would still remain a highway. It was only possible to remove any rights by a court order. In the middle of the 20th Century the highway records had shown 53.16 on them but then at some point it had been crossed off. These would be just part of the recorded evidence that he would be considering before he produced his report for MCC for the Council to make its decision. There would be no downgrading of status; his report would simply determine whether rights exist over that route or not. He confirmed that the deadline for written evidence to him was 31 January. Subsequently, it would be up to MCC to decide on whether his report was made public although CC Greenland said that he would be asking for it to be open to public scrutiny following its submission to the MCC. Mr Carr was hoping to complete his report in February and felt that it would be considered between March and June. In discussion CC Greenland advised that, if it were found a highway, MCC would have no option but to go to court despite the costs which in the current climate would be most unwelcome. He agreed that this investigation could open up the Council to further challenges on other routes as well as possible unwanted ongoing maintenance costs but again felt that in the circumstances they had no option but to resolve this disagreement and determine the status. The Chairman thanked Mr Carr for his attendance and invited those present to submit any relevant evidence they had direct to Mr Carr who gave his contact details to the meeting.

2. Apologies

There were no apologies.

3. Matters Arising from the Open Session

There were no further matters arising from the Open Session.

4. Minutes of Previous Meeting

The minutes of the meeting on 22nd December were approved with the one amendment to paragraph 5b in which the words "a highways representative from MCC" should be replaced by "a representative from MHA", and signed by the Chairman.

5. Matters Arising

- a. Minute 1b – a further meeting to agree a site for the dog waste bin in Itton would be held later this week.

b. Minute 5b –MHA had advised that they thought there was a part of their storm cell which was not functioning properly; a representative was returning next week to investigate further.

c. Minute 5d – this was still outstanding.

d. Minute 5g – Castle Farm drainage was still causing a problem for traffic using that road when the weather was bad but MCC had confirmed a grit bin was in place there, and had agreed to put in another gully as soon as resources allowed. MCC had advised that the obscured road sign in Itton had been cleared but this was not the case.
Action: NJ.

e. Minute 11b – the Clerk was still awaiting a final response regarding the schedule/routes of the bike and car rallies for 2015. The Wyegate motor cycle trial would be held on 22 March and the Vintage car rally on the 16th May. There was concern that the draft route for the Vintage Rally through Well Lane as last year was completely unsuitable and the Clerk was asked to go back to the organisers to suggest they reconsider using an alternative route to get from Tredean Woods to Cobblers Plain. **Action: NJ.**

6. **Finance**

a. Balances at 31 December 2014 were: Current Account £7087.86, Notice £275.79.

b. A letter of thanks was received from the National Eisteddfod for our donation of £50.

c. One cheque was signed as follows: Clerk's expenses for January for £15 – cheque number 101422;

d. The reconciliation and financial forecast as at 31 December 2014 were presented and agreed, and signed by JR.

7. **Correspondence**

a. Copy of a report into the Devolution of Services by Cornwall Council.

b. Notification of public footpath closures in Fedw Wood from 14th January.

c. A copy of the Register of Electors for 2015.

d. A note from the Police and Crime Commissioner summarizing findings and subsequent actions from the "Getting it Right" Community Councils' event held in November 2014.

e. Notification of meetings to be held by the committee organizing the National Eisteddfod in Monmouthshire in 2016 on how councils could get involved in community projects.

f. One Voice Wales' responses to Welsh Government papers: Planning committees, delegation and joint planning boards; Front Loading of the Development Management System; Consultation on Overriding Easements and Other Rights.

g. Clerk and Councils Direct – January 2015.

h. Requests for financial support from the Gwent Young Farmers' Clubs and the Teenage Cancer Trust Wales. It was agreed that donations would not be appropriate.

i. Presentation to Area Committee on Resource Energy Wales.

j. Information about the appointment of Chair and Members to the Upland Forum.

8. **Planning**

a. DC/2014/01395 – replacement dwelling and garage at Laurel Cottage, Newchurch – recommended for approval but to clarify which house was “Little Gables” referred to in the Design and Access statement.

b. DC/2014/01489 – demolition of existing dwelling and replacement with new residential dwelling with associated access, curtilage and landscaping works at Pwll-y-Cath, Newchurch – recommended for refusal on the grounds that there was no objective evidence of the need to demolish and replace a house built in 2004. Moreover the proposed replacement would be more visually intrusive than the existing house because it would be significantly higher up the hill and reorientated by 45degrees from the existing alignment thereby exposing the frontal elevation, contrary to Supplementary Planning Guidance 2014.

c. DC/2015/00022 –agricultural notification of a general purpose portal frame building at Great Cumberland, Trellech Grange, Devauden – for information only.

c. New and completed enforcement cases for December 2014.

9. **County Councillor's Report**

a. There had been considerable discussion and consultation regarding the budget for 2015 considering the very large cuts that had to be made. There would be a final meeting at the end of February to finalize the figures but council tax would have to rise by 4.95% and previously protected budgets like Education and Social Services would continue to be prioritised. Even in these difficult times the Council has allocated a further £900,000 to deal with additional pressures in Social Services. MCC had reiterated also its commitment to paying the living wage to all its employees.

b. The local government reorganization was still with the WG to determine the way forward. Nothing was likely to happen until after the 2016 elections and in practice it would be 2018-20 before any changes occurred.

c. CC Greenland was asked about the seemingly high costs that MCC were incurring on consultancy. He explained that, following the large reduction in staff that they had made, MCC was now the leanest council organization in Wales. Whilst saving money this also presented challenges to get some necessary work done – hence the need to employ temporary part time staff or engage outside consultants, but the cost of doing so was considerably less than continuing to employ the requisite number of permanent staff.

10. **One Voice Wales (OVW)**

a. Reminder of the Community Engagement Training seminar to be held in Caldicot on 10th February.

b. Notification of a joint OVW/SLCC event for councillors and clerks to be held on 14th May.

c. JW reported on the recent Area Committee meeting. Gareth Ellis, project manager from Green Valley Communities gave a talk about the Welsh Office initiative Resource Efficient Wales. Funding for the initiative was granted in Oct 14 but it was still not clear how the funding would be allocated. Green Valleys Communities and Severn and Wye Energy Agency (which covers Monmouthshire headed by Owen Callendar) could provide a list of contractors who could carry out the work. They would prefer to talk to groups of householders rather than individuals and asked if we knew of any groups who would benefit from this type of advice we let them know. They did not provide grants – any work carried out would be at the householder's expense. With regard to community property eg village halls, they could carry out an energy survey and might be able to help applications for grants. Also, more training modules had been put on line. Planning Aid Wales were planning a training season on the new planning bill but no details were given. A suggestion was made that a lot of these courses could be delivered electronically and completed when convenient rather than prospective participants having to go to a set venue at a set time. Also it was suggested that the information could be put on DVDs and borrowed by councillors as and when they felt they were needed.

11. **Ward Reports**

a. JW asked CC Greenland if he could investigate the current level of training for disability help within leisure centres in Monmouthshire citing the difficulty which, whilst practically resolved, one local disabled person had experienced. **Action: BG.** In addition the deep pot hole in Well Lane mentioned some months ago was getting worse. **Action: NJ.** JR confirmed that the surface water drain outside The Dorretts was not a new one but one that had been cleared following the work done there. Finally, JW asked that all councillors be informed if the Chairman and Clerk arranged meetings outside the normal monthly Council meeting.

b. IC advised that there was an overflow of water on to Itton Court Lane from the pond at the entrance to Parc Maes Ffynnon which in the cold weather iced up. Although MCC had put up danger ICE signs the overflow needed to be resolved. **Action: NJ.**

c. AW also reported ice on the road in 2 places in Wolvesnewton: below the telephone exchange near Lower House Farm there was an almost constant run-off as the drains appeared to be inadequate and secondly, on the R80 just the Devauden side of the 66.3. **Action: NJ.**

d. AC advised that the drains were still blocked by mud on Kilgwrrwg hill which was causing even more water to come down the hill. **Action: NJ.** She was also concerned that they were still waiting for the new footbridge to be put in place and the bridle path sign. Discussion took place about MCC priorities and lack of resources and CC Greenland confirmed that the continuing imbalance in these meant that the original

priority list that MCC used was effectively no longer in use. AC questioned why the routes in Kilgwrrwg that they walked every year were still unrecorded on the definitive map.

e. NK stated that he felt the response from Harlequin mentioned earlier by Mr Jackson was totally inadequate and his suggestion that, in addition to Mr Jackson's response, DCC should also respond to Harlequin, was unanimously agreed. **Action: NJ.** It was noted that moving the location further down the field might require a different – and perhaps more costly – style of mast but the Council was not satisfied with the Harlequin response.

f. JR confirmed that the garden at I Wesley Way was still not resolved and CC Greenland agreed to chase up. **Action: BG.**

12. **Date of Next Meeting**

The next meeting will be held in Devauden Village Hall on Monday 23rd February at 7pm.

POLICE REPORT 19/12/14 -25/1/15

26/12/14 – Report of traffic issues in the middle of Devauden village on boxing day as the hunt congregated there.

27/12/14 – Report of a male seen in a garden of a property in the village, the occupants were away and the male was seen by the person who was looking after the property for them. The male disappeared very quickly.

8/1/15 – Report of a motorcycle and a car colliding on the Devauden to Trellech road. The motorcyclist was taken to hospital with injuries but were not life threatening.

14/1/15 – Report of a car coming off the road and landing on its roof in the woodland on the Devauden road. No persons injured.

20/1/15 – Report of a male acting suspiciously at a property in the Glyn. The male was confronted by the property owner and had said he wanted to borrow a saw to cut back some trees as he was trying to get a lorry down a lane? The male had to climb through undergrowth and over a wall to get to the property. This male was working nearby but was obviously having a good look around. He was also seen driving a white transit index BT11 GKA.

24/1/15 – Report of off road bikes in Chepstow park woods. Officers did attend but no bikes were seen.