

MINUTES OF THE MEETING OF LLANDYRNOG COMMUNITY COUNCIL HELD ON THE 20TH FEBRUARY 2024

1. Present: Cllr Wright, Cllr A.Evans Cllr .G.C.Evans,Cllr Parry,Cllr Borthwick, Cllr E.WilliamsWilliam, Cllr R.Griffith, Cllr Mc Guire, Cllr Morris, three members of the public and Clerk.
2. Apologies – there were no apologies
3. Community Policeman – had apologised was unable to attend however there were no recorded incidents since the last month and the situation regarding the possible obstruction at Olivers Row was being monitored.
4. Declaration of interest – Cllr Morris declared an interest in item 11
5. Correspondence
 - Off shore wind farm event
 - Oliver Row – parking issue
 - Brenig Windfarm – update – under reports
 - Hwylfa – under matters arising
 - Vacancy for Clerk – Llandrillo and Llanfair DC
 - New National Park event
 - Update Kinmel Arms – under planning
 - Smart Town workshop
6. Confirmation of the minutes of the January meeting – it was proposed and seconded that the minutes of the January meeting were a true record and duly signed by the Chairman
7. Matters Arising
 - Chair had attended workshop on the new re cycling procedure and Clerk had circulated the presentation
 - Islwyn – it had been reported that the lights had been changed and the impact dramatically reduced
 - There was still no business plan and it was decided to discuss at the next finance meeting date to be confirmed
 - Clerk had received a reply from One Voice Wales regarding challenging the ownership of part of Hwylfa Lane. Advice was if it was now owned by the community council then no attempt should be made at repairing of resurfacing – that would the pass liability back to the community council and the insurance company would probably challenge any claim made against the council by virtue of the fact they did not own the lane or land in question. One Voice Wales suggested that those using the lane unchallenged over a period of years may well wish to make an adverse claim possession which would the land to be registered in their names but OVW felt that it was not the community council's role to move this forward.
 - Clerk to contact council to see was there anything in the deeds of the properties that had been purchased in terms of maintenance responsibilities and access

Councillor G Butler reported on a meeting of the Ruthin Hospital League of Friends held on 14 th February 2024.

The league of friends has been very fortunate in receiving several legacies recently and has been able to supply the hospital and clinics with a range of equipment on request, for example for the new physiotherapy unit. One item of particular benefit to the hospital staff (and fascination to the patients) is a vein-finding machine used when bloods need to be taken.

The tea bar is open when there are clinics being held (such as diabetic eye screening) and the coffee machine is always available for hot drinks at £1.50 (cash required.)

The AGM will be held on 4 th June which is 60 years to the day since the first meeting.

Cllr Mc Guire reported that he had been successful in getting a grant for the audio equipment in the cocoa rooms and was thanked for this. Several firms had been asked to tender but only two local firms – Boyns and Catalyst had returned their tender and Cllr Mc Guire to get updated quote and bring to finance meeting. Clerk was given all clear to sign the letter of acceptance and return, Cllr Mc Guire also presented an amendment to the standing orders to cover the protocol during virtual meetings

Cllr Borthwick had attended One Voice Wales training and reported as follows:

Main points :

Training plan should be live on CC website with certificates added

Council is corporate body and can apply for the power of general competence by doing the general functions of a CC

There is a 4-page document on one voice Wales about how to go about getting the power of general competence – this then gives the CC further decision-making powers

The areas needed are :

Democracy – need elected members

Governance – have external audit every 12 months

Under revised 2021 legislation CC's now need to offer multi location meetings – any interested parties

must be able to see and hear the meeting – so we need to move to hybrid online meetings (will work

when the Cocoa rooms set up with screens)

Draft minutes need to be published on the website within 7 days of the meeting with minimum of those

attending , apologies, declarations of interest , decisions taken and votes .

CC should publish an annual report at the end of each financial year stating achievements, priorities, activities undertaken – WG have published guidance and a template

Will need a risk assessment for the digital equipment and plan for any equipment that will need replacing

Module on one voice Wales about devolution of services to town or community councils – to secure assets – e.g playgrounds , toilets , libraries, war memorials . If CC plan to do this it must be sustainable stewardship.

Cllr Parry reported that he had attended the Llandyrnog Sports and Football Association AGM and new members had been drafted in to include a new treasurer and were updating their procedures . They were arranging a annual maintenance of the multi use games area

Cllr Parry was meeting Mr Shuker from Clean Tech Business Group at the cocoa room to see if there was any advantage in installing solar panels etc and would report back in due course.

8 Financial report

Current account as per statement 499 dated 6th Feb £15,788.40

Business account as per statement 196 dated 6th Feb £19,636.97

These statement have been scanned and sent to Chair and Vice Chair

9. Matters for payment

Bryn Davies	Clerk salary	£190.39
J A Jones	Cae Nant Duties – litter picking etc	£78.06
Clive Jones	Repairs to gutters and cleaning gullies	£150.00
HMRC	National Insurance	£67.20

Members agreed to pay the above sums

10 Planning

The Clerk gave an update on the planning at the Kinmel Arms – as received from DCC

The application has yet to be formally determined as the Agents/Applicant had not yet sent over their Unilateral Undertaking to be agreed with the Council. This was a condition which Members agreed to at Planning Committee in line with Officer recommendation.

It is expected by the end of the month and will be passed to the Legal Team to check the precise wording and ratify. Once this has been completed, then the decision notice will be issued and planning permission granted.

11 Claim for public right of way from Green Farm past Pen Isa'r Waen to Ty Gwyn as a restricted byway running alongside existing footpaths 34 and 36.

Cllr Morris left the room during the discussion

'Denbighshire County Council has received an application for a Definitive Map Modification Order under Section 53 (5) of the Wildlife & Countryside Act 1981 to modify the Definitive Map and Statement, arising from the discovery of evidence which shows that a right of way, in this case a restricted byway, which is not shown on the current Definitive Map, subsists or is reasonably alleged to subsist over land situated in the Community of Llandyrnog. The Definitive Map Officer is investigating the application and is seeking other relevant evidence that should be considered that might assist in determining if the application satisfies the statutory tests.

As required under paragraph 3(1)(b) of Schedule 14 to the 1981 Act, we are consulting

informally at this stage with the Community Council and local user groups.

Any information you are able to supply would be much appreciated.'

The community council are consultees of this process and this is at the moment this is an evidence gathering exercise to see whether the community council had any evidence they wish to offer that the above path had been used for anything apart from a footpath and would assist the Investigating Officer in determining whether there was a case or not to proceed with the application

It was pointed out by a member of the public present at the meeting that the definitive map presented with the letter dated 13th Feb and attached to these minutes may well be incorrect however that did not materially affect the request to re classify the track shown running parallel to the said path as a restricted by way – the actual position of path 36 – higher ground or lower ground - is another matter .

A restricted byway is described as ' a highway over which the public is entitled to travel on foot, horseback and with non-mechanically propelled vehicles (such as pedal cycles and horse-drawn vehicles). There may also be a right to drive animals along a restricted byway'

Community councillors felt that they had no evidence to show that the track in question had ever been used as a restricted by way.

Members Items

- Hedge overgrown by Elwern – Clerk to report
- Pedestrian gate lower end of cae nant needed attention – Clerk to make safe for time being
- The community council have no due restriction over anyone who wishes to re name their property
- Brynllys corner – sign still not replaced despite being reported October 23
- Some greenery seemed to be protruding into the road between Pant Gwyn and Rofft – Clerk to report
- It was decided to arrange a litter pick at the next meeting

