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PENTYRCH COMMUNITY COUNCIL



CYNGOR CYMUNED PENTYRCH

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Minutes of the full Council Meeting held at 7.00pm, 21 October 2019, at Gwaelod y Garth Village Hall

PRESENT: Councillors Mike Sherwood, Stuart Thomas, John Harrison, Simon Davies, Sara Pickard, Jena Quilter, Simon Roberts, Sandie Rosser, Chris Priday, Teresa Filipponi, Amanda Thorpe, Wynford Ellis Owen, Karen Thomas

Mike Colley for Pentyrch Neighbourhood Watch with three members of PNW
Catriona Aitken, The Cardiffian (Press)

In attendance: Helena Fox, Clerk

Cllr Priday informed the meeting of the sad news that Mr Ken Hughes had died. He had been a faithful attender at many PCC meeting in the past.

1. **To receive apologies for absence:** Cllr Graham Thomas, Cllr Gavin Hill-John
2. **To receive any declarations of interest:** There were none.
3. **To consider police matters:** No crime figures had been received before the meeting.
 - a. There were no police present at the Creigiau Ward Surgery on October 19.
 - b. Cllr Thorpe noted a return of the large blue tractors driving through Creigiau. Cllr Sherwood had found that this should be raised with the owners of the tractors and a complaint made to them. If moving hardcore or spoil the tractors have to use the designated construction traffic routes.
 - c. It was **RESOLVED** that the Clerk write to RCT and the owners to make an official complaint. A piece will also be put in the next Community Link.

4. **Public Session (length of adjournment at Chairman's discretion):**

Mike Colley had sent two letters to PCC from Pentyrch Neighbourhood Watch (PNW) in advance. All Members had read them.

Mr Colley explained that the letters referred to two long-standing issues: Church Road and the new footpath at Memorial Park, Pentyrch. PNW wanted to set up a joint working group with PCC and Cllr Gavin Hill-John to discuss long-term solutions for Church Road with implementation dates, a public petition and public demonstration.

Mr Colley suggested that local residents in Pentyrch could contribute £5/household to PCC's Precept to contribute to highway improvements on Church Road. If that is not possible, the working group would look at other ways to make real change. Doing nothing is not an option.

Cllr Filipponi joined the meeting.

Mr Colley set out problems with the new Memorial Park footpath. The work was done at no cost to PCC through help from Cemex. This leaves unspent PCC's budgeted sum. Horses are using the path, damaging the surface and preventing it from hardening. There is also the danger of pedestrians meeting a horse and rider on the narrow path with little or no room to pass. If horses continue to use the path it will force pedestrians back onto Heol Goch which is dangerous with no pavement and traffic. Horse riders have much better visibility and vision of the road. PNW's initial ideas for the path

considered all users but as things stand now horse-use will force pedestrians on to the road or horses could be excluded.

Cllr Sherwood asked if PNW knows how many horses use the path. There was evidence from the hoof marks and horse manure on the path but no numbers.

Cllr Sherwood asked the Clerk to explain the legal position on expenditure on highways and byelaws:

The Clerk had taken advice from One Voice Wales and confirmed that PCC does not have the legal power to spend money on highway maintenance. Doing so would be an unlawful expenditure. It also cannot vary the Precept across its area and charge different rates of council tax to different households.

PCC does have the power to promote a byelaw 'for the regulation of any public walk or pleasure ground under the control of the local council...' (Public Health Act 1875 s164). And 'for the regulation of any open space or burial ground in which the local council has acquired an interest or control' (Open Spaces Act 1906 S15). In 2012 The Local Government Byelaws (Wales) Act simplified how councils can make byelaws and gave them the power to enforce them with fixed penalty notices. If PCC wanted to pursue this the Clerk advised that further advice be taken from One Voice Wales. Consideration would have to be given to how any byelaw was enforced and the effects on the community.

5. To consider and decide on any matters arising from the Public Session:

- a. Cllr Priday addressed both issues.

Church Road: Cllr Priday had attended PNW's meeting as PCC's representative. The group was deeply frustrated by Cardiff's failure to repair the road properly. The idea of using the Precept was intended to be spread across other villages in future. It is important that there is a good working relationship with Cllr Hill-John. Church Road has been closed several times recently and the PNW meeting felt that if residents closed it, with proper notice, it would draw attention to the intense local feeling about this long-standing issue.

Footpath: PNW and PCC had worked together to give safer access to High Corner. A missed trick was not connecting with the horse-riding community - there used to be a riders' group that was a statutory consultee on bridleways. The damage to the path is very disappointing and it would be hard to return to Cemex for further help with repairs. Cllr Priday suggested that horses be directed onto the 50 Pentyrch footpath that runs behind Memorial Park to Heol y Pentre with any measures taken to make it safe for their use. This would also be an opportunity to consult with riders. Perhaps 50 Pentyrch could be re-designated as a bridle way? If a byelaw can be used then it should be considered.

- b. Cllr Davies spoke on the path: horses and ponies are not safe on the road and the route of the new path is the only safe route available. There are barriers to horses on the 50 Pentyrch path. A solution is for the surface to be improved to make it usable by all with signs warning that horses may be present.
- c. Cllr K Thomas noted that pedestrians can walk through the park and it might be difficult to create a new official bridleway.
- d. Cllr Harrison noted that PNW's letter did not refer to a 20mph speed limit for Church Road. This is a key issue and 60mph is not appropriate for this road and heavy traffic. Road widening could encourage high-speed vehicles to the danger of pedestrians and horses.
- e. Cllr S Thomas noted that PCC had submitted a list to Cardiff on S106 projects and if Church Road was not on it it could be added. A way forward for Church Road is to meet with Cardiff Highways officers on site with PNW and see what Highways suggest.
- i. It was **RESOLVED** to arrange a meeting with Cardiff Highways with PNW and Cllr Gavin Hill-John.
 - ii. PCC noted its high concern about the condition and safety of Church Road – something it had raised with Cardiff Council many times over the years.

- f. There will be an official opening of the new path at Memorial Park once Cemex had made the new signs.
- g. PCC CMOs have been checking the path and removing any horse manure and general debris and will continue to do so.
 - i. Cllr K Thomas suggested a meeting with Cardiff's footpath officer to discuss the possibility for the future designation of the path. Cllr Ellis Owen agreed.
 - ii. It was **RESOLVED** that the Clerk arrange this meeting. In future a public consultation will be arranged, for example via an online survey.
 - iii. Cllr S Roberts noted that Cardiff's Local Access Forum might be helpful.
 - iv. Cllr Ellis Owen asked PNW if its remit had widened to include the roads and paths and PNW explained that overall community safety was a regular issue raised by residents.
 - v. PNW noted that they have tried to engage with Cardiff Council and it has not been successful. Horse hoof point-loading was one of the worst for damaging path surfaces.

6. To discuss road and transport issues:

- a. The new Ynys Bridge crossing will not open until the new speed limit is in place and the beacon lights are working, as advised by Cardiff.
- b. Ash die-back: A report is expected from Cardiff Cabinet on providing for this environmental crisis which will last for several years. Existing Cardiff staff is insufficient to meet the coming needs to get tree work done across the City highways and parks and to support private individuals with concerns.
- c. High Corner/Heol Goch street lighting. The failed lights have been reported more than once and will be again.
- d. Cardiff Road: the stretch from the village towards Cesar's Arms is very similar to the Church Road problems. Nothing has been done to improve it. Cllr Ellis Owen asked that this stretch of road be included in the meeting re Church Road.
- e. Cllr S Thomas attended the Tarmac consultation on Heol Pant y Gored passing bays. Issues raised included the lack of safety barriers along Heol Pant y Gored where children walk to school buses, general pedestrian use and the lack of attention to the stretch of road running down to Robin Hill. Some 120 people in total attended and PCC has submitted comments previously.
 - i. Cllr Sherwood noted that at a meeting with Tarmac today, Tarmac noted that Cardiff had not attended the consultation and that most public comment opposed the quarry.
 - ii. Cllr K Thomas noted that the drawings were not to scale and inaccurate.
 - iii. Cllr Thorpe noted that the hedgerow is species-rich in both plants and animals. There has been no ecological report to help place the bays in the least destructive places.
 - iv. Cllr S Thomas noted that Cardiff had said that a report has been done but it has not been seen.
 - v. It was **RESOLVED** that PCC write again to Cardiff on the issues above.
- f. Cllr Roberts noted the dangerous drop-offs on the sides of Heol Goch where deep trenches have been worn by water. Cardiff Highways have previously said these are not their responsibility. Increased water run-off has made this worse in the last few years.
 - i. It was **RESOLVED** that the Clerk write to Cardiff Highways and establish who is responsible for repairing the road.
- g. Cllr S Thomas noted the recent flooding on Ty Nant Road by Little Mill. The drains appear to be blocked. Cllr Sherwood had reported blocked gullies four times via Cardiff's App but nothing has happened yet.
- h. Cllr S Thomas referred to the collapsed path/road at Tregarth Court which has been raised with Cardiff several times and the work has still not been done.
 - i. It was **RESOLVED** that the Clerk write strongly to Cardiff again about this, referring to the Charter. The resident involved will be informed.

7. To receive reports from County Councillors: reports were received and circulated in advance.

Cllr Graham Thomas reported: Tonight's meeting with the Council clashes with another City Hall Meeting, but I shall endeavour to make it if time. Points to note :-

1. I am meeting with the Chief Executive of Cardiff Council, Paul Orders, on Friday this week. The meeting is a one on one, where I will push some important projects in the ward such as the 20mph zone and other traffic measures where we have struggled to get prioritised and funding despite the developments going on around us. Also the consultation on Heol Pant Y Gored (see below). If members want to raise other points suitable for this meeting, I would welcome your thoughts.
 2. Tarmac's ongoing Liaison meetings continued last month, notes have been circulated. The next meeting is in December will be notified by the Clerk. During their public exhibition last Tuesday, many residents attended and raised some important issues. I felt safety on Heol Pant Y Gored was the biggest concern, many feeling that some sort of physical barrier is needed to protect residents. At the moment this is not part of Highways Assessment, but I will be raising it with them. Of course, it's vital that we encourage as many people as possible to participate in the current consultation on the passing bays with the Council. This deadline was extended to this week to allow for feedback from the exhibition.
- 8. To approve the Minutes of the Meeting held on September 16 2019:** The Minutes of the Meeting were proposed as accurate as amended on page two by hand and initialled by the Chairman by Cllr Ellis Owen seconded by Cllr Thorpe. All agreed except Cllr S Thomas who abstained. They were signed by the Chairman.
- a. Cllr Thomas noted that the Minutes only came out with the meeting papers as opposed to the usual procedure of sending them out earlier.
- 9. To approve the Minutes of the Planning Committee meetings held on September 28, October 9 2019:**
- 9.1. The minutes of the meeting held on September 28 were proposed as accurate by Cllr Priday, seconded by Cllr Davies and agreed by all. They were signed by the Chairman.
 - 9.2. The minutes of the meeting held on October 9 were proposed as accurate by Cllr Priday, seconded by Cllr Davies and agreed by all. They were signed by the Chairman.
- 10. To receive the Minutes of the Finance Committee meeting held on October 14 2019:** The Minutes of the Meeting were proposed as accurate by Cllr S Thomas seconded by Cllr Filippini and agreed by all. They were signed by the Chairman. It was **RESOLVED** that:
- 10.1. Under Financial Regulation 5.9 changes in Ear-marked Reserves (EMR) require Council approval.
 - The whole EMR of £500 for IT be transferred from the Deposit to the Current Account to cover the cost of the new laptop and screen.
 - £4000 be transferred from the Deposit Account to Current Account to reflect the expenditure of the EMR for Pentyrch Village Hall.
 - 10.2. a task and finish group be set up to look at how PCC operates, its structure, what each committee covers and staffing needs. Cllr Ellis Owen will take the lead and select a team. The group will report in three months.
 - 10.3. 10.5 hours worked extra by the Clerk be paid in November.
 - 10.4. PCC consider the value of a H&S Committee. This will be added to the working group looking at PCC operations. Cllr Thorpe noted that H&S was a big workload and very important for PCC to carry out properly.
- 11. Matters arising:**
- 11.1. Cllr Priday noted that PNW had raised the issue of Church Road at the September main meeting.
 - 11.2. A Building & Estates Committee meeting will be called.
 - 11.3. Civic Reception: Cllr S Thomas congratulated the Community Engagement Officer for all her hard work and helping make the evening such a success.
 - 11.4. Tree contract: the work had been done for the lowest quote of £1,080.

12. To receive the report of the Clerk

- 12.1. PCC Civic Reception: some 46 community guests with PCC attended including Mark Drakeford AM, Deputy Lord Mayor but not Kevin Brennan MP.
- 12.2. Christmas decorations: Cardiff have finally responded that solar-powered trees can only be attached to lighting columns if PCC will bear the cost of £75-£100/column to check their structural integrity via a load test. This has not been budgeted for and means that PCC cannot move ahead with these new Christmas light plans this year.
- 12.3. Capital Asset Transfer from Cardiff: Cardiff Parks continue to work on this and will be in touch as soon as they are ready for a meeting. They will produce A0 drawings of the sites for each of the 3 villages. There will need to be different agreements for land PCC manages on behalf of Cardiff, eg cutting grass verges and land that is transferred to PCC ownership. Cllr S Thomas noted that transfers of built assets had already taken place on some areas of Cardiff.
- 12.4. WW1: Gwaelod now has its own bench, replacing one of Cardiff's overlooking the playing field.
- 12.5. Community Speed Watch: Letters are sent via the Police to any driver exceeding the speed limit by a fixed amount. Persistent speeders may be prosecuted. The statistics for September to mid-October were a total of 56 letters sent:
Cardiff Rd, Creigiau – 11 Sep 19 = 3 letters & 25 Sep 19 = 2 letters
Lon y Fro, Pentyrch – 04 Sep 19 = 9 letters
Bronllwyn, Pentyrch – 19 Sep 19 = 21 letters & 02 Oct 19 = 21 letters
- 12.6. Love Where You Live: With the great success of the community TerraCycle programme PCC will continue to promote recycling generally. The Community Engagement Officer is arranging an event led by Cardiff Council who will explain in detail what can and cannot be recycled and how within our communities: Wednesday November 20 7-9pm venue Pentyrch Village Hall.
- 12.7. Bus Pass Clinic: AD Computers will set up an old PC in the Library for this.
- 12.8. Circular Walk: After the success of two history walks PCC will arrange a guided walk round the Pentyrch Circular Walk. It will be properly marshalled, and risk assessed. Cllrs Roberts and K Thomas will help.
- 12.9. Post Office: no further update on the Pentyrch PO but it may be by the end of the month.
- 12.10. Pentyrch PS Governor: The school has contacted the Clerk about filling the vacancy. It was **RESOLVED** that Cllr Simon Roberts will be PCC's representative.
- 12.11. The Dementia Friendly event will take place in November and is being publicized.

13. To receive the External Audit Report for 2018-19: It was **RESOLVED** to accept the Report. Cllr S Thomas congratulated the Clerk on a clear audit.

14. To receive an update and make any necessary decisions re Penuel Graveyard: PCC's solicitor is pressing for this to be completed. It was **RESOLVED** to give this more time.

15. To discuss the Lease between Pentyrch Village Hall and Llandaff Surgery: PCC's solicitor is drafting the new lease. PCC will have to pay the legal fees up front but the Surgery will reimburse them as per the agreement.

- 15.1. Cllr Priday noted that this is quite urgent. The current planning consent for the surgery to be on site expires in January 2020. The Clerk will remind the solicitor.
- 15.2. Cllr S Thomas noted that the surgery is applying to renew the planning consent. The surgery solicitors are the same as PCC's. As the terms have been agreed between the Surgery and Pentyrch Village Hall it was hoped this would not take long to resolve.
- 15.3. It was **RESOLVED** that the Lease be signed by two PCC Members and witnessed by the Clerk as Proper Officer. Cllr K Thomas abstained.

16. To decide on renewal of the contract with Key Safety Solutions: A meeting is scheduled for October 28. Cllrs S Thomas, Thorpe and Priday will attend with the Clerk and the H&S Committee will meet in advance.

- 16.1. It was **RESOLVED** to give delegated powers to the Clerk to renew the Key Safety Contract if that is the decision following the meeting on October 28 of the H&S Committee. If the contract is not renewed, the Clerk will start to look for another provider. If the recommendation is to change service provider it was noted that a new provider will need to be found as a matter of urgency and this needs due consideration in coming to a decision.
- 17. To discuss Remembrance Day 2019:** Remembrance Sunday will be on November 10. Cllr Ellis Owen has kindly agreed to give a reading. Volunteers are needed to help with the road closure, which is agreed with Cardiff in advance. Cllr K Thomas and her husband and Cllr Roberts will help.
- 18. To discuss a Climate Change Policy for PCC:** A report was circulated in advance. Cllr Thorpe noted that many public bodies are declaring a climate change emergency and Cardiff Council and Welsh Government have done this: PCC would be in good company. The issues for PCC include the Garth Mountain, protected land, local flooding. PCC has solar panels and is moving to battery-powered tools. There is more PCC could do more around travel and transport, encouraging sustainable travel. The Well-being of Future Generations Act is in force and PCC has an obligation to its community as stewards of land. PCC enables community groups such as PARC which improved a local facility to walk to. The community orchard is another example of how PCC can help care for its environment.
- 18.1. Cllr Sherwood raised the issue of financial implications and should PCC make financial provision.
- 18.2. Cllr Filipponi responded that PCC should consider climate change issues when PCC is planning and undertaking its work.
- 18.3. Cllr Priday spoke in favour of the report and thanked Cllrs K Thomas, Filipponi and Thorpe for putting it together. The report gives PCC an agenda. She particularly noted community transport as an issue. That would be a time to look at costs to PCC.
- 18.4. Cllr S Thomas echoed Cllr Priday: three of PCC's newest councillors had put this together and he congratulated them. There are things that PCC can do now and consider in the future such as reducing travel and considering an electronic alternative for PCC tools, machines and vehicles.
- 18.5. Cllr K Thomas spoke in favour of a policy with a strategy and actions to follow. A working party can take ideas from Members and the community to form a strategy to deliver the policy.
- 18.6. There was a discussion around calling this document a declaration or policy.
- 18.7. It was therefore **RESOLVED** at this time to join with Welsh Government, Cardiff and other councils across the UK in declaring a global climate emergency in response to the findings of the IPCC evidence-based scientific report.
- 18.8. It was **RESOLVED** to establish a Climate Change and Well-being of Future Generations Working Group to work with the local community and Cardiff Council to develop a strategy and explore financial implications for approval at a future PCC meeting. PCC Members: Cllrs K Thomas, Filipponi, Thorpe, Priday and S Thomas.
- 19. To approve amended PCC Financial Regulations:** It was **RESOLVED** to adopt the amended Regulations. Cllr Harrison abstained.
- 20. To approve a Local Government Pension Scheme Employing Authority Discretions Policy:** It was **RESOLVED** to adopt the Policy.
- Cllr Rosser left the meeting
- 21. To discuss consultations and guidance documents: National Development Framework:** NWCG response to the National Development Framework is out for comment. This was delegated to the Clerk in the last meeting. It was **RESOLVED** to submit a response based on NWCG's.
- 22. To discuss Brofiscin Quarry:** Cllr Sherwood discussed this with Mark Drakeford at the Civic Reception. Mark Drakeford will try to arrange a meeting between himself, Cllr Sherwood, and the Chief Executive of NRW.

23. To discuss the work of the North West Cardiff Group: There was nothing new.

24. To consider any correspondence received and not reported elsewhere:

24.1. 75 year celebration of VE Day : this will be on the agenda for November.

25. To discuss planning matters not covered by the Planning Committee:

25.1. Cllr S Thomas had referred to the Creigiau Quarry consultation earlier. Today Cllrs S Thomas and Sherwood met with Tarmac to investigate the fencing between the haul road and PCC's land at the Creigiau Recreation Area. The new fence will follow the existing boundary and be a 7ft fence with barbed wire. Ecological advice will be taken into when any plants and trees can be cleared. Tarmac provided assurances about an ecological survey and sign-off by the independent ecologist preceding any clearance work. (These are planning conditions already agreed to). On the land above the quarry some 20,000 new trees will be planted, involving local schools. The details of the tree species are listed in the planning application.

25.2. Any land clearance will be visible from the Rec and any mitigation can be considered by PCC with financial implications.

26. To receive reports from Councillors and Surgery Reports:

Councillor	Report
Mike Sherwood	September Main Meeting Planning Committee 25.9.19; 9.10.19 Finance Committee 14.10.19 Creigiau Ward Surgery CRC meeting 9.10.19 Civic Reception Site Meeting Tarmac & Creigiau Recreation charity 21.10.19
Stuart Thomas	16/09/2019 Full Council 17/09/2019 Meeting with Clerk & Creative Play 21/09/2019 Creigiau Coffee Morning / Surgery 25/09/2019 Planning Committee 05/10/2019 OVW AGM 08/10/2019 Meeting with Pentyrch Surgery 09/10/2019 Creigiau Recreation Charity 13/10/2019 Civic Reception 14/10/2019 Finance Committee 14/10/2019 Tarmac Public Display Pentyrch 15/10/2019 Standards & Ethics Meeting 15/10/2019 Tarmac Public Display Creigiau 16/10/2019 One Voice Wales Larger Council Meeting 21/10/2019 Site Meeting Tarmac & Creigiau Recreation charity
Chris Priday	September main meeting Planning Committee 25.9.19 Library
Simon Davies	September Main Meeting Finance Committee 14.10.19 Planning Committee 25.9.19; 9.10.19
Sandie Rosser	September Main Meeting Planning Committee 25.9.19; 9.10.19 Public meeting Cllr Gavin Hill-John called on 15/10/19 re: buses for Gwaelod.
John Harrison	September Main Meeting Community Speed Watch
Jenna Quilter	September main meeting

	<p>Gardening with the Eco comity at Creigiau Primary</p> <p>Keep Creigiau Tidy meeting</p> <p>Attended the Civic reception</p> <p>Attended the coffee morning/ Creigiau Surgery</p>
Wynford Ellis Owen	<p>September Main Meeting</p> <p>Finance Committee 14.10.19</p> <p>CRC meeting 9.10.19</p>
Simon Roberts	<p>September Main Meeting</p> <p>Pentyrch litter pick 5th October 2019</p> <p>Lan Group photo work and web site uploads</p> <p>Providing the photography on the Guided Walks organised by Pentyrch CC and Don Llewellyn</p> <p>Lower Mountain road has numerous potholes and drains are constantly being blocked leading to flooding which further erodes the road surface.</p> <p>Footpath on Troed-y-Garth green open space needs cleaning of moss and bramble overgrowth near the kissing gate to Doctors surgery (Pentyrch village hall car park).</p> <p>Pavement from Pentyrch Village hall to bus Stop on main road Pentyrch or Bronllwyn needs resurfacing. Previously reported.</p>
Amanda Thorpe	<p>September Main Meeting</p> <p>Creigiau Ward Surgery at Church Hall Coffee Morning</p> <p>Creigiau Quarry Liaison meeting</p> <p>Tarmac Information Event (at Pentyrch)</p> <p>Creigiau Primary School Eco Committee session</p> <p>Creigiau Community Litter Pick</p> <p>Creigiau Community Daffodil Planting</p> <p>Keep Creigiau Tidy Meeting</p> <p>Sustrans Volunteer Day in Creigiau</p> <p>Attendance at Creigiau Community Market</p> <p>Meeting & Planting with Cardiff Council Community Development Officer</p> <p>Attendance at Climate Change & Air Quality Conference in Cardiff</p> <p>PCC Civic Reception</p> <p>Fruit trees have been offered and this will be brought forward.</p> <p>Creigiau Cricket Club are applying to Comic Relief for funding. The Clerk will write in support.</p>
Karen Thomas	<p>September Main Meeting</p> <p>Site E will be discussed further at the Planning Committee on October 23.</p>
Sara Pickard	<p>September Main Meeting</p> <p>October 14 Annual Women of the Year Lunch and Awards in London.</p>

	Civic Reception Litter pick on 5th October Meeting regarding the Doctors surgery on 8th October.
Teresa Filipponi	September Main Meeting Litter pick 12.10.19 Meetings with residents 12.10.19

Date of the next meeting: November 18 2019 at Gwaelod y Garth Village Hall 7pm.

The meeting closed at 21:44

Signed _____ Dated November 18 2019