

CYNGOR CYMUNED
BRYNEGLWYS
COMMUNITY COUNCIL

Minutes of the meeting held 3rd February 2014

Present : Stan Hardman, Richard Davies, Rhys Davies, Janet Owens, Sharon Baines, Andrea Choudhury, Hugh Evans & Nia Roberts

Apologies: Rob Blackburn.

Minutes of the last meeting were read and agreed. Richard proposed & Sharon seconded.

03/02/2014/01 - OPEN MEETING

Stan welcomed all to the meeting.

Mr Adrian Walls & Tim Towers from D.C.C attended & also Mr Myrfyn & Mrs Lynne Jones, Pen Bedw.

At present there is a dispute between D.C.C and Pen Bedw regarding the right of way from Plas Newydd up to the mountain. The road has been closed by D.C.C as it is a danger to the public and cannot be used for safety reasons. It was historically used as a drovers road but, when open, according to Mrs Jones, it is only used by 4x4 drivers & motorcyclists.

Mr & Mrs Jones want the road closed permanently or the use changed to a right of way for cyclists, walkers & horses only as they have had so many problems with 4x4 vehicles and motorcyclists going off the track due to the poor condition and using their field as access to the mountain.

Mr & Mrs Jones gave a history of the troubles that they've had with the trespassers on their land and the damage that they've caused. The water is now running off the road and into the sheep shed in Pen Bedw, and as they cannot keep them off their land they cannot grow crops in this area in case of further damage. They, and their children, have also been verbally abused and assaulted by the drivers and passengers of these vehicles and the police have been called on many occasions and have recently made arrests. Pictures were supplied by Mr & Mrs Jones.

Adrian Walls was quite adamant that they couldn't close the road for another 18 months as they could then face court action from the 4x4 drivers and motorcyclists. He said that they had received complaints from of the public due to the closure, but when asked how many, he couldn't give an answer as they hadn't been recorded. He then went on to say that the police had arrested 4x4 drivers the previous day under section 59 and if they were caught up to three times, their vehicles would be crushed. This wasn't much comfort to Mr & Mrs Jones as many of the vehicles they see on their land know this and don't have registration plates. Janet Owens made the point to Tim & Adrian that if D.C.C are opening this road as a highway, the same rules should apply to the 4x4 drivers as ordinary motorists and that they should adhere to the highway code. Adrian Walls agreed but went on to say that D.C.C weren't responsible for these people.

Mr Adrian Walls informed us that the road was a maintainable highway. In 1929 the district council transferred the ownership to D.C.C and they had a duty to maintain the road and with the grant funding that was now available, their intentions were to make it safe and open the road.

Tim Towers stressed that he was very concerned about the issues faced by Mr & Mrs Jones but it was the law that the road was kept open and that by repairing the road the 4x4 drivers & motorcyclists should stay on the correct pathways and not infringe on Pen Bedw land.

Mr Jones asked the D.C.C officials, if the road was going to be made safe, all types of vehicles should be able to access the road but with the type repair work proposed by D.C.C only certain types of vehicles could still use the road, a normal car wouldn't be able to use it. He offered to pay for an independent report to see if the road complied with road safety and if not, would D.C.C be willing to close it for another 18 months to deter these irresponsible road users. D.C.C officials stressed again that they had an obligation to keep the road open especially now that the European funding had been made available for these types of projects.

Mr Jones asked Adrian Walls why he was encouraging these types of people into rural areas, to cause destruction and damage ?

He denied this was the case, but when challenged by Mr Jones as to why he had issued an order on him to change the 9ft gate that was in place at present and replace it with a 12ft gate he didn't reply.

Councillor Hugh Evans informed the meeting that as a local councillor for the ward for Bryneglwys, he was very concerned that money was being spent on a project that was causing so much aggravation for local residents and he would like Tim and Adrian to look into the legalities in more detail before going ahead with any repair work. Adrian & Tim said that they would send their findings by e mail to the clerk.

All councillors were very concerned about the cost of policing this area as helicopters are often used to catch the 4x4 drivers & motorcyclists. Again D.C.C officials stressed that they had a legal obligation to keep the road open. The road closure ends on May the 8th 2014.

03/02/14/02 Matters arising from the Minutes

03/02/14/03 – Hedges by Felin Llan (06/01/14/02) – Nia informed councillors that she had written a letter to Mr & Mrs Hughes but hadn't received a reply, but did apologise that she was rather late sending it.

03/02/14/04 – Llyr Williams – (06/01/14/03) – Nia read an e mail she had received from Llyr Williams with an attachment from Mary Yale confirming she was willing to transfer the school to the community council on the understanding that all costs were paid by them.

Nia confirmed that she had received an e mail from Llyr confirming his costs to be no more than £1000

Nia & Stan had been to see a solicitor, Miss Delyth Geraint Williams of Llewelyn Jones in Ruthin to regarding our situation with the school and had received good advice. She had suggested that all searches should be carried out on the building to avoid any comebacks on the community council in the future. All agreed unanimously that this should be done. She also suggested that we name four (4) trustees named on the deeds. Richard Davies, Rhys Davies, Sharon Baines & Andrea Choudhury agreed to be named as trustees.

Hugh Evans suggested that we contact Carwyn Edwards of D.C.C to ask for all information relating to the school. **NAR**

Nia had spoken to Dafydd Jones, Valuer. He had been in touch with Llyr Williams and Llyr had agreed to Dafydd carrying out the valuation on behalf of Mary Yale.

03/02/14/05 Letters Received

03/02/14/06 – Funding request from Denbigh & Flint Show – Request denied – Unanimously decided.

03/02/14/07 – HSBC – Statement No. 331 Balance £6916.16 – Given to Stan

03/02/14/08 – Nightingale House – Information regarding up and coming events.

03/02/14/09 – Royal British Legion – Receipt for donation – Given to Stan.

03/02/14/10 – D.C.C _ Planning & Public Protection services – Information about fines given in D.C.C in the last quarter.

03/02/14/11 – Darren Miller – Surgery Posters.

03/02/14/12 – Green work North Wales – Information.

03/02/14/13 – One Voice Wales – Voice magazine – given to Stan

03/02/14/14 – E mail from Llyr Williams with attachment form Mary Yale confirming the transfer of the school to Community council (discussed in matters arising)

03/02/14/06 Any Other Business

03/02/14/07 – Sharon had received a verbal complaint from a Maes y Fedwen resident about the smells coming from Ty'n Bedw. As this was a matter that we had discussed with D.C.C and they were fully aware of the problem, it was decided that we couldn't do much more to help.

03/02/14/08 – Hugh had been to the opening of Ysgol Dyffryn Ial in Llandegla and he had stressed that it was still an area school. He suggested that we write to the Head to remind her of the link between Bryneglwys & Llandegla. **NAR**

03/02/15/09 – Hugh asked if we would like an officer from the regeneration department to visit the Community council to discuss the Town Plan and any grants that were available to us.

HHE

Hugh informed us that there was to be a 3% increase in the council tax.

Stan informed us that he had received a verbal agreement from D.C.C. to increase the precept by approximately 70%

Invoice received from the P.C.C. for room hiring charges. £72.00 Unanimously agreed to pay. Cheque no. 100043

Meeting Ended at 9.45pm

Next Meeting 7.30pm in the Club Room 3rd March 2014