



**Minutes of the full Council Meeting held at 7.00pm, 18<sup>th</sup> September 2017, at Gwaelod y Garth Village Hall**

**PRESENT:** Councillors: Stuart Thomas (Chairman), Sandie Rosser, John Harrison, Christine Priday, Sarah-Anne Evans, Ian Evans, Simon Davies, Mike Sherwood, Chris James

Also present: Cllr Gavin Hill John

Members of the public: 10 members of the public attended. Those wishing to be name were: Osian Merfyn, Nicola Merfyn, Jo Bartholomew, Ruth Anderson, Richard Anderson, Fred Gambie, Liz Wallek, Richard Wallek, Many Morgan, Stephen Axe

In attendance: Helena Fox, Clerk

**106. To receive apologies for absence:** Cllrs Ali Carter, Wynford Ellis Owen, Sara Pickard; Cllr Graham Thomas

**107. To receive any declarations of interest:** There were none.

**108. To consider police matters:** There were no police present.

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

Jo Bartholomew spoke on behalf of residents in Penuel Road, Church Road and Heol y Parc about the planning application for the telecoms mast at the Pentyrch Sports Association (PSA) ground. She read the following statement:

*Re: planning application 17/01734/MNR to erect a telecommunications mast on the playing fields at Parc y Dwrllyn*

*I speak on behalf of a number of residents from Penuel Road, Church Road and Heol y Parc. We would like to present a number of statements and questions to the PCC.*

1. *Your mission statement, as quoted on your website is "Protecting the environment, quality of life, and rural character of the four villages". Furthermore, on your website you state "Cardiff Council must consult with us so that we can respond on behalf of the community" and Pentyrch Community Council "has an interest in any matter which can affect the lives of local residents – planning matters are a particular concern." I am interested to know how you feel these things have been achieved in this particular case, as there has been no attempt to gain the views of residents at any point in the process.*

2. *The siting of the mast is situated in the area designated as Green Wedge and within the Pentyrch Ridges and Special Landscape Area. I also believe that areas either side of the mast siting are Special Conservation Areas, which will certainly be impacted by the mast. The PCC have a responsibility for protecting the environment and landscape.*

3. *Having received notification of the application from both the Cardiff Council planning department (27th July 2017) and Kevin Brennan MP (on 27th July 2017), why did you not notify residents who would be directly affected by the mast (approximately 38 properties share a boundary with the playing fields) and also users of the facilities (e.g. parents of children involved with the junior football, rugby, tennis and cricket)?*

4. *Why were details of the planning application not displayed on the community noticeboards outside the PCC offices and next to the shops in the village?*

5. *In the minutes of the community council meeting dated 20th February 2017, the PCC resolved to write a letter of strong objection regarding the application for a mast on Mountain Road. Why was the same not offered/ implemented regarding the application being discussed today? Furthermore, the minutes state that Cllr. Harrison was minuted as saying he would be reporting back at the next meeting but there are no records to suggest this was the case? It was also recorded that Cllr. Harrison had stated it was important to communicate with residents about the proposed planning application. This has clearly not been the case.*

6. *In the minutes of your council meeting dated 19th June 2017 section 41, it states Cllr. Harrison and the Clerk will be attending a site meeting on 22nd June 2017 at Pentyrch Sports Association to consider a possible site for a telecommunication mast. We believe this would have given plenty of time to inform residents of the intended proposals. No mention is made of the outcome of this meeting in the next Community Council meeting (17th July 2017). Mention of the application is made in the minutes 21st August 2017 but this only appeared online on 5th September 2017 and after the consultation period for Cardiff Planning Department to receive representations from residents.*

7. *The summer edition of the Community Link makes reference on page 3 to the possibility of the Sports Association discussing the possibility of a mast on the land (leased to them by Cardiff Council) but stated "there are important issues to be resolved ... very importantly, any effects on neighbours." We have not received any communication from the Community Council or the Sports Association until a note was hand delivered on 3rd September 2017 at approximately 2.15pm saying "the Association has accepted in principle the erection of a telecommunication mast on Parc y Dwyrlyn" and the "application by Clarke Telecom is going to Cardiff County Council Planning Department in September 2017". However, planning permission was granted on 31st August 2017, meaning there was no opportunity for residents to express their concerns.*

8. *At the end of the consultation process with the planning department, just one objection was received. However, we have 150 signatures opposing the mast – this surely shows the strength of feeling in the community.*

9. *Why has there been such a lack of transparency in the process? What process was followed? How were PSA members and users of the facilities informed?*

10. *Is there a conflict of interest? - members of the PCC are also members of the PSA and trustees of the site. Cllr. Harrison is also the Secretary of the PSA and his involvement in the site inspection as representative of PCC with Clarke Communications appears to be a significant conflict of interest.*

11. *Why has the PCC Cllr. Hill-John not been more supportive of residents' concerns? He was highly involved in the opposition to the Mountain Road application and raised a number of his own concerns. We feel that have not had the same notification or level of support offered to the Mountain Road residents.*

12. *Are the members of the PCC aware of the health risks associated with living close to a telecommunications mast? The WHO factsheet no.193 "Electromagnetic fields and public*

health: mobile phones” states there are still gaps in the research regarding health effects from radiation from the masts. Planning Policy Wales TAN 19 quotes the Stewart Report (date?) “the possibility of harm cannot be ruled out with confidence”. There is also a growing body of evidence that the emissions from these masts can have an impact on health. Is the PCC concerned about the fact that many children will be living within very close proximity of the mast and very many more will be playing underneath the masts during football, rugby etc. training each week? Is the PCC aware that Mid Devon District Council has put an exclusion zone on mobile phone masts of 500 metres from home, schools or hospitals?

13. Despite extra income for the PSA, the mast may have a detrimental effect on their sports, as participation in children may well drop (a number of parents have already said they would not want their children playing on fields where a mast is sighted). There will also be a detrimental effect on local field users and other groups such as mother and toddler/local playgroup. It could also be argued that there would be a similar effect on recruitment at the local primary school.

14. Could the PCC liaise with the PSA on our behalf and ask them to postpone signing contracts? Our objections/ complaints are with Cardiff Council and we are awaiting responses. Kevin Brennan MP has also written to Cardiff Council expressing his concerns regarding the planning process.

We request that we have the opportunity to present our views and objections to the PSA and ask for the process to be stopped. Work needs to begin on finding a suitable site, away from the school, residents and the playing fields. We would ask the PCC to support us in this.

Mr Fred Gambie then raised a separate matter: As a resident of Georgetown he was very concerned about the condition of the access road from Main Road to Georgetown. It was showing signs of sliding away around Wood Cottage and residents are very worried about a potential road collapse. Should that happen it would be very serious for the ten properties affected. Cardiff Council has been notified but PCC could also lobby on behalf of residents. There are vulnerable residents in the area and Mr Gambie felt action should be taken in advance and before any collapse occurs. The road was adopted some six years ago by Cardiff and in that short time it has seriously deteriorated. Mr Gambie would like PCC's support to bring this to the attention of Cardiff.

## **110. To consider and decide on any matters arising from the Public Session:**

### **Telecoms Mast**

Cllr Hill-John explained that he had objected to the Mountain Road application. Residents were informed in the same way as the PSA application and had approached him directly and he gave support. The developer did consider alternative sites and decided themselves to withdraw the Mountain Road application. The developer then contacted the PSA to explore that site. Cllr Hill-John had been aware of this but noted that he is not a member of the PSA or PCC. He had missed that the developer had submitted a new application which had not been flagged to him as contentious by planning officers. These masts have presumptive consent from Welsh Government, however Cllr Hill-John respected residents' views. He was surprised when the application was approved on August 31 and apologised for missing it. Cllr Hill-John said he was happy to discuss this and to support residents. He had offered to meet residents before the PCC meeting tonight but that was not taken up. Cllr Hill-John will formulate a response to residents. This is more complex than the Mountain Road application: it is a different type of application with more complex ownership whereas Mountain Road had one owner and the mast was 20 yards from the nearest house. Cllr Hill-John accepted residents' criticism over communication and apologised to the residents.

Jo Bartholomew said that the group was now happy to meet with Cllr Hill-John to discuss what could be done. This will be arranged. Residents felt that Cardiff had not notified enough residents about the application on the PSA site.

The PCC Chairman, Cllr Thomas, said that PCC is a statutory consultee on planning. He explained that Cllr Harrison is PCC's representative on the PSA, as well as being just one member of the PSA committee, and there is thus no conflict of interest. He and Cllr Harrison had discussed the mast and Cllr Harrison had wanted residents to be informed. Cardiff did not consider the application contentious, so it was not flagged to Cllr Hill-John and PCC was also surprised when the application was approved on August 31 at the same times as the PSA was preparing their letter to residents. Events overtook both the PSA and PCC.

Cllr Harrison agreed that residents were not communicated with correctly. PSA had intended to notify all residents on adjoining roads, to put notices around the village and to hold a meeting for residents. The PSA knows that its relationship with its residents is important on a busy site with weekend use and much car parking. Unfortunately PSA did not communicate as it had hoped and intended to. They had expected any decision to be in September and thought there was time to consult. The developer has now agreed to meet with community representatives with their staff to explain the project. Cllr Harrison did not know if the mast can be stopped but wanted to try to repair some of the damage done by the bad timing.

Jo Bartholomew noted that the planning notice from Cardiff was dated July so there had been time to consult. Cllr Hill-John said that Cardiff's Planning Committee does not meet in August. The Mountain Road objectors had been able to draw up a petition ensuring that the application went to committee. So everyone assumed that the PSA application would go to committee in September and there was time to consult. Cllr Hill-John is willing to see if the residents' petition against the PSA mast can be used now.

Cllr Harrison said that no contract has been signed with the developer although the PSA has accepted the proposal in principle. This is an embarrassing situation for the PSA. The developers suggest a meeting with a neutral facilitator and the PSA are willing to do that and asked the residents if they would come.

Residents said this should have happened during the planning consultation. Cllr Hill-John said that the developers are willing to meet to allay people's fears. Masts do not require pre-consultation meetings. Clarke Telecom, the developers, do not have to meet with local people.

Cllr Chris Priday said that the residents had put their case extremely well. She asked the residents on what grounds Kevin Brennan, MP is going to challenge the application. Residents said that under Planning Policy Wales the planning process may not have been properly followed. Kevin Brennan has written to the Chair of the Planning Committee at Cardiff. Cllr Priday noted that the developer's planning consent lapsed for five years so there is still time for things to happen. The developer did look at ten local sites and the PSA site was the best of the rest. It will be hard to find another one and there is a need for better telecommunications in the village.

Residents did not accept that there was not a good alternative site further from houses. If the PSA do not sign, would that stop the mast?

Cllr Hill-John said that the developer would look at other local sites if the PSA site fell through

Cllr Harrison hoped that the community meeting would take place within 14 days. Notices will be placed locally and online and PCC will help with that. Attendance will demonstrate strength of feeling to the developer and PSA.

## **Georgetown**

Cllr Hill-John had raised this issue with Cardiff's Highways Department and with reports from Norma Procter. Highways have inspected the road but more information is needed. Cllr Hill-John will take this forward, with PCC's support.

**111. To discuss the telecom mast at Pentyrch Sports Association:** Cllr Hill-John had met with Cllr Harrison last week. Their offer to meet with residents was not taken up.

It was **RESOLVED** to support a meeting between the PSA, developer and residents and to help publicize it. PCC will liaise with the PSA to represent residents' views. The Clerk was asked to write to the PSA to ask it not to execute any agreement with the developer until this community meeting has taken place.

PCC does accept that Pentyrch needs a mast to have good telecoms reception across the community but appreciates the concerns of residents affected.

## **112. To receive reports from County Councillors:**

Cllr Graham Thomas asked for the following to be noted in his absence: The summer had been a quiet period for normal council activities but there are a few updates below.

1. The NWCG meets on Friday 22nd September: Cllr Thomas will be going along to this important meeting on the future of the group and how we can continue to influence planning developments.

2. Cllr Thomas has worked with Cllr Joel James of Rhondda Cynon Taf County Borough Council about a planning application that affects traffic on the A4119. He has lodged his objection primarily around transport concerns. He encouraged PCC to consider this application on top of existing Cardiff ones. (see item below)

3. New footpath on Cardiff Road: this will be repaired as part of the planning condition and Cllr Thomas has responded to residents and PCC to ensure the condition is met. The developers have promised this will be done shortly.

Cllr Mike Sherwood noted that in future it would be a good idea to ensure that such issues are a condition to be completed at the start of development. PCC had lobbied for the pavement improvements at the time of the application.

**113. To receive the Minutes of the Full Council meeting held on August 2017:** The minutes were proposed as accurate by Cllr Priday, seconded by Cllr Sherwood and agreed by all. They were signed by the Chairman.

**114. To consider any matters arising from the Minutes not reported elsewhere:** There were none.

## **115. To receive the report of the Clerk:**

115.1. Penuel Graveyard: as of today: there is no new information.

115.2. Some councillors have @pentyrch.cc e-mail addresses which are now full. As the office moves to Office 365 the Clerk will help members set up PCC emails in place of personal ones.

115.3 The office PCs have both had their memory increased. This will allow the upgraded Sage program to be installed on the Clerk's machine.

115.4 100th Edition of the Community Link: Deadline for submissions will be November 3. The Chairman noted that alongside regular contributions there would be also some pieces from the past to remind the community of important events and changes.

115.5 A resident had raised the issue of dog mess on the footpath behind Riverglade, Gwaelod y Garth, that leads towards School Lane. Members noted that they have asked Cardiff repeatedly for a dog bin in this location but Cardiff has said no. PCC has asked again.

115.6. Clerks hours: I worked 2.75 extra hours in August.

**116. To approve the schedule of payments and receipts for September 2017:** Payments of £12,075.38 and receipts of £784.10 were recorded to September 18 2017 and presented to the meeting.

96.1. Acceptance of the figures was proposed by Cllr Sherwood; seconded by Cllr Priday and agreed by all.

**117. To appoint a PCC governor to Pentyrch Primary School:** Cllr John Harrison has resigned as PCC's governor of the school. The Chairman thanked Cllr Harrison for his consistent hard work over the years. It was **RESOLVED** that Cllr Sarah-Anne Evans resign as a PCC governor of Creigiau Primary School and be appointed as PCC's governor for Pentyrch Primary School. The Clerk will inform Creigiau PS immediately.

**118. To discuss the Civic Reception:** Invitations have gone out to our AM, MP, County Councillors and The Lord Mayor. Invitations to groups are going out now. We have identified 54 local groups in the community. Lord Mayor and Mark Drakeford have said they are unfortunately unavailable. .

**119. To discuss the 5 year plan for PCC:** The committee met on 12.9.17 and review the working plan, updating it with the suggestions that had been received. The Clerk will circulate to members.

**120. To consider PCC's ear-marked reserves:** The council had asked for a clarification of a £4,000 reserve ear-marked for Pentyrch Village Hall. It was explained that this was for the flat roof over the entrance. The £2,000 grant earlier in the year was a contribution to the main roof. The flat roof still has to be repaired and the £4,000 is a contribution to that cost. There is no date known yet for this work. This is an ear-marked reserve set up in January 2015 and will stay on the books.

As at march 31 2017, PCC's total reserves stood at £31,272, of which £18,916 is the General Fund and £12,356 are ear-marked. The Rest Centre Reserves are part of the General Fund and now stand at a final £4,000, allocated to Pentyrch Village Hall. That leaves an available General Fund of £14,916.

Guidance on reserves states: "Councils have no legal powers to hold revenue reserves other than those for reasonable working capital needs or for specifically earmarked purposes. Earmarked reserves, which are set aside for specific purposes and for savings for future projects, should be realistic and approved by the Council.

It is generally accepted that general (un-earmarked) revenue reserves usually lie within a range of three to twelve months of gross expenditure. However, the amount of general reserve should be risk assessed and approved by the Council." (Governance and accountability for local councils in Wales – A Practitioner's Guide (2011)(One Voice Wales with Society of Local Council Clerks)

As at 31.3.2017, PCC's available General Fund is £14,916 which is 13.3% of gross expenditure for the year of £112,190. To meet the minimum 25% recommended, the General Fund should be at least £28,000.

This will be considered as part of the budget process for 2018-19.

**121. To approve expenditure for a storage container:** It was **RESOLVED** to allocate up to £2,500 from general funds to include the cost of a container, delivery, foundations and waterproofing for roof. The Clerk will check that placing the container in the proposed spot is possible. Quotes had been received of £2,000-£2,500 for single-use containers including delivery.

**122. To consider requests for grants:** Three grant requests had been received. It was **RESOLVED** to award the following grants:

122.1. Pentyrch Cricket Club: £200.00 towards the cost of coaching equipment under S137 and the Power of Wellbeing.

122.2. Pentyrch Tennis Club: £100.00 towards the cost of member training under S137 and the Power of Wellbeing.

122.3 Pentyrch Open Gardens: Match funding of £390.00 towards a grant application for a WW1 commemorative bench for Pentyrch War Memorial under the power to contribute to organisations encouraging tourism Local Government Act 1972, s.144. Cllrs James, Rosser and Davies opposed this grant on the grounds that the other local communities were not being treated equally. PCC had previously agreed to consider similar commemorative benches for the other communities as part of the 2018-19 budget.

Cllr James left the meeting.

**130. To discuss concerns about Brofiscin Quarry:** This issue had been raised via Norma Procter who had received information from a resident in Radyr. It will be considered by the NWCG on 22.9.17 too.

Cllr Sherwood gave some background. In the 1970s waste was dumped in this old quarry, including Agent Orange and dioxins. Environmental reports recommended the waste be removed. The cost was estimated at over £100 million. RCT capped the quarry so the waste remains but contains the smell. The issue now is whether Cardiff has taken account of this site in their LDP plans, eg were any water or soil samples taken? The groundwater movement is from RCT towards Cardiff's rivers and into the estuary. In the past, constant monitoring was promised by Environment Agency Wales, now part of Natural Resources Wales (NRW).

It was **RESOLVED** to ask NRW under Freedom of Information to supply the monitoring data to see what has been done and where the risk now stands. The Clerk was asked to notify Cardiff and RCT Heads of Planning, RCT County Councillors, Pontyclun Community Council, Llantwit Fardre Community Council and ask for their opinions.

Cllr Sherwood left the meeting.

**123. To receive an update on Pentyrch Post Office:** The Clerk reported that Mark Drakeford, AM and Kevin Brennan, MP are arranging a meeting shortly with the Post Office to discuss various local issues including Pentyrch's. They will let us know the outcome.

**124. To approve a response to the Welsh Government Consultation on Electoral Reform:** The meeting considered the draft previously circulated and having made minor amendments **RESOLVED** to submit the response to meet the October 10<sup>th</sup> deadline.

**125. To nominate a Community Councillor to the Cardiff Council Standards and Ethics Committee:** It was **RESOLVED** to nominate Cllr Stuart Thomas.

**126. To discuss the revised Charter with Cardiff Council:** The Clerk had heard from both Lisvane PCC and St Fagans CC who both want to keep pressing the issue that involvement of community councils in S106 be included as part of the Charter.

It was **RESOLVED** that PCC host a meeting with the other community councils to discuss this and then with Cardiff officers. The Charter has been an issue between Cardiff and the six community councils for over ten years and PCC agreed that S106 arrangements should be part of it.

**127. To discuss the War Memorial maintenance and arrangements for the Remembrance Day service**

127.1. The service will take place on November 12 at 3pm, led by The Rev Michael John. We will provide programmes. It was suggested that Cllr Ellis Owen be asked to give the reading in Welsh this year. The service will be well publicized around the communities.

127.2 It was **RESOLVED** to accept a quote of £126.00 + VAT to repair lettering on the memorial by John Jenkins & son.

127.3 A condition report was received from Mossfords. This will be used as the basis for grant applications to have the memorial professionally cleaned and repaired. A reserve for this cost will be considered as part of the 2018-19 budget.

**128. To discuss the work of the NWCG:** NWCG next meets on September 22 in St Fagans Village Hall.

128.2. Clustering: it was **RESOLVED** not to proceed with a clustering project. St Fagans CC had made the same decision.

**129. To discuss concerns about local footpaths and styles:** This was deferred to the October meeting.

**131. To discuss the Pererindod Penrhys Pilgrim's Way:** Cllr Priday explained that this was a project to link the communities through which this route runs. It was **RESOLVED** to support the project in principle and to consider a Community Link article.

**132. To consider any planning applications:**

132.1. Mast on PSA: see above.

132.2. 17/01368/MNR: single storey bungalow, The Glade, School Lane, Gwaelod y Garth: It was **RESOLVED** to ask Cardiff how it intended to manage the crossing over the new pedestrian only footpath.

132.3. Planning Application 16/1385/13: Land West of A4119, CEFN YR HENDY, Mwyndy, Pontyclun, RCT: Pontyclun: Cllr Joel James of RCT and Cllr Graham Thomas have objected to this application because of its effect on the A4119. The application is for 460 houses in Miskin. It was **RESOLVED** to support the councillors and the Clerk will write objecting to the application on the grounds that its effect on traffic on the A4119 in RCT and Cardiff has not been properly considered.

**133.** To consider any correspondence received and not reported elsewhere: There was none.

**134.** To consider the reports of Councillors and Surgery Reports:

Date	Councillor	Report	Action Taken
	Mike Sherwood	Produced report on the condition of road junctions in Creigiau	Sent to Cllr Graham Thomas
		Held surgery: The Coffee Morning one seems to be popular. I had at least one person drop in specifically. Therefore I am going to propose maintaining this as a	Report online



		<p>regular date for the diary. We've already agreed to hold a surgery in parallel with Creigiau PACT.</p> <p>I propose that we hold an occasional third meeting mid-week at the Golf Club around mid-morning. This will cover access to a surgery for those who may work evenings or weekends. I'm happy to set this up and run it on an occasional basis. I'm thinking in between PACT meetings in the calendar, so an additional 3 meetings in the year.</p> <p>Raised concerns lack of pavement on Robin Hill</p>	<p>Communicated with Cllr Graham Thomas</p>
13.9.17	Simon Davies	<p>Raised concerns about footpaths, Japanese Knotweed and lack of pavement on Robin Hill</p> <p>Planning to meet with Pentyrch councillors to hold local surgeries.</p>	<p>For October meeting</p> <p>Communicated with Cllr Graham Thomas</p> <p>Set a date and advertise</p>
	John Harrison	<p>Has been liaising with residents, County Councillor, PSA and developer over the proposed telecoms mast at the PSA grounds</p> <p>Planning to meet with Pentyrch councillors to hold local surgeries.</p>	<p>Set a date and advertise</p>
12.9.17	Chris Priday	<p>Attended PCC Business Plan Committee; worked in the PCC library</p> <p>Attended Pentyrch Neighbourhood Watch</p> <p>Planning to meet with Pentyrch councillors to hold local surgeries.</p>	<p>Set a date and advertise</p>
12.9.17	Stuart Thomas	<p>Attended PCC Business Plan Committee</p> <p>Worked on the PCC Civic Reception</p>	

135. **To discuss issues arising from the vacancy for the Creigiau Ward:** This was a confidential matter from which the Press and Public are excluded as per the Public Bodies (Admission to Meetings) Act 1960

135.1. It was **RESOLVED** to approve the draft response received from solicitors.

136. **Date of the next meeting:** October 16 2017 at Gwaelod y Garth Village Hall, 7pm

There being no other business, the meeting closed at 10.05pm

Chair \_\_\_\_\_ Date \_\_\_\_\_