

MINUTES OF CAERWENT COMMUNITY COUNCIL MEETING
HELD 11TH OCTOBER 2018

Present: Councillors:
K Evans (Chair)
M Beattie
G Cousins
S George
B Harris
P Murphy

In attendance: L McKeon, Clerk to the Council
1 member of the public

M4717 APOLOGIES

Councillors Counsell, Haddow, Lewis and Swift.

M4718 WELCOME NEW COUNCILLOR – BENJAMIN HARRIS

The Chair welcomed Councillor Harris onto the Council as one of the Councillors for the Caerwent ward and looked forward to working with him. Councillor Harris had signed his Acceptance of Office form.

M4719 DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA

Councillor K Evans	Caerwent Historic Trust	Trustee
Councillor P Murphy	Caerwent Community Centre	Trustee
Councillor P Murphy	All planning applications	Member of MCC Planning Committee

M4720 MINUTES PUBLIC PARTICIPATION

A resident queried progress on the planning application for plot 4 at the Red Chillies Restaurant on the A48 and if it is indeed lawful to live over a garage. He was advised that it is quite a usual arrangement to have accommodation over a garage as long as it conforms to building regulations. He was advised that the developer has today submitted an appeal to the Inspectorate and a meeting of the MCC Planning Committee is arranged for next week to especially formulate a robust response. The resident also wanted to raise the issue of lack of communication from the Planning Department at MCC.

M4721 CHAIR'S ANNOUNCEMENTS

The Chair advised that our September meeting unfortunately had to be cancelled due to it not being quorate. All matters will therefore be discussed at this meeting.

He had been informed that Councillor Counsell was now out of hospital and is hoping to return to Council meetings within the next couple of months.

M4722 CONFIRMATION OF MINUTES OF MEETING HELD 12th JULY 2018

These were agreed as a true record.

M4723 MONTHLY POLICE REPORT

There was no monthly report. A separate report had been received regarding offroad biking. Inspector Damian Sowry will be attending our November meeting.

M4724 PLANNING

2018/001527 Bro A Bryn Cottage, Caerwent Brook

Two Storey Rear/Side Extension, Single Storey Rear Extension and Proposed Side Extension/Garage. Application to include removal of existing garage/outbuilding

This Council recommends Approval

2018/01146 Glenview Farm, Llanfair Discoed

Convert outbuildings to holiday let

This Council recommends Approval

2018/01500 3 Canon Lane, Caerwent

Demolition of existing glass conservatory. Construction of rear single storey pitched roof extension, and first floor pitched roof extension over existing garage. Rendering to upper part of elevations.

This Council recommends Approval

2018/01143 Brookside, Well Lane, Llanfair Discoed

(amended plan – reduce the number of proposed dwellings from two to one)

This Council recommends Refusal

Our previous objections dated 15th August still stand in regard to this application. We have received further concerns regarding precedent and overdevelopment, ecological impact, drainage, safety and vehicular/pedestrian access, effect on privacy, light and enjoyment of property. In addition, real concerns regarding damage to air quality during necessary heavy vehicles emptying the required cess pits and increased blocking of Well Lane through building works and additional cess pit emptying preventing emergency ambulance access to the care home at the top of Well Lane. Very strongly, therefore, the consensus is still to reject this amended planning application.

TO NOTE PLANNING APPLICATIONS CONSIDERED DURING AUGUST

2018/00819 Quarry House, Caerwent Brook

Proposed engineering works to fill and level existing quarry/yard for use as garden

This Council recommends **Refusal**

This will lead to numerous heavy lorries travelling through the village of Caerwent on inadequate infrastructure and a weak bridge, and also probably along the Dewstow Road towards Caldicot. Vehicles turning out of this site onto a road that is not that wide and with no footways could compromise oncoming traffic and pedestrians.

The plans submitted are not particularly easy to understand as the level diagram does not match the location plan in shape or area. The application clearly indicates that it will not affect any trees or hedges whereas when you look at the outline on the levels diagram and the location map there are a number of trees that will be affected.

It would appear that the level difference at the maximum is 3m across the proposed site. However, in the accompanying letter there is a mention of a Health and Safety risk. How is this the case as this would be only be applicable to persons walking on the highest section along what is believed to be the footpath.

Public bridleway 353/110/1 and the public footpath 354/110/2. Both of these rights of way could well be compromised.

There is a lack of information regarding routes, size/type of vehicles to be used. We would need far more information to accompany the application before a comprehensive assessment could be made and as a result recommend refusal.

2018/01143 Brookside, Well Lane, Llanfair Discoed

Two building plots in garden

This Council recommends Refusal

Precedent and overdevelopment:

It should be noted that a precedent application within Llanvair Discoed (building of an additional property in the garden of an existing property) was rejected by the Welsh Office on the grounds that 'the village is characterized by sizeable properties on large plots and to allow the application would set a precedent leading to multiple applications'. Numerous residents have brought this to the Community Council's notice and believe that such development would irreparably damage the character and nature of this mature residential area. An immediate neighbour to the applicant property has already stated that should consent be granted for any additional residential dwelling in the grounds of Brookside (the applicant property) then they will immediately submit similar planning application. The application falls outside the Monmouthshire County Council LDP policy for a designated minor village as it would have an adverse effect on the character, nature and form of the village.

Ecological Considerations

Well Lane is a narrow, single track road with no pavements and immediately bordered to one side by a deep natural gully and stream. The stretch of stream between the existing shared property access and proposed new access over the stream is formed of earth and natural stone. The installation of a new access would destroy a large section of the stream and banks which are a feature of the village and as such would be detrimental both to the ecology and to the enjoyment of residents, walkers and visitors. The application involves the felling of a minimum of 8 mature trees on the proposed plots.

Safety and vehicular/pedestrian concerns

The proposed new access is at an elbow in Well Lane where visibility is already restricted. The narrowness of the lane and immediate bordering of the natural gully and stream to the lane already present significant safety issues for walkers accessing footpaths when interacting with car users, utility vehicles and large tanker lorries servicing existing property cess pits. The same applies equally for existing residents of Well Lane walking or using vehicles necessarily to access their properties and interacting with other vehicles/pedestrians. Unless a significant splay is installed to the proposed new access it will be necessary for vehicles accessing the proposed properties to swing onto the driveway of 'Bryn Adam' (the existing property immediately opposite). This is both impractical and will not receive the agreement of the 'Bryn Adam' property owners. The proposal will involve the installation of 3 sealed cesspits – this will, in itself, necessitate increase heavy tanker truck traffic, required weekly. This already results in significant obstruction

of the lane and damage to the integrity of the stream, banks, verges and adjoining hedges. The proposal will increase further residential traffic using this already potentially dangerous lane which has now reached full capacity. Short-term, the introduction of construction traffic and necessary deliveries/ utility vehicles would be of enormous inconvenience to residents and, as such, untenable.

Drainage

Drainage is already an issue in Llanvair Discoed as there is no mains sewerage. The existing cess pit servicing Brookside is installed beneath the footprint of the proposed properties. As such, 3 new sealed cess pits will actually be required. Supply of fresh water and disposal of grey and black water are already a problem for the village, particularly so for Well Lane. Current surface water flows along Well Lane suggesting underground water courses/springs which could be compromised by any further disruption. The field adjoining Well Lane is known as 'Spring Field' for a reason. The proposed new dwellings will negatively impact on drainage and water flow (the application refers to soakaway). Downstream, the lower village already suffers from flooding in Winter.

Impact on Privacy, Light and Enjoyment of Property

Cited as objections by both immediately neighbouring properties. There would be significant intrusive impact upon 9 Court House Road, particularly.

Other considerations

The construction of the applicant property, 'Brookside', was part of the original estate development plans for Court House Road, as was 'Over the Stream' – in fact, numbered 10 and 11 Court House Road respectively on that plan. Both immediately neighbouring properties (9 and 11 Court House Road) bear restrictive covenants limiting development to a single dwelling house or bungalow on that site. It is therefore very likely that this restrictive covenant was also applied to the applicant property. It is reported that the applicant was a major objector, citing many of the above reasons, when a similar development was recently proposed in Well Lane.

The 'OS Extract 785079' entry dated 12.7.2018 to this application is factually incorrect. The property to the South is, in fact, 'Over the Stream' – not 'Rose Cottage' which is on the opposite side of Well Lane. This inaccuracy in the presented plans could potentially call into question the level of detail and accuracy involved elsewhere in the preparation and submission to the application and could be cause for caution.

2018/01268 Hardwick Farm, Highmoor Hill, Five lanes

Amendment to Planning Approval 2017/00791 – Grooming Facilities, Isolation Unit and Store

This Council recommends Approval

2018/01253 Blackthorn House, Burton Villas, Caerwent

Erection of Conservatory to Rear

This Council recommends Approval.

To consider any planning applications received after despatch of agenda

There were no further applications.

Two appeals had been received regarding the Red Chillies Restaurant site. The Chair agreed to circulate a draft response to send into MCC.

To note monthly enforcement lists

Noted

To consider correspondence from Head of Planning in relation to changes to regulations relating to Section 106 agreements and to consider the compilation of a register of existing and potential community projects and aspirations in our locality.

Noted

To note Delivery Agreement re Local Development Plan

Noted

M4724 TRANSFER/LEASE OF VILLAGE HALL

To report on meeting held with Caerwent Playing Fields Association concerning lease document.

Minutes of this meeting had been circulated. Following receipt of three quotes Council agreed to instruct a Surveyor to carry out a condition report, also to instruct surveys regarding asbestos and drainage. Concern was raised regarding the road to the Hall which is unadopted and also the fact that the first bungalow falls within the curtilage of the Hall ground – Councillor Murphy agreed to raise this with MCC.

M4725 WORLD WAR I CENTENARY COMMEMORATIONS/WAR MEMORIAL

To consider any progress on sourcing a manufacturer for pupil drawings

The latest manufacturer was now not very forthcoming, agreed to discuss this further at a later date.

To consider situation regarding paving, painting and time capsules

Due to the fact that the paving contractor is no longer available this year agreed to programme this to be carried out during the centenary year.

To consider cleaning of War Memorial.

Agreed to re-look at the quotes received.

To consider the provision of poppy wreaths on lamp posts

Council agreed to purchase 50 at a cost of £3 each. The Clerk advised that currently these are out of stock but she will persevere in trying to obtain them. If only a few can be obtained Council agreed that these be placed at the actual cenotaph.

M4726 COMMUNITY COUNCIL EDUCATION AWARD

To consider a subject for this year's award for Rogiet/Shirenewton Schools

Councillor Harris suggested a project re plastics as this is currently very topical. Agreed that Councillor George will speak to the Head of Rogiet to enquire if a Recycling in Wales project is feasible. Request that she contact the Head of Shirenewton for them to consider something between them, ie sculpture, mural, poem, collage.

M4727 TO RECEIVE REPORTS

CLERK'S REPORT

Collapsed Drain, Ballan Cottage, Crick

Reply from CWEP had been circulated. The Chair felt that we had no authority or legality to issue a licence of any kind. Noted that the insurers and indeed the house owners had changed. Councillor Murphy agreed to talk to Ben Thorpe in Estates MCC to clarify the situation and will also visit the new owner of the property.

Definitive Map Modification Order to record routes A and B as public byways open to all traffic, Minnets Lane

A substantial amount of evidence has now been examined (both user and historical). Thirty-three evidence forms were submitted as part of the pre-order consultation. Public use is predominately on foot and horseback. Historical map evidence was also looked at (Estate Maps; 1842 Tithe Maps; 1823 Price's Map; 1830s Greenwood Map; 1830s David and Charles Map; 1830s Cassini Map; 1830 Ordnance Survey Map; 1855 Enclosure Award documents; 1882, 1901, 1921, 1947/52 Ordnance Survey Maps; 1910 Finance Act Records; List of Street Records and Definitive Map Records). The main piece of evidence for status higher than the current Restricted Byway is the Enclosure Award. However, legal advice is that the Enclosure Award does not meet the tests under the NERC Act 2006 for an exception and public vehicular highway rights have been lost. Private vehicular rights are unaffected and remain.

Therefore, it is the decision of the Authority that the route C-E, remains as a Restricted Byway and no further action is required in terms of status.

A Restricted Byway is a highway over which the public have restricted byway rights. This means a right of way on foot, a right of way on horseback, or leading a horse, a right for vehicles other than mechanically propelled vehicles and the right to drive animals of any description along the highway.

Route A-C - the view now is that a Modification Order should be made to add the route to the Definitive Map and Statement as a Restricted Byway. A report has been prepared and will be presented to committee as soon as possible regarding that evidence. We will be informed as soon as arrangements are made, as to the date of the committee meeting and when and how to view the online report.

Dog Fouling

Dog bags arrived and delivered to Councillors Murphy/Swift and Mrs Dawson. All dog bag containers now filled. Some of the bag containers are damaged – purchasing some more.

Caerwent Toilets

Councillor Beattie had cleared all vegetation surrounding the toilets. New windows installation has taken place. Councillor Swift had advised the Clerk that there is one cracked window which will be replaced next Tuesday – she has not signed the work off as yet.

War Memorial Planting

Councillor Beattie has weeded/sprayed the area and planted the containers. The owner of Laurel Dene (opposite) will water them. Councillor Beattie will visit on a Monday to deal with any weeding/plant replacement.

Grant – Broadband Infrastructure

Response from MCC: We have had our Expression of Interest approved but had to combine our bids for various areas. We can now make a full application during the coming weeks, but another confidential opportunity is delaying our response. We can at least bid for £160k, to connect 500 premises, but must make sure we have looked at all value for money options.

Assets Repairs

Meeting held with resident who had expressed an interest in carrying out our maintenance work. Agreed that he would invoice us following completed works and that we would pay any mileage at 45p per mile.

Councillor Vacancy – Caerwent Ward

Election held 30th August. Results: Ben Harris 84, James Tuhey 76, Turnout 26.7%.

Wedding Booking – 24th August 2019

No further progress. Awaiting transfer to confirm.

Steps Cottage

Enforcement deemed this as no breach in their latest reports.

Red Telephone Box, Highmoor Hill

Councillor Lewis to report at next meeting.

Caerwent Playing Fields

EcoVigour had carried out a couple of herbicide spraying visits over the summer. Council agreed that they should also scrape the edges as per their quote.

Quarry Site

Councillor Lewis had visited the site and reported - there has been no obvious use of the widened entrance and there are now brambles growing across. Inside the gates there is as previously noted a small pile of rubble. No new piles of waste have appeared and no evidence of more “landscaping “ is present. The ramp down into the quarry has not changed and is still incomplete, stopping half way down - no normal road vehicles can use it, and probably not even heavy plant. In the base of the quarry there is no evidence of any further dumping. Informed neighbour of our correspondence with MCC.

SOCIAL MEDIA REPORT

457 members

Concern re blocked traffic in Caerwent village

PLAY AREA INSPECTION REPORT – TO NOTE BALANCE LOG DAMAGE

Agreed to ask our contractor for a quote

Agreed to ask our contractor to add the Trail onto their inspections

M4728 TREES – CAERWENT PLAYING FIELDS

To consider concerns regarding trees on field backing onto Canon Lane and Cadoc Close.

Agreed to contact the Tree Officer at MCC for advice.

M4729 REMEMBRANCE SERVICE – SUNDAY 11TH NOVEMBER

To note arrangements made

Ordered road closure. Arranging for road closure signage. Ordered wreaths.
 Bugler arranged. Deputy Lieutenant/Police/MoD will be in attendance.
 Reported bulb out at cenotaph.
 Reading of names – enquire of Councillor Counsell (failing that Councillor Harris)
 Laying Community Council wreath – enquire of Councillor Counsell (failing that
 Councillor Evans)
 John Waters will be leading the service.

M4730 CORRESPONDENCE

One Voice Wales – training courses available
Welsh Government - Independent Review Panel on Community and Town
Councils in Wales Outline Findings and Recommendations
MCC new company – Monlife
MCC newsletter
MCC press release – reduction of plastics in schools
J Williams, Chair, Community Centre – various Caerwent issues

M4731 FINANCE

To consider balances/payment and approval as per finance schedule
dated October 2018. (legal power denoted)

Balances as at 30TH September:

Moneymaster Account	£13,077.28
Community Account	£18,064.18
Petty Cash	£209.03

Clerk's Salary, Allowances, Mileage (12), o/t 2 hours (CPFA mtg)	as per NALC scales
Inland Revenue	£48.20
Torfaen Pension Fund	£226.59
Aardvarc Cleaning (toilets) (Public Health Act 1936, s87)	£192.00
Llanvair Landscapes (mowing) (Highways Act 1980, s96)	£440.00
Merlin Waste (dog bins) (Litter Act 1983, ss 5.6)	£187.50
Henry Burton Almshouse Charity (room hire) (LGA 1972, s144)	£21.00
MCC (rent for field at Crick) (LGA 1972, Sched 14, para 27)	£15.00
Monmouthshire Window Company (toilets) (Public Health Act 1936, s87)	£3000.00
GoDaddy website (LGA Democracy 2013, s55)	£15.72
Royal British Legion (wreath) (Charities Act 2011, Part 15)	£20.00
Plants for War Memorial (LGA 1948, s133)	£88.06
Shirenewton Primary School (annual prize)	£125.00
Rogiet Primary School (annual prize) (LGA 2000, s2)	£125.00

Paid September as per Standing Orders

Clerk's Salary, Allowances, Mileage (56)	as per NALC scales
--	--------------------

Inland Revenue	£48.26
Torfaen Pension Fund	£226.65
Go Daddy (web hosting)	£115.06
Go Daddy (domain renewal)	£15.72
(LGA Democracy 2013, s55)	
Llanvair Landscapes (grass cutting x 2)	£440.00
(Highways Act 1980, s96)	
Annual Donations:	
Caerwent Playing Fields Association	£2000.00
(LGA 1972, s133)	
Caerwent Community Centre	£2000.00
(LGA 1972, s133)	
Community Newsletter	£500.00
(LGA 1972, s142)	
Crick Wildlife & Environment Project	£200.00
(LGA 1972, Sched 14, para 27)	
Mons County Citizens Advice Bureaux	£2500.00
(LGA 1972, s142 2A)	
Caldicot Junior Football Club	£500.00
(LGA 2000, s2)	
Churchyard maintenance:	
Caerwent Parish Church	£280.00
Caerwent Baptist Chapel	£240.00
Llanfair Church	£240.00
St Brides Church	£240.00
Llanvaches Utd Reformed Church	£80.00
Caerwent Parish Church (floodlighting)	£150.00
(LGA 1972, s214)	

Council Approved.

Annual Return 2017/18

To note that external audit had approved the information contained in the Annual Return which is in accordance with proper practices and no matters have come to their attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

Noted.

To note issues report regarding recording of statutory powers alongside authorised expenditure.

Noted.

To approve quarterly budget information (July – September 2018)

Approved and agreed that the figures were to plan.

M4732 HIGHWAYS/RIGHTS OF WAY

To consider the safety of drivers/pedestrians on the Caerwent Road in the vicinity of the Post Office and make any recommendations with due consideration to the promotion and protection of the local businesses.

Councillor Harris informed Council that major issues when he was campaigning for office were speed of traffic and congestion through the village of Caerwent. He had

published a survey which had been completed by 59 residents, the results were that a one way system would not be welcomed but more pedestrianised areas would. He was advised that we had suggested a one way traffic system to Highways previously but it had been turned down due to increased times of emergency vehicles accessing properties within the area. Council feel that there is a natural speed limit due to parked cars but there is a 20 mph advisory limit. Double yellow lines will not be allowed as this is a conservation area. When the improvements were made six years ago (new pavement/paving in cenotaph area) they were described as a shared space for traffic and pedestrians. We had suggested a Speedwatch scheme recently for the A48 but due to lack of volunteers this had to be dropped. We have previously arranged for the police to carry out speed checks within the village but it was always reported to us that most were within the limit. We could possibly request this again.

To report any highways/rights of way issues

Verges require trimming on A48 Caerwent side nr traffic lights – Councillor Murphy will report.

Fencing on triangle at Merton Green has fallen down. Councillor Murphy will report to Barratts on health and safety grounds.

Most drains on Five Lanes/Highmoor Hill require clearing. Clerk to report.

Roman Road west 30 mph signs covered in vegetation. Clerk to report.

Confirmation received that overhanging branches Five Lanes to Rock & Fountain will be trimmed.

Councillor Swift had informed the Clerk that she had attended a Speed Workshop event where she had received some very positive feedback regarding speed reduction in Crick. The A48 speed review, including Crick, will be published very soon.

M4733 IT WAS AGREED TO EXTEND STANDING ORDERS BY 15 MINUTES

M4734 REPORTS OF REPRESENTATIVES ON OUTSIDE BODIES

Notification that a defibrillator had been approved for the Community Centre.
Historic Trust AGM 7th November at the Church 7.30 p.m.

M4735 TO EXCLUDE THE PUBLIC OR THE PRESS FROM NEXT ITEM IN VIEW OF THE CONFIDENTIAL NATURE OF THE BUSINESS ABOUT TO BE TRANSACTED, IT IS ADVISABLE IN THE PUBLIC INTEREST THAT THE PUBLIC AND THE PRESS BE EXCLUDED AND THEY ARE INSTRUCTED TO WITHDRAW

No press or public present.

M4736 CLERK'S EMPLOYMENT CONTRACT

To consider updating and reviewing

Council agreed that the Clerk's contract be updated to 17.5 core hours per week and that her allowances be increased by £10.75 per month.

M4737 ITEMS FOR NEXT MEETING

Councillors to inform Clerk.

Chair Date

