

Minutes of the June monthly meeting of the Pontyclun Community Council held in the Lesser Hall of the Bethel Baptist Church and Centre, Heol Miskin, Pontyclun, at 7.00 p.m. on Tuesday, 9 June, 2009.

PRESENT: Community Councillors Ms V A Cale, J G Davies, P Griffiths, S Jenkins, R G Norman, and Ms C Willis

Also in attendance: Forty nine members of the public were in attendance.

1. **Apologies for absence**

Apologies for absence were received on behalf of Councillors Dan Clayton-Jones, J V Huish and M Rea.

2. **Declarations of interest**

None were made.

3. **Residents' concerns**

Community Council owned land in Brynsadler

The Chairperson, Councillor Willis, welcomed the large number of members of the public present at the meeting.

The Chairperson believed that the members of the public were in attendance because of concerns over the decision of the Council to sell the strip of Community Council owned land bordering the river Ely in Brynsadler.

The Chairperson advised that the Council would listen to the comments of the public and asked that each speaker state his or her name before

making comment. A report on the public's comments would be compiled for consideration at the next monthly meeting. The Clerk added that in addition to the comments made verbally that evening, he would also include in the report copies of the e-mails received by the Council and copies of letters received by the Council.

While initial speakers gave their names before making comment subsequent speakers did not give their names before offering comment.

Members of the Council who were in favour of selling the land were asked by members of the public to state their reasons for disposing of the land. Members responded that:

- (i) The land had been bought without any access. To construct an access would cost a further £4,000 to £10,000.
- (ii) The land had been bought in a rush without any risk assessment having been carried out. The state of the land was unknown. The Council could face legal claims from members of the public using the land and suffering injury.
- (iii) The Council paid substantially more for the strip of land than it was worth. Originally the District Valuer had only valued the land at £1,000.

Comments made by members of the public covered:

- (a) the worsening of flooding in the area should there be any development on the land. It was believed that development could have a severe impact.
- (b) the land was a valuable habitat for bird life and bats in addition to wildlife associated with the river
- (c) application for the removal of the existing agricultural covenant on the land could be made thus allowing the purchaser to develop the whole of the land at Brynsadler Mill
- (d) ".....having lived in London for a number of years I value the land as a green space"
- (e) "I was elated when the Assembly Member was in support of the proposed riverside walk. I was extremely disappointed to learn that the Community Council now intends to sell the land to a developer". The same member of the public referred to climate change and

pointed out that in times of heavy rain the highway already suffers from flooding. Development would make the position considerably worse.

- (f) a resident of Rhyd y Nant pointed out that in times of heavy rain the existing land at Brynsadler Mill acted as a reservoir for floodwater. Development would have the effect of taking away the reservoir and pushing floodwater in the river Ely further downstream. There was a strong likelihood of Rhyd y Nant being flooded.
- (g) Pontyclun is already massively congested. Congestion in the village has worsened since the Borough Council decided to introduce parking charges. Further development on this land is not needed since it would increase traffic congestion in Pontyclun even further.
- (h) “Having listened to the explanations from councillors who are in favour of the sale I can see no justification for going ahead”
- (i) “I hope the Council is going to listen to the feelings expressed here tonight and not ride roughshod over us as Rhondda Cynon Taf Council has done with the imposition of car parking charges after their so-called period of consultation”
- (j) “If the Council chooses to ignore the feelings of residents this will not be the last you here of this”.
- (k) “The offer for the land is only £15K. This is a derisory figure for such an important piece of green space in the heart of Pontyclun.”
- (l) A resident commented on the good work of the Council in securing the land in perpetuity for the benefit of residents. He was bitterly disappointed to hear of the plans to sell off the land
- (m) Children will be able to get access to the land and introduced to wildlife and the countryside.
- (n) Retention of the land by the Council could create an opportunity for the youth of the Community to become involved in creating a riverside walk.

Two members of the Council, spoke in favour of the Council retaining ownership of the land. It was pointed out that while an agricultural covenant on the land might give the impression of safeguarding the

land from development, in reality, application could be made for the condition to be removed if the land was sold.

It was accepted that a footpath could be created on the Council owned land and that Rivercare had offered their expertise in planning a suitable route.

In summary, all members of the public who addressed the Council were opposed to the plans to dispose of the land. Speakers urged the Council to re-think its plans.

4. **Police matters**

(a) **Reports from the police**

No representative of the police was present.

(b) **Reports from Members**

Councillor Norman reported a recent incident on the Cefn yr Hendy Estate where there was a disturbance at 2.45 a.m. resulting in a car, and some other items being stolen. It was understood that the incident had been reported to the police.

RESOLVED: That the Clerk check with the police that they were aware of the incident.

5. **Minutes of the Council's Annual Meeting of 12 May, 2009**

RESOLVED: That the minutes be approved as an accurate record.

6. **Matters arising**

There were no matters arising.

7. **Minutes of the Council's monthly meeting of 12 May, 2009**

RESOLVED: That the minutes be approved as an accurate record.

8. (a) **Erosion of riverbank**

The Council noted the correspondence which had taken place with the Borough Council's Footpaths Officer and that as a safety precaution the Borough Council had erected a fence along the affected area of the river Ely.

The Community Council also noted that at 19 May, 2009, no approach had yet been made to the Environment Agency to find out whether that authority would be prepared to carry out work to reinforce the riverbank.

RESOLVED: That the Community Council continue to press the Borough Council for remedial work to be carried out to the riverbank.

(b) **Car parking in Heol yr Orsaf, Pontyclun**

The Clerk advised the Council that following the introduction of car parking charges in the car park opposite the Pontyclun Community Centre, he had received three telephone conversations about the practice of motorists of parking on the footways in Heol yr Orsaf. Residents in Heol yr Orsaf complained that parked cars on the footways impeded the use of footways by residents pushing prams and pushchairs and using wheelchairs.

The Clerk advised that he had passed on the residents' concerns to PC Mike Perry at Talbot Green Police Station. The police agreed that they would monitor the situation and, if necessary, report any motorists obstructing access.

The Council felt that these problems had been caused, at least in part, by the Borough Council's recent decision to impose parking charges in the nearby car park.

In the course of the discussion Members referred to the letter from the Borough Council included at Appendix 9 to the agenda. The letter informed the Council that objections against the introduction of parking charges in the car park opposite the Pontyclun Community Centre had been considered. Despite the objections, charges would still be introduced at selected car parks across the Borough.

- RESOLVED:**
- (i) That the Council confirm the actions of the Clerk in referring the obstruction of footways in Heol yr Orsaf to the police.
 - (ii) That the Clerk establishes the reason for the exclusion of the Borough Council owned car park in Tonypany from the list of car parks where charges are to be introduced.
 - (iii) That the Clerk challenge the legality of the introduction of charges given that the Community Council's contribution of £20,000 towards the construction cost of the Community Centre was a donation on behalf of residents of the Community.

9. **Matters reported for decision**

(a) **Consultation Paper on possible amendments to the Account & Audit (Wales) Regulations, 2005**

The Council discussed the consultation paper produced by the Welsh Assembly Government.

Section 1 of the paper suggested possible changes principally affecting principal councils. Section 2 of the paper suggested possible changes affecting community and town councils. The Council discussed the possible changes at community and town council level and answered questions 15 to 20 in the consultation paper.

RESOLVED: That the following responses be given:

Question 15 - That the Council does not express a view.

Question 16 - That the Council does not express a view

Question 17 – Yes

Question 18 – That the threshold should remain at its current level.

Question 19 - That the date should remain the same

Question 20 - There should be no phased approach

(b) **Proposed International Business Park at Junction 33 on the M4 motorway**

The Council received correspondence from the Clerk to the Pentyrch Community Council advising of a public meeting at the Pentyrch Village Hall at 7.00 p.m. on Tuesday 23 June, 2009, to discuss a revised planning application for an International Business Park on land north of Junction 33 of the M4 motorway. The land fell within the communities of Pentyrch and St Fagans.

The planning application was due to be heard by the Planning Committee of the City Council on 8 July, 2009, and any comments on the application needed to be submitted to the City Council by Friday 26 June, 2009. Copies of the comments of the Rhondda Cynon Taf Borough Council, as an adjacent authority, were provided for Members' information.

RESOLVED: (i) That the Community Council opposes the application.

- (ii) That the Community Council be represented at the meeting by the Chairperson.
- (iii) That the Community Council display notices of the public meeting in its noticeboards
- (iv) That the Community Council give notice on its website that anyone wishing to comment on the application should submit their observations to the Cardiff City Council Planning Department by the date of the planning committee meeting on 8 July, 2009.

(c) **Environment Act, 1995**

The Council received a letter from the Environmental Services Group of the Borough Council stating that the Borough Council had a statutory duty to monitor air quality in the Borough.

The Borough Council was extending an invitation to its partners and statutory consultees, as well as the wider community, to participate in public consultation which would conclude on 18 August, 2009. Interested parties were asked to refer to "Pollution – Air page" and accessing the link "4th stage Further Assessment of Nitrogen Dioxide" on the Borough Council's website.

RESOLVED: That a summary of the information on the Borough Council's website be produced and placed on the Council's agenda for its July meeting.

(d) **Annual Conference of One Voice Wales**

The Council received an invitation to attend the Annual Conference of One Voice Wales to be held on Saturday, 10 October, 2009, in Pontrhydfendigaid. The Council was also invited to submit a maximum of two motions for debate at Conference.

RESOLVED:

- (i) That the Chairperson and Clerk be nominated to attend Conference.
- (ii) That Members give further thought to motions which could be submitted for debate and contact the Clerk in time to meet the deadline of 26 June, 2009.

(e) **Weekly Planning Notifications**

The Council discussed applications for planning consent contained in the latest weekly notifications.

RESOLVED: That the following comments be made to the Borough Council:

Application No. 09/0489/10

That this re-submitted application be opposed on the same grounds as the original application.

Applications No.s 09/0548/03 and 09/0549/03

That any comment on these applications be deferred pending clarification on whether there are any strategic issues affecting the Community.

Note: Councillor Norman expressed dissatisfaction with the planning process over an application for planning consent in a neighbouring community. Councillor Norman stated that notices displaying details of the application had not been placed in prominent positions. As a result the application, which could have serious nuisance implications for nearby residents, had received consent without residents being aware of the application. Councillor Norman did not want this scenario to be repeated in the Community of Pontyclun.

(f) **Payment of creditors**

RESOLVED: That payment be approved to the creditors listed in Appendix 8 to the Council's agenda.

10. **Matters reported for decision since the despatch of agendas**

No matters were reported.

11. **Matters reported for information**

Introduction of car parking charges

The Council noted the reply of the Borough Council in response to the Community Council's strong objections to the introduction of car parking charges in the car park adjacent to the Pontyclun Community Centre.

RESOLVED: That as this item had already been discussed in connection with complaints about car parking in Heol yr

Orsaf, under agenda item 8 (b), no further discussion take place.

12. The meeting ended at 8.48 p.m.