

Penybont and District Community Council

You are summoned to attend a temporary Council meeting of the Penybont and District Community Council to be held on **Wednesday 13th January 2021** commencing at **7.30pm online via Zoom.**

Geraint Evans
Clerk to Community Council
6th January 2021

Geraint Evans

1. Apologies for Absence

2. Declaration of interest:

Reminder to members. A personal Interest is also a Prejudicial Interest because under the objective, public perception test (Para 12(1) of the Members' Code of Conduct) where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest. Forms available from the Clerk

3. Minutes

To authorise the Chairman to sign minutes of the previous meeting of the Council held on the

- 9th December

4. Clerks update

5. County Councillors Report

6. Planning:

7. Community Projects:

- Heritage Grants- Cllr Turner
- Speed signs Penybont & Llandegley-Clerk
- Play Grant Scheme- Cllr Turner

8. One Voice Wales

9. Finance

- Budget for 2021-2022
- Report from BDO, external government auditor.
- Appointment of internal auditor 2020-2021
- Expenditure to authorise

| | | |
|-----------------|--------------------------|-----------|
| • Geraint Evans | • Annual Wage 2019/20 | • £1000 |
| • Geraint Evans | • Annual Sundry Expenses | • £160.59 |
| • JP Botting | • Heritage Costs | • £400 |
| • BDO | • Annual Account Charge | • £304.25 |

Penybont and District Community Council

10. Correspondence

- PCC new speed limits
- Mr Hulse
- Sian Barnes – Common Land Consent
- PCC re mud on road at Hendy Windfarm

11. Public Discussion Time

12. Hendy Wind Farm (ongoing item agenda)

- **Date of next meeting: 10th February 2021**

Penybont & Llandegley Community Council is inviting you to a scheduled Zoom meeting.

Topic: Penybont Community Council

Time: Jan 13, 2021 07:30 PM London

Join Zoom Meeting

<https://us02web.zoom.us/j/83064193286?pwd=Z1R3TG9EWStXSDVpQVVVeEdpUmRjdz09>

Meeting ID: 830 6419 3286

Passcode: 836496

**Minutes of Ordinary Meeting of the Council held on Wednesday 8th December
2020 online conferencing using Zoom at 7.30pm.**

PRESENT: Cllrs D.Turner (Chair);A.Willemsem D.Lyall ;J.Ingram:A.Lawrence

Others:

Apologies: Cllrs L.Watkins. CC M. Weale (Internet problems)

Absent: Cllr D.Baylis

Declarations of Interest:Cllr A.Lawrance, Hendy Wind Farm Ltd.

PD/0098/20 Minutes

To authorise the Chairman to sign minutes of the previous meetings of the Council held on the

- 11th November 2020

Proposed to accept: Cllrs D.Lyall;A.Lawrence, Unanimous

PD/0099/20 Clerks update

- Llandegley A44 now has a new speed limit of 50MPH. The Legal Sealed Order has been received and a copy forwarded to Police for enforcement.
- Photographs of the suggested placement of locations for the councils 'speed warning' signs. have been forwarded to PCC

PD/00100/20 County Councillors Report

Not in attendance

PD/00101/20 Planning:

ApplicationReference:20/1742/RES Grid Reference: E:311730N:263884 Proposal: Application for reserved matters following the approval of P/2017/0815 for the erection of 5dwellings and associated works Site Address: Land Off Old Market Meadows,Penybont,LlandrindodWells,Powys LD15US

Following discussion, the council unanimous rejected the details of the pre consent to this application on the following grounds: -

- 1/. The block diagram does not show the existence of a large oak tree (T1 on outline plan) in Plot 4. In the Tree survey and Tree constraints survey, this tree is classified Category A, bordering on veteran status and was probably part of the historic boundary of the Penybont Hall estate and retention of this tree strongly desirable.
In the last 3yrs. on this site, 1 tree fell, 1 tree was felled and 1(200yr approx. ash tree has ash dieback and will be felled (see report). All these trees were large old trees, not maintained. There is a concern for the future of the remaining oak tree, which can be seen from the lane. The loss of a tree of such ecological value would not be in keeping with current concerns about the continued loss of trees in the environment.
2. The suggested scheme for the replanting of trees appears to be a token gesture and is therefore inadequate. It is suggested to plant a wind break of trees along the boundary with the remainder of the field (southern boundary).

3. Layout includes the perimeter road. The access from the highway to the site was approved by Highways after the 6th attempt, subject to many alterations. The proposed perimeter track appears to be a single track after the initial widened splay. Since the application was granted a planning application has been granted for housing opposite the proposed access to the site in question. We are concerned about a situation where a vehicle attempting to enter the site coincides with one coming out, backing on to the highway is unacceptable in terms of safety. A reappraisal of this access area is called for to address these concerns, with the addition of the proposed dwellings the vehicle movements plus the increased agricultural and HGV traffic, which exacerbates an already unsafe situation. This situation also impacts and causes concern to the resident in the property adjacent to the proposed access.

Proposed Cllrs D.Lyall/Turner

PD/00102/20 Community Projects/Issues: Partially suspended during the public restrictions

- **Heritage Grants.**
Letter of confirmation to proceed has been received by the Lottery Fund.
- **Children’s Play Area**
The Chairman has submitted the application on behalf of the Council for a grant to start a children’s play area.

PD/00103/20 One Voice Wales
Members Survey circulated....Noted

PD/00104/20 Finance

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|------------------|----------------|------|----------|
| Project Producer | Heritage Grant | £600 | Approved |
| Digital Media | Heritage Grant | £800 | Approved |

- Published Allowances. – circulated on council web site

Proposed Cllrs d.Lyall/J.Ingram Unanimous

PD/0105/20 Correspondence.
Mentioned in minutes.

PD/0106/20 Public Questions
None

PD/00107/20 Hendy Wind Farm (Cllr Lawrance left the meeting 2005)

Clerks Update

- Mr McIntosh raised the issue of ‘planning notifications’,
- Decisions by full council planning committees.
*Planning notifications/signs are an obligation on the applicant.
This council receives not notifications or directions concerning this matter.*

This council has no knowledge on whether this matter was 'called in' for examination by the full Planning Committee. However, a strong list of objections was made and published and referred to by the Senior planning officer in her report when giving consent. (This application is a temporary alteration under strict criteria of which, the Community Council has raised concerns with and await a reply)

- *All matters raised by Cllr A Willemsen have been acknowledge by PCC Planning, however the Officer was away for a period and only returned on the 6th December.*
- *Correspondence to the 'Commons Officer' has been acknowledged, reply awaited.*
- *The correspondence to Moblake, the public relationship firm for Hendy Ltd. Has not replied.*

Other issues raised

Mud on the entrance to windfarm and A44, not being cleared.
Drain cover and surrounds being damaged by HGV's cutting corner into entrance.

Meeting concluded at 2030 hrs

Next meeting will take place on the 13th January 2021, 1930hrs via zoom, access code to be published with agenda.

Chairman.....

From: Sian Barnes <sian.barnes@powys.gov.uk>
Sent: 09 December 2020 15:58
To: penybont.district@hotmail.co.uk <penybont.district@hotmail.co.uk>
Cc: 'Andrew Willemsen' <andrew.j.willemsen@gmail.com>; info@thomas.shop.com <info@thomas.shop.com>
Subject: FW: Hendy Windfarm Ltd, Common Law

Dear Geraint,

Thank you for your email.

In reply, the advice given in response to the original planning application for this development (P/2014/0672) about common land consents has been based on the Planning Inspectorate's guidance. Please be aware that the Commons Registration response to planning application P/2014/0672 was made on the basis of the guidance available to us at that time. However, after that response was made, the Welsh Government issued new guidance about consent under sections 38 and 16 of the Commons Act 2006, which is at <https://beta.gov.wales/common-land-consents-guidance>. This suggests that there is more flexibility than there might have been previously about the circumstances under which section 38 consent might be granted and when deregistration and exchange may be required. This update to the guidance does relate to driveways / tracks across a common.

No deregistration and exchange process has been completed in respect of this development to date. The Countryside Access and Recreation team continues to monitor the public rights of way and open access land at the Hendy Wind Farm site, as construction work progresses.

Regards,
Sian

Sian Barnes
Arweinydd Proffesiynol Mynediad i Gefn Gwlad a Hamdden
Professional Lead, Countryside Access and Recreation
Gwasanaethau Cefn Gwlad / Countryside Services
Cyngor Sir Powys / Powys County Council
Ffon / Tel: 01597 827595

From: Stephen Smith <stephen.smith@powys.gov.uk>
Sent: 23 December 2020 09:10
To: Melanie Hardwick <melanie.hardwick@powys.gov.uk>; Councillor Martin Weale <cllr.martin.weale1@powys.gov.uk>
Cc: Alastair Knox <alastair.knox@powys.gov.uk>
Subject: RE: Hendy Wind Farm Issues

Hi Councillor Wheale

Mr Knox is the point of contact regarding any issues for the windfarm site, as such I have copied him in for information.

Our inspector he's been through the site several times recently and reports no mud on the road and is keeping an eye on any verge disruption etc.

Many thanks Lee

From: Melanie Hardwick <melanie.hardwick@powys.gov.uk>
Sent: 22 December 2020 16:01
To: Tamsin Law <tamsin.law@powys.gov.uk>; Peter Morris <peter.morris@powys.gov.uk>
Cc: Phillip Harris <phillip.harris@powys.gov.uk>; Stephen Smith <stephen.smith@powys.gov.uk>; Councillor Martin Weale <cllr.martin.weale1@powys.gov.uk>
Subject: Hendy Wind Farm Issues
Importance: High

Dear both,

Cc to: Lee Smith / Phil Harris

Following on from the last meeting of Penybont Community Council which I was unable to join, they have asked me to follow up on the below issues concerning Hendy Windarm and ask that the issues is looked into.

Issues:-

- Mud on the entrance to windfarm and A44, not being cleared.
- Drain cover and surrounds being damaged by HGV's cutting corner into entrance.

Thanks,

Martin

Geraint

I have obtained the following clarity (see below) from Officers concerning the Llandegley Speed Limit
Thanks,

Martin

Cllr. Martin Weale

We are unable to change now without going through the whole process again which we as an authority are unable to. We looked at the plan of the area and chose the most appropriate locations for the extents and I am sure the Community Council were happy with that.

We have to be careful when setting speed limits and where they are should match a change in the road environment so that drivers can understand why the limit is there and then hopefully respect that limit. If we push the limit out further people may not make the connection of the change with the environment and then it's impact where you need it is lost to some extent.



Croesawu gohebiaeth yn Gymraeg / We welcome correspondence in Welsh

Message: Wednesday 16/12/20 14.22pm Good afternoon Derek A couple of things from the last Community Council zoom meeting. The entrance to the 5 Houses between the A44 and the Methodist burial ground, on the plans it says this will be a private drive access. My concern is that this is already a private drive for the burial ground, it was given to the burial ground as compensation when they lost there existing entrance due to the housing development. Andrew Willemsen and the clerk looked at the entrance after a meeting in 2017 as I had pointed out a minor inconsistency on the plans. Recently a visitor to the burial ground had a few words with a tenant of one of the houses with the result the visitor parked in the lay-by by the cattle grid. the parking area was specifically for the burial ground and not the tenants of the houses. Richard Davis who lived opposite you and has now moved into Llandrindod would be able to tell you more about it (01597 822 439). The 50 mph signs for Llandegley should have repeater signs between the to end of the speed limit area. I have been told drivers from the Mithil bridge side see the signs then as there are no more assume the speed limit is back to 60 mph hence the need for repeater signs. My belief is the signs need to be nearer the village centre, in front of the Pines and the other left where it is. There also should be 2 signs at the entrance to the road opposite Burton house, considering this was the reason for the signs in the beginning it is odd that 1 sign was missed. As the chair of the Penybont community council would you send a message to the planning office and phone Richard Davis in regard to the Burial ground and contact highways in regard to the speed limit signs Stuart Hulse Karibu Llandegley EMail stuarthulse100@hotmail.co.uk”

The first point I think we covered at the last meeting and was also the objection we raised when the initial application was made.

The second point we would need to discuss at our next meeting.

Derek

At sylw/For the attention of:

Penybont and District Community Council
Bryn Haul
Cwmbach Llechrhyd
Builth Wells
Powys
LD2 3RP

Cyfrif/Account:

C00946

Rhif Anfoneb/Invoice Number:

ARINV/004959

Dyddiad/Date:

05/01/2021

Rhif Cofrestru TAW/VAT Reg:

GB186329282

Ein Cyfeirnod/Our Reference:

2019/20 Audit Fee

Eich Cyfeirnod/Your Reference:

Not provided

Os bydd gennych unrhyw ymholiadau ynghylch y ffi, mae croese i chi gysylltu a barrie.morris@uk.gt.com
If you have any queries regarding the fee, please contact barrie.morris@uk.gt.com

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