

# PEN-Y-FFORDD COMMUNITY COUNCIL

## Minutes of the Extraordinary Meeting held in the War Memorial Institute on Friday 1<sup>st</sup> June 2018

**Present:** Councillors Mr J Priddin (Chairman), Mr D Williams, Ms C Hinds, Mr D Walker, Mrs M Jones, Mr R Bestwick, Mr A Wight, Mr R Wakelam and Dr Smith-Bellis

**Absent:**

**In attendance:** Mrs S Hughes, Clerk & RFO to the Council  
6 x members of the public

### 36. Apologies

Apologies were received from Councillors Mrs S Kenworthy, Mr M Rothero, Mrs L Vidamour and Mrs E Davies.

### 37. Declaration of Interest – Members Code of Conduct

There were no Declarations of Interest received.

### 38. Welsh Government Appeal Ref: APP/A6835/17/3174699. Redrow Planning Application Ref: 055590. Erection of 186 Dwelling and Ancillary Development. Land at Chester Road, Penymynydd.

Due to members receiving notification of the appeal decision from Welsh Assembly Government (WAG) that the above planning application had been approved, an emergency extraordinary meeting was called.

The Chairman invited members of the public to contribute towards this discussion should they wish.

Comments were made due to the heavy rain that evening, that there were a number of places around the villages which were experiencing flooding yet again (photographic evidence had been taken), yet considering that there have been no concerns raised by Highways or Waterboards for this planning application which is only going to enhance the problems.

Following on from this it was also raised that neither did the Health Board or Education, both of which is currently at its limits, raise any concerns or objections.

They were lengthy discussions regarding how the Community Council and public felt they had been let down by the County and WAG through the whole planning process and appeal of this application.

It was highlighted that a couple of the failings included; FCC not currently having the LDP in place; FCC having not adopted the Community Councils Village Plan (although they have already adopted other Community Council's) and TAN1, which is now currently out for Consultation with a closing date of the 21<sup>st</sup> June.

County Councillors Hinds and Williams advised that they have been contacted by WG advising that there would be a delay in the appeal decision, however within 24/48 hours they had published their decision.

Members discussed at length submitted a letter to WG for a Judicial Review (JR) which has to be done within 28 days of the decision. The question was obviously raised that if this were to go to court who would be liable for the costs and if Redrow were to lose would the Community Council have to cover their costs. The Community Council are not in a position to cover any of this costs, however, there is no obligation in submitting the initial letter to WAG.

It is unclear at this stage if FCC will be submitting a letter to WG requesting a JR, it is currently being reviewed by their Barrister.

It was tabled by Cllr Williams and seconded by Cllr Smith-Bellis that if FCC do NOT submit a letter to WG to request a JR that there should be a full resignation of the Council.

### RESOLVED:

- Cllr Williams will contact Administrative Courts, Cardiff
- Cllr Wight and Smith-Bellis will draft a submission letter to WG to request a Judicial Review
- A FOI (Freedom of Information Request) will be made to FCC to ascertain where there has been planning applications of more than 10 dwellings approved in Flintshire
- A FOI will be made to WAG to ascertain how many developments have been approved under TAN1
- County Councillors Hinds and Williams to engage with AM's, MP's and fellow County Members
- Cllr Williams to contact member of the North East Wales Community Voice to request their support

- To make enquires for more press coverage on this matter
- The Clerk to write to the Health Board, Water Board, FCC Education and FCC Highways, all of which had not either responded to the planning application or had not submitted their objections/concerns. A request will be made to seek their assurances that as no concerns were raised that they are confident that the result of this development will NOT have a negative impact on this village.
- Correspondence will be sent to Colin Everett – FCC Chief Executive and Aaron Shotton – Leader of the Council informing them of the item tabled regarding the risk of a full council resignation.

The meeting started at 6.30pm and was closed at 7.55pm

Chair..... 13<sup>th</sup> June 2018