

Park Veiw Residents Association News Archive to 7th Aug 2010

7 Aug 2010 - To Make a Freedom of Information Request.

FREEDOM OF INFORMATION REQUEST

If you want to make a freedom of information request to the council or any other government department try using the link listed here.

<http://www.whatdotheyknow.com>

Internal Review Rhyl Wales in Bloom £10,000 contribution.

[GARY BOURNE](#) made this Freedom of Information request to [Rhyl Town Council](#)

The request was **refused** by [Rhyl Town Council](#).

GARY BOURNE

2 April 2010

As it has been some 20 day since asking for a copy of the full breakdown of expenses. Could I instigate an Internal Review on the subject of Rhyl Wales in Bloom £10,000 contribution and it's expenditure?

To take into consideration, but not be limited by them, the questions below.

1) Namely the aforementioned copy of breakdown of expenses. As I believe I've asked previously to clarify Rhyl's official response to my previous Freedom of information on the subject of where the £10,000 was spent?

I noted:-

2) As the figures you have supplied don't add up to that magic £10,000, no matter how I calculate them.

Also figures are simply that without what they represent. Why for instance is £625 a credit note?

The £3,143 is based on the £2,643 balance, plus £500 portfolio costs as stated in the Wales in Bloom 2009 Final Report of the Rhyl Town Council Project Management Team. Are you saying the report to council is inaccurate?

Previous answers below, for reference.

Hi Helen, Hello Phil,

Helen thank you very much for the documents. I obviously am up to date on the Rhyl Town Council Minutes. But your efficiency is much appreciated.

I must be honest and say the Final report on 25th January 2010 was rather lacking in information and tended to be no more than self sympathy for the 'learning experience' involved. - no further comment as it is / was a matter for the members / committee.

I therefore was surprised no Rhyl councillor has made enquiries as to how £10,000 of their voters money was spent? - no further comment as it is / was a matter for the members / committee.

Could I under the Freedom of Information Act ask for:-

1) A copy of Rhyl Town Council's copy of 'a full breakdown of expenses' as mentioned by Project Management Team. -

Item £ value

Bigger Plant Company Ltd – plants £425 paid

Bigger Plant Company Ltd – plants £2,940 paid

Bigger Plant Company Ltd – credit note for plants £625 received

Pottles Premier Plants Ltd - plants £2,942 paid

Denbighshire County Council – work at Westbourne Ave and Wellington road £500 paid

Wales in Bloom garden competition – value of prizes £475 paid

Portfolio - permanent record - not yet finalised £500

Balance – probable figure £2,843

Budget approved £10,000

2) Who were or the Project management team? - Councillors Mrs J. Butterfield, Mrs J. Chamberlain-Jones (resigned), M. C. Espley, Miss M. A. Jones, Mrs W. M. Mullen-James

3) The £500 for 'a permanent record' was this originally ratified by Rhyl Town Councillors or has it recently been ratified by Rhyl Town Councillors? - The Project Management Team had full authority to determine this matter from the original Council decision i.e. within the £10,000 spend.

4) If my maths is correct the remaining balance from the (and please correct if inaccurate) up to £10,000 Rhyl Town contribution is £3,143. Was that ratified by Rhyl Town Council to be given to Rhyl in Bloom Committee? As I'm curious as to why it wasn't originally spent, as I noticed the extra third of the original budget could have been wisely spent. - Your balance is not correct - it should be £2,843 as above but this will still depend upon the cost of the portfolio which has yet to be finalised. The Project Management Team had full authority to determine this matter from the original Council decision i.e. within the £10,000 spend. The PMT did not want to spend the £10,000 in 2009 just for the sake of it but has now recently determined to spend the unspent balance by giving it to the local committee so that it can make a good start to preparations for 2010.

5) I didn't realise 'contribution of large amounts of prize money' was part of the remit for the Project Management Team as I presumed it was dealing with tidying up the town in preparation for both tourist trade and the esteem of entering Wales in Bloom 2009. Could I there for ask, if not itemises in the 'full breakdown of expenses.' What was the actual facts and figures for the prize monies? The Project Management Team had full authority to determine this matter from the original Council decision i.e. within the £10,000 spend. Wales in Bloom wanted a garden competition and since the Council had previously run its own garden and shop front "garden" competition Wales in Bloom wanted the Council to lead on that and the PMT determined to do it within the £10,000 and not as an extra - detail below -

1st Prize in each category £50.00

2nd Prize in each category £25.00

3rd Prize in each category £10.00

In total five categories were judged -

Best Residents Garden

Best Business Display

Best Residents Association
Best Residential Home
Best School Garden.

In respect of the Best Residents category there were two joint winners and two joint third places awarded
In respect of Best Residential Home category only first and second prizes were determined.

In consequence this equated to:
Six first prizes of £50 Total £300
Five second prizes of £25 Total £125
And five third prizes of £10 Total £ 50

A total cost of £475

6) I note the suggestion of any future Rhyl in Bloom Committees will be classed as out side bodies? This is normally a way of avoiding awkward FOIA questions being asked as they are not covered by such act being 'private.' Are there any future plans for Rhyl Town Council to contribute to the Rhyl in Bloom Committee?
Thank you for your help. - There was an earlier (2009) concern that the Wales in Bloom committee (as it was called then) was not a constituted body so the fact that it has become so as "Rhyl in Bloom" was welcomed by the Council as it brings with it certain structure and safeguards. This committee, from its constitution, appears to have open membership and so you could join it if you had an interest. SEE ATTACHED - The RIB committee has recently asked the Council if it would like a representative on it and Councillor Mrs G. A. Jones has been appointed (subject to confirmation by Council on 17th March). The Council has representatives on lots of outside bodies and sees this as an important way to find out about and involve itself with what is going on in the community but with those orgs retaining their own identity and responsibility. The Council has received an application for grant from the RIB committee under its annual scheme and there are about 60 applications and these will be determined by full committee in April - I cannot give any other detail as all application details are confidential.

As the figures you have supplied don't add up to that magic £10,000, no matter how I calculate them.

Also figures are simply that without what they represent. Why for instance is £625 a credit note?

The £3,143 is based on the £2,643 balance, plus £500 portfolio costs as stated in the Wales in Bloom 2009 Final Report of the Rhyl Town Council Project Management Team. Are you saying the report to council is inaccurate?

REPORT TO
FINANCE AND GENERAL PURPOSES COMMITTEE
3rd FEBRUARY 2010

Joint Report by: Town Clerk

Purpose of Report: To receive the final report of the Project Management Team with regard to 'Wales in Bloom'.
Wales in Bloom Project Management Team

1.0 Background:

The Council approved a financial contribution to 'Wales in Bloom' under the direction of a Project Management Team at the Finance and General Purposes Committee held on 3rd June 2009. The Minute is set out in Appendix 1.

The Project Management Team has previously provided an interim report to the Finance and General Purposes Committee on 2nd September 2009 and its final report (attached in Appendix 2) concludes its decision making.

2.0 Power to Make the Decision:

Section 144, 145 of the Local Government Act 1972.

3.0 Financial Implications:

The total expenditure of £10,000 was approved as a project from the Community Development Fund. With regard to the future it is understood that the 'Rhyl in Bloom Committee', which has now been constituted as an independent body, will apply for funds from a number of bodies including the Town Council through its annual grant scheme.

4.0 Section 17 of the Crime and Disorder Act, 1998:

No implications.

5.0 Action:

The Committee is required to consider the report and determine appropriate action.

Town Clerk
27th January 2010

Copy of relevant minute

Finance and General Purposes Committee held on 3rd June, 2009

3. WALES IN BLOOM 2009

The Town Clerk referred to correspondence sent to Chris Ruane MP (circulated with Agenda) to which there had not been a response and invited the Members who had attended the last Wales in Bloom public meeting at the Town Hall, to give a verbal report on the progress made at the meeting.

Councillor Mrs J. Chamberlain-Jones reported that she had attended the meeting and that the outcome had been that the Town Council should decide how much it could give in the way of financial support and on what.

The Town Clerk advised that Councillor I. A. Gunning MBE who was unable to attend this meeting had asked that his e-mail report of the situation be reported. His report explained that he had attended the meeting and as a result was now working with Chris Ruane MP, and had been charged with obtaining a written quote for bedding plants to be planted in the area behind the Town Hall. Once in receipt of the quote it was Councillor Gunning's intention to submit a Business Plan including full costings to the Town Council for it to consider making a financial contribution within the next two weeks.

Councillor Chamberlain-Jones stated that there was not enough time to put together a Business Plan and that the Town Council should commit monies now.

The Finance Officer expressed concern that the Town Clerk's letter to Chris Ruane requesting details of the nature of the help required with costings and further detail had not been answered and therefore there was insufficient written notice and detailed information available to the Committee to make an informed decision. Additionally he reminded Members how, in the past, the Town Council had objected strongly to having to make contributions to the County Council in respect of grounds maintenance and floral displays as an additional cost specifically to Rhyl residents.

After much debate, a Member proposed that the Town Council allocate £10,000 and requested a recorded vote.

Councillors in support of the proposal were:

B. Blakeley, J. Butterfield, Mrs J. Butterfield, Mrs P. M. Butters, Mrs J. Chamberlain-Jones, Ms G. A. Jones, Miss M. A. Jones, Mrs M. McCarroll, Mrs W. M. Mullen-James and G. J. Pickering.

Councillors who abstained were:

M. C. Espley and Miss N. R. E. Roose-Lloyd.

RESOLVED that:

(a) a contribution of £10,000 from the Community Development Fund be made to the Wales in Bloom committee, and that

(b) a project management team consisting of Councillors Mrs J. Butterfield, Mrs P. M Butters, M. C. Espley, Miss M. A. Jones and Mrs J. Chamberlain-Jones be established with delegated authority to determine the ideas to be submitted to the Wales in Bloom committee and therefore the precise level and nature of the expenditure within the approved sum.

The Minute was subsequently amended by the Meeting of Council held on 17th June, 2009 as follows:

"With regard to Minute No. 3 (Wales in Bloom) a Member requested that as it was a recorded vote it should be recorded that the proposition was proposed by Councillor Mrs. J. Butterfield and seconded by Councillor Mrs. J. Chamberlain-Jones."

Wales in Bloom 2009
Final Report of the
Rhyl Town Council Project Management Team

Meeting held on 25th January 2010

In attendance: Councillors Mrs J Butterfield, Ms M. A. Jones, Mrs W. M. Mullen-James.

This is intended to be the final report from the PMT 2008/09 to Town Council in respect of the Wales in Bloom initiative.

It has been a learning experience for the members of the Team and to say that it has been less than stressful would be an understatement.

The objective of the PMT was to enhance designated areas in the town of Rhyl. The PMT took on that role, seeking advice and information vigorously from various experts in their field of horticulture, to provide both immediate and sustainable impact in Rhyl. The results were achieved with community participation with residents groups and partnership with the Payback Team. The PMT feel that we have not experienced partnership working at this level ever before in Rhyl. It has been a truly uplifting experience to see Rhyl pulling together, and we feel that the morale of the town has been lifted, producing a pride in our town not seen for many years.

The PMT intends to commission a bound portfolio as a permanent record of the event and the estimated cost will be somewhere in the region of £500 which will be produced by a local Rhyl business. It is our intention that this will be on permanent display in the Mayor's Parlour and in the short-term to be displayed in the library and for schools in the area by request. This will ultimately become the property of the Town Council, having been donated by the PMT as a permanent record of achievement.

The PMT also contributed a large amount of prize money to the category winners in the various sections of the garden and display competition as a good will gesture. The competition was sponsored by Rhyl Town Council in conjunction with Wales in Bloom. The categories were judged by Rhyl Town Council Members and associates

and the Mayor took great pleasure in awarding the prize money and certificates at a special gathering.

The balance from the initial approved budget of £10,000 is estimated to be £2,643 allowing for £500 expenditure on the portfolio and a full breakdown of expenses is available from the office. The PMT has decided that the balance of £2,643 will be donated to the Rhyl in Bloom Committee. This should not impact on any future financial assistance to include grant application that may be requested from the Rhyl in Bloom Committee, either in 2009/10 or at any future date.

The PMT feel that it would be good practice for Rhyl Town Council Member representation to be appointed to any future Rhyl in Bloom Committees as an outside body as it now has its own constitution.

All objectives were achieved and Rhyl gained a creditable Silver Merit in the Medium sized Town Category.

Once again thank you for your help.

GARY ALEXANDER BOURNE,
14 LON EIRLYS,
PRESTATYN,
DENBIGHSHIRE,
WALES
LL19 9JZ

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Enquiries

Rhyl Town Council

9 April 2010

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[1]<http://www.whatdotheyknow.com/help/about...>

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[FOI #31906 email]

Is [Rhyl Town Council request email] the wrong address for Freedom of Information requests to Rhyl Town Council? If so please contact us using this form:

[2]<http://www.whatdotheyknow.com/help/contact>

If you find WhatDoTheyKnow useful as an FOI officer, please ask your web manager to suggest us on your organisation's FOI page.

Helen Windus
PA & Secretary
Rhyl Town Council
Civic Offices
Wellington Community Centre
Wellington Road
Rhyl
Denbighshire, LL18 1LE

Tel: 01745 331 114
Fax: 01745 355 192

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References

Visible links

1. <http://www.whatdotheyknow.com/help/about...>
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GARY BOURNE

9 April 2010

GARY ALEXANDER BOURNE,
14 LON EIRLYS,
PRESTATYN,

DENBIGHSHIRE,
WALES
LL19 9JZ

I believe
<http://www.ico.gov.uk/complaints/freedom...> will
help with why an Internal Review.

Please take into consideration previous Rhyl Town Council Minutes
107 as supplied by yourself.

VN 108 through to VN 247 (assuming £475 in vouchers are
revenue/donations) with respect doesn't make £10,000.

I refer to Phil Thomas Financial Officer Email referring to Project
Management Team report from 18th November 2009 (below in full) "The
second item previously referred to and for which you have also been
promised information i.e. "Report by named Rhyl Town Council
Members (Project Management Team) to committee regarding possible
further expenditure within the £10,000 allocation, future
involvement of the Town Council in the light of the review of this
years scheme (this may include some details of the main Wales in
Bloom committee de-brief)"
- is still outstanding as the Members have yet to report.

Has suddenly been withheld some six months after 'promise' of
supplying in our original 'face to face.'

If the Internal Review could be completed. I'll be happy to have a
further 'face to face.'

107. ADVICE OF MONITORING OFFICER

Further to Minute Nos.81 of the meeting held on 2nd September and
69 of the meeting held on 16th September 2009, the Town Clerk
submitted his confidential report (circulated with Agenda) and
welcomed Mr I. K. Hearle, Denbighshire County Council's Monitoring
Officer to the meeting.

[At this point in the proceedings the Town Clerk and the Finance
Officer declared a prejudicial interest in the above item due to
the consideration of the report having a direct bearing on
potential disciplinary action against them as the Town Council's

officers and vacated the Chamber taking no further part in discussion]

Councillor Mrs J. Butterfield asked Mr Hearle if it was necessary for the members of the Project Management Team to declare a prejudicial interest and vacate the Chamber. Mr Hearle advised that it might be beneficial for those Members to stay and take part in the debate but vacate the Chamber prior to a vote being taken as part of the decision making process, and that he would have liked the officers to remain also, but that it was their choice to vacate.

Mr Hearle began by stating that the Code of Conduct adopted by Rhyl Town Council was always strictly adhered to, which was evident in the number of applications he had received by the Town Council for dispensations on numerous areas of debate in the past.

Mr Hearle went on to confirm that he had met with the Town Council's Clerk and Finance Officer and the members of its Wales in Bloom Project Management Team (PMT), and that an open and frank discussion had ensued.

Mr Hearle felt that the nub of the issue was that actions taken had gone somewhat "out of step" of normal procedure and that the PMT had been "taken aback" by the report written by the officers. Mr Hearle stated that the officers' role was to provide help and guidance and that the PMT felt that the officers should have offered more support to them and they wanted elements of the report entitled 'Officer's Opinion' to be changed. Mr Hearle felt that this particular part of the report, with hindsight, could have been written differently by concentrating on the necessary future action and this is what he had done in his revision.

Mr Hearle advised that having been asked to re-write the 'Officers' Opinion' part of the report, he had not felt the need to change it that much, but hoped that his suggested replacement had taken the sting out of it for the PMT?

Mr Hearle stated that in his opinion the Town Council's established procedures were good, had stood the test of time and did not require any changes to be made. He reminded Members of the need to "follow rules and not cut corners too quickly".

Mr Hearle stated that the criticism received by the officers was unfounded and that they had acted properly.

Mr Hearle concluded that he considered that the issues raised had been addressed and hoped they could now lay them to rest.

Councillor Mrs J. Butterfield stated that Mr Hearle's paragraphs had gone some way in resolving the issues which had been prolonged by the officers in their resistance to change some of the wording of the report.

Councillor Mrs Butterfield went on to say that she had no problem with Mr Hearle's re-writing and referred to paragraph no.4 of his letter to the Chair of the Town Council's Finance and General Purposes Committee in particular. However, Councillor Mrs Butterfield felt that in the following paragraph reference to the meetings held between the officers and the Mayor and the Chair of the Finance and General Purposes Committee should have been made, to which she felt members of the PMT should have been invited.

The Chair clarified that he and the Mayor had only attended one such meeting together with the officers and that subsequent discussion at his Chairman's briefing had been around procedures only.

Councillor Mrs Butterfield felt that in future any Committee established with delegated powers should be present at any meetings held with officers and the Mayor and Chair of the Finance and General Purposes Committee, to discuss matters relating to the work of that Committee and that this should be written into the Town Council's governance.

Councillor I. A. Gunning MBE stated that he would have preferred the officers to have been present during this meeting and that the issue of how many meetings held between the officers and the Mayor and Chair of the Finance and General Purposes Committee was not a debate that could be had at present and that he was keen to put this whole issue to bed now. Councillor Gunning was disappointed that the matter was being drawn out further.

Mr Hearle advised against dealing with issues "on the hoof" generally, but confirmed that no decisions had been taken outside of the Council Chamber, and that surely that was the important

point. Mr Hearle added that consultation with the Mayor and/or Chair of a Committee was part of the proper procedure and advised Members not to create additional rules that could act as a self imposed, proverbial straight jacket in their own future dealings.

Councillor Mrs Butterfield agreed that everybody wanted to move this issue forward, and proposed that the "firming up" of the Town Council's governance be the subject of a future agenda item.

RESOLVED that the Town Clerk be instructed to add Town Council governance to a future agenda for further discussion.

FURTHER RESOLVED that Standing Orders be suspended to enable the Town Clerk to act as a matter of urgency.

To bring matters to a conclusion Mr Hearle asked Members to now consider the two issues requiring a decision, which were:

- a) to accept his revised version of the officers' report.
- b) to agree that no further action was necessary in relation to the allegations made against the officers conduct.

and advised the members of the PMT not to take part in the vote with regard to (b) above.

RESOLVED that both (a) and (b) above be approved.

Mr Bourne

Further to my last email I am now able to let you have a copy of the minutes of a special meeting which considered a confidential item in relation to Wales in Bloom. This minute is also available on the website.

The second item previously referred to and for which you have also been promised information i.e. "Report by named Rhyl Town Council Members (Project Management Team) to committee regarding possible further expenditure within the £10,000 allocation, future involvement of the Town Council in the light of the review of this years scheme (this may include some details of the main Wales in Bloom committee de-brief)"

- is still outstanding as the Members have yet to report.

regards,

Phil Thomas
Finance Officer,
Rhyl Town Council,
Civic Offices,
Wellington Community Centre,
Wellington Road,
Rhyl, Denbighshire, LL18 1LE
Telephone: 01745 331114
Fax: 01745 355192
Web: www.rhyltowncouncil.gov.uk

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Enquiries Rhyl Town Council

21 April 2010

From: Enquiries/Rhyl Town Council/TCC/DCC
To: Gareth Nickels/TCC/DCC@DCC
Cc: Phil Thomas/TCC/DCC@DCC
Date: 12/04/2010 10:26
Subject: Fw: Internal review of Freedom of Information request - Internal
Review Rhyl Wales in Bloom *10,000 contribution.
Sent by: enquiries

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GARY BOURNE

21 April 2010

Hi Gareth,
The reply below should clarify the Internal Review Request.

The phrase "Internal Review" refers to a public body's internal complaints procedure. The law requires public bodies to have such a procedure, and contains provisions allowing the Information Commissioner not to consider an appeal which has not been through such a process.

The detail of law is as follows:

Section 45 part 2(e) of the Freedom of Information Act requires public bodies to abide by a code of practice issued by the relevant secretary of state. The FOI act requires that code of practice to contain guidance on:

> The provision by public authorities of procedures for dealing with complaints about the handling by them of requests for information.
>

<http://www.opsi.gov.uk/Acts/acts2000/ukp...>

The code of practice states:

> Each public authority should have a procedure in place for dealing with complaints both in relation to its handling of requests for information.

<http://www.dca.gov.uk/foi/reference/impr...>

It is through that, rather convoluted, route that the freedom of information law requires public bodies to conduct internal reviews.

The FOI act contains a provision, Section 50 part 2(a), which allows the Information Commissioner not to consider an appeal which has not already been considered by an internal complaints procedure within the public body. This

does not mean the Commissioner always won't consider such appeals though - eg. if an internal review is refused.

<http://www.opsi.gov.uk/Acts/acts2000/ukp...>

In relation to the terminology the while the phrase "internal review" is not included in the FOI act itself it used extensively in the Information Commissioner's Freedom of Information Act information and guidance eg.

http://www.ico.gov.uk/what_we_cover/free...

The term "internal review" is essentially ubiquitous in public bodies' publication schemes, and in the FOI guidance bodies publish.

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Enquiries Rhyl Town Council

22 April 2010

Mr Bourne

With regard to your complaint and request for an internal review the Town Council's Freedom of Information Policy includes the following:

Complaints

Complaints in relation to any matters shall be processed though the Town Clerk. In dealing with a complaint made under the Act, the Town Clerk shall include a reference to the work of the Information Commissioner, including the right to make an application for a decision by the Information Commissioner.

In addition, the Town Council shall maintain a register all complaints and highlight those received about the Town Council's Freedom of Information arrangements. The Town Council shall ensure that any learning points that

arise from such complaints are used to improve related policies, procedures and guidance.

My previous response to you was a full and final response within the terms of that Policy.

I have nothing more to add.

Yours Sincerely

Town Clerk

**

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[Francis Irving](#) left an annotation (20 July 2010)



Blog post referring to this request: <http://rhyf-life.blogspot.com/2010/07/wa...>

[Link to this](#)

Things to do with this request

Anyone:

- [Add an annotation](#) (to help the requester or others)

GARY BOURNE only:

- [Reply to Enquiries](#)
- [Update the status of this request](#)
- [Request an internal review](#)

Rhyl Town Council only:

- [Respond to request](#)

30 Jul 2010 - Basic Computer Course

For Those Residents Who Want To Start and Learn Computing

The link below if you click on it takes you to the BBC online basic computing Course for beginners.

It will take about an hour to complete and is a very good way to learn.

<http://www.bbc.co.uk/computertutor/computertutorone/>

GOOD LUCK.

22 Jul 2010 - Environment News on Flooding

Environment Agency News Release

20 July 2010

Feedback

on the tidal Clwyd flood risk management strategy

Environment Agency Wales is now ready to present the recommended solutions for managing flood

risk in the Clwyd area in the short, medium and long term. Over the past few months we have carried out technical and environmental work, and gathered views of local people.

We are pleased to send you a copy of the **Clwyd strategy summary document** for your information. The consultation period for comments on this document ends on Monday 27 September 2010. You can submit your response by post or email using the form provided at the back.

There is an exhibition currently on display in Rhyl Library (until Friday 20 August). We will also be holding supermarket exhibitions where you can come along and talk to a member of the team:

• **Asda Kinnel Bay** | Saturday 14 August 2010 | 12 noon – 8pm

• **Morrisons Rhyl** | Saturday 21 August 2010 | 8am – 4pm

• **Sandy Cove estate** | Saturday 28 August 2010 | 9am – 5pm

For further information please go to our website at www.environment-agency.gov.uk/clwyd. If you have any questions or would like to request a hard copy of the summary document, contact me on the details below.

Angela Gray | Project Manager | Environment Agency Wales
029 2046 6065 | angela.gray@environment-agency.wales.gov.uk

5 Jul 2010 - Local Development Plan Alternatives site

The Alternative Site register is on line

Anwyl have put forward one request to make the land behind the surgery into employment land and a second request to make it community facilities CF4.

To see the register click on the link below

www.denbighshire.gov.uk/ldp and then click on the Alternative Site Register,

This is a 300 page plus document and will take a while to down load.

After it has downloaded scroll down to the Rhyl section, the maps are at the bottom of the document, map number 268 and map number 263 show the proposed land.

21 Jun 2010 - Letter from Ann Jones to Leader DCC

Mr Hugh Evans

Leader

Denbighshire County Council

Wynnstay Road,

Ruthin

Denbighshire LL15 1YN

17th June 2010

Dear Hugh,

Village Green Application - Ffordd Elan, Rhyl

I understand that your Authority has agreed in Cabinet following Officer recommendations to continue to object to Park View Residents Association's Village Green Application. I am also led to believe that you now are seeking Legal Counsel Advice in order to successfully defend this decision.

There is no doubt that the land in question has been public open space for a considerable time and I believe that this should remain the case. The Village Green Application by Park View Residents Association serves to continue to protect this status and given the fact that there is a 50% deficit in public open space, then full consideration by the Authority should be given.

I am disappointed that you have not seen fit to allow a democratic debate at full council on this issue and that you continue to allow Officers to decide who should or should not debate issues. There can be no confidence in such decisions and I

ask you again to allow a full debate on this before all your Councillors and held in public.

Yours sincerely

Ann Jones AM

21 Jun 2010 - How other councils respond to Village green applications

With Regard to Ann Jones Letter to Hugh Evans, This is how Poole Council Dorset view Village Greens

Cllr Don Collier, Cabinet Portfolio Holder for the Environment, Borough of Poole, said: "We as an authority do not wish to do anything to **jeopardise public open space**. We are committed to its protection, enhancement and proper management and **as the landowning authority must give due consideration to what is in the public interest and act accordingly.**"

All applications are determined individually. Until an application has been determined, all work in the area claimed as Town and Village Green is frozen.

Although there are no official statistics to show the cost of determining a Town and Village Green application, recent local authority cases would suggest costs between £20,000 - £50,000 depending on the amount of work involved in reaching a decision."

We are constanly being told DCC have no money and cuts to public services are being made,
how can they justify this outlay?

6 Jun 2010 - Route of Pipe work to be Installeed

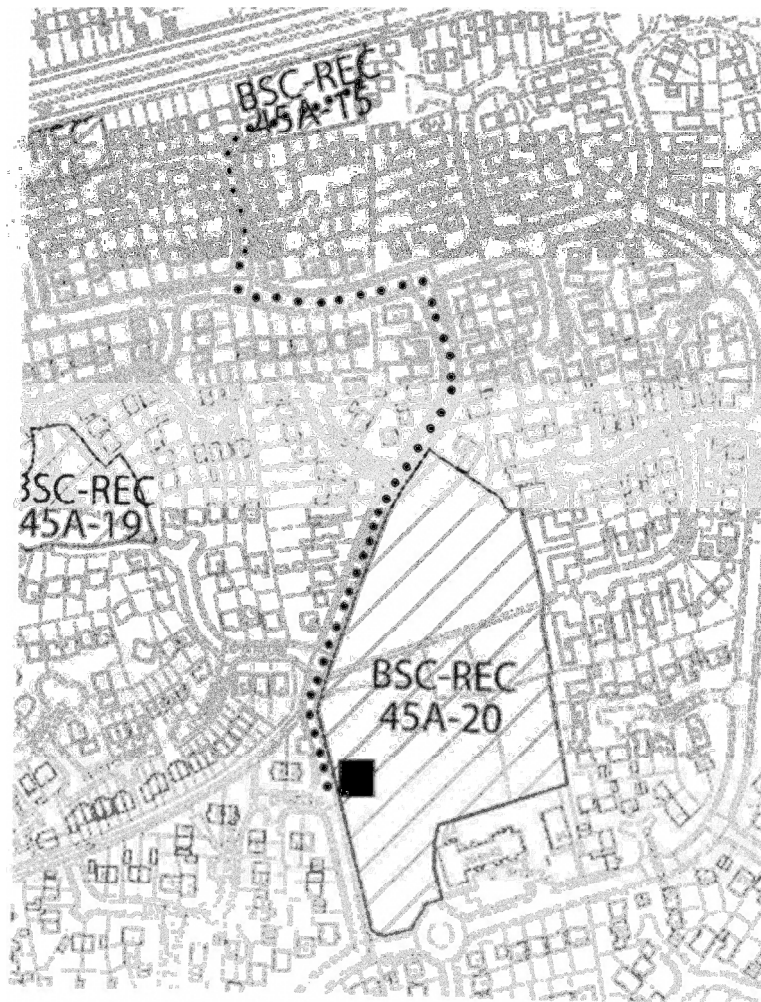
Route of proposed pipework to be installed if Anwyl Win Appeal

Dear Residents, The map is showing the route that Anwyl propose to use to lay new pipes from Llys Helyg, along Llys Brenig, into Ffordd Anwyl, into Walnut Crescent to the recreational area, to drain under railway.

This will cause major disruption to all residents on route.

Please voice your concerns to the inspector at the Appeal Hearing starting 22nd June at 10am Rhyl Town Hall.

Take action now.



31 May 2010 - Statement of Case by Anwyl

Planning appeal: APP/R6830/A/09/2119681/WF

Land off Ffordd Elan, Rhyl. Statement of Case on behalf of the Appellants.

1. Introduction.

The LPA [Denbighshire County Council] have refused planning permission for a residential care home, day nursery and community centre on the appeal site for reasons related to flooding and to the scale of the facility being beyond the immediate needs of the community. The Appellants, T Anwyl & Son Ltd, consider this decision to be unjustified and have, consequently, appealed.

2. An inquiry is due to be held, commencing on 22nd June. This Statement sets out the basis of the case that it is intended will be presented to the Inquiry on behalf of the Appellants.

3. Site description.

The site and its surroundings will be described, it will be noted that the site is comprised of a vacant area of land located within the heart of a primarily residential area of Rhyl.

4. Background.

The background of events leading to the appeal will be described. It will be explained how, prior to the application being submitted and, indeed, during its passage through the LPA, issues relating to flooding, primarily in relation to surface water concerns, only arose very late in the process. It will be demonstrated that at no time did the LPA clearly indicate what the concerns were, despite the consultation advice received from the relevant statutory authorities indicating no objection in relation to either flood risk or surface water drainage.

5. Reference will be made to the Committee report within which it was recommended that permission be refused only in relation to flooding issues. Consequently it will be noted that the LPA's second reason for refusal relating to the appropriateness of the proposed community facilities on the appeal site was an entirely new issue that had not been raised as a significant concern previously and for which there did not appear to be any substantial base of evidence.

6. Relevant Planning Policy.

Reference will be made to the following key sources of planning policy.

7. At National level, reference will be made to Planning Policy Wales (PPW) and, in particular, to TAN 15. It will be demonstrated that National policy seeks to direct the majority of development to urban areas in order to prevent urban sprawl and to protect the character of rural villages; in..... fhl's regard the appeal site is clearly in an appropriate..... location for development.

8. It will be recognised of course that flooding issues are a material consideration. However, it will be noted that TAN 15 in particular does not preclude all development in areas identified as being at risk from flooding and specifically acknowledges the potential for flexibility in existing urban areas.

9. At the Local level, reference will be made to the adopted Unitary Development Plan. In common with National guidance, it will be noted that the appeal site falls within an urban area to which policy generally directs development.

Furthermore, it will be noted that the appeal site is specifically allocated in the UDP for the provision of community facilities such as those, it will be argued, which are the subject of this appeal.

10. Whilst it will be noted that the Committee report suggests that the present version of TAN 15 puts in place circumstances that in effect override the site specific designation, it will be demonstrated that this is not the case and that policies of the UDP itself, and, indeed, the previous version of TAN 15, make clear that flooding issues were material considerations when the Plan was adopted.

11. Detailed arguments.

The following detailed arguments will be presented on behalf of the Appellants.

12. Evidence will be submitted to demonstrate that the site is capable of being safely developed for the intended use in compliance with the flood risk related requirements of TAN 15. It will be noted that the appeal site is, indeed, shown on the relevant flood maps, from EAW as lying within a C.I... area at potential risk from flooding. However, consideration will be given to all relevant sources of flood risk data (tidal fluvial and surface water) in order to demonstrate that the site is not, in fact, subject to an unacceptable risk of flooding and, consequently, in accordance with the views of EAW, this issue does not justify the refusal of planning permission.

13. It will be demonstrated that there is a technical solution to surface water drainage issues which could have been satisfactorily addressed by means of a condition. Therefore, there is no basis for the LPA's concerns in relation to the appeal proposal exacerbating flooding issues on other land in the locality.

14. Finally, it will be noted that there is no part of Policy CF4 with which the appeal proposal may be said to be in conflict. Without prejudice to the above, insofar as the LPA may have had concerns with regard to the indicative scale of facility that was indicated, then this was always a matter capable of being conditioned and, therefore, the reason for refusal is not justified on any basis.

15. Conclusion.

Having regard to the above, it will be concluded that neither of the LPA's reasons for refusal is justified and that, therefore, planning permission should be granted subject to appropriate conditions.

Documents to be referred to:

- a) All plans, documents and correspondence associated with the appeal application.
- b) Photographs of the appeal site and its environs.
- c) Planning Policy Wales,.....
- d) Technical Advice Note 15.
- e) Denbighshire UDP.
- f) Deposit Local Development Plan.
- g) April 2008 Joint Housing Land Availability Study.
- h) Denbighshire County Council Strategic Flood Consequences Assessment, March 2007.
- i) EAW/JBA Consulting Tidal Clwyd Flood Risk Mapping Study, February 2009.
- j) North West England and North Wales Shoreline Management Plan (currently being developed by Haicrow).
- k) EAW's Conwy and Clwyd Catchment Flood Management Plan.
- l) Sewers for Adoption (6th Edition).

31 May 2010 - Plans to dig up Llys Brenig, Walnut Crescent

On Friday 28th May our chairperson and Vice Chairman and Secretary met with Hugh Hughes Drainage Engineer for DCC. The purpose of the meeting was to clarify the proposal of dealing with surface water runoff put forward by T.Anwyl & Sons to the inspector in charge of the appeal. Below is a copy of the statement from the Drainage Engineer. If Anwyl win the appeal they are proposing to build a pumping station opposite Llys Helyg, dig up the road from that point to Ffordd Anwyl, along Ffordd Anwyl to Walnut Crescent, down Walnut Crescent to the recreation area, across the recreation area to discharge into a drain that goes under the railway line and into the RHYL CUT.

This will be a major disruption to all residents who live in the proposed area.

We urge all residents to attend the appeal in Rhyl Town Hall on the 22nd June 2010 and make your feelings known.

DCC Engineers Report

1. The drainage details submitted shows the Appellant will be attenuating the flow on site by the use of large diameter pipes and will be discharging a maximum flow of 5 litres a second via a pumping station and a rising main into a main river located in the open space off Walnut Crescent. The design has been agreed with the EA and the surface water will not be connected to a Dwr Cymru sewer.
2. The proposals submitted by the Appellants shows they will need to cross through the open space by Walnut Crescent to connect to the main river. The open space is not in their ownership and they would need to obtain an easement from the Council who are the owners of the land. The work in constructing a pumping station and a rising main of about 500 metres in length will be a significant cost to the Appellant.

You Need To Act Now

Voice your objections to DCC, Don't allow them to spoil your recreation area.

17 May 2010 - Local Development Plan Denbighshire

Local Development Plan

Have Your Say

Denbighshire Local Development Plan 2006-2021 Public Advertisement of the Alternative Sites Register.

The Denbighshire Deposit Local Development Plan was published for public consultation between 5th of October and 30th November 2009.

Responses to the deposit consultation included a number of comments relating to site allocations shown in the LDP. These representations suggest either removing a site or boundary, altering a site or boundary, proposing a new site or boundary or suggest a site previously discounted by the Deposit LDP as an alternative.

The Register of these sites is now being made publicly available for you to comment so that the independent Planning Inspector can consider these sites fully at the Examination in Public.

The Regulations state that the Register should be publicly available for 6 weeks which will start on the 19th May 2010 and end on the 30th June 2010. To view the Register please call in to your local library or One-Stop Shop during normal hours of opening. Alternatively visit the Denbighshire LDP website and follow the link to Alternative Site Register, www.denbighshire.gov.uk/ldp.

12 May 2010 - Anwyl Digging Holes on Land

Today 12th May 2010 Anwyl has hired contractors to dig holes in the field, DCC say they are allowed to do this.



THE COMMUNITY THAT CARES

1 May 2010 - Herne Bay Having Same Fight for Village Green

Copied from <http://hernebaymatters.com/hb-issues/village-green>

The Protection of Town and Village Greens

Introduction

Thank you for your email of 18th December 2009. I am pleased that CCC has finally sent informed staff to the site to have a look at the land in question. I do not propose to rehearse here all the issues about where specifically the site is located – we can do that another time and I will happily send you all the relevant documentation – but given your comments about drainage, it is clear that we are describing the same site. In this note I want to pursue the issue that is of primary importance to a very significant number of local residents, tax payers and voters – registering The Downs as a village green.

I am delighted that CCC has no objection in principle to the idea of registering The Downs as a village green. You say that you must resist the registration of The Downs as a village green simply because you need to carry out engineering works “without requiring consent from the Secretary of State every time”. The campaign team accepts absolutely that CCC needs to carry out maintenance work to the system of drains that stabilise the land. We accept too that, in the case of a landslip, CCC would need to be able to undertake repair and stabilising work swiftly. However, your assumption that CCC would only be able to undertake this work by obtaining permission from the Secretary of State is wrong. I think your colleagues may have misinformed you.

Since receiving your email I have had three conversations with Defra (two over the phone and one by email) as well as a conversation with the village green expert at the Open Spaces Society and one with the village green registration team at KCC. I am delighted to tell you that the situation is not as you think it

is. I think your colleagues may be confusing the steps necessary for work on a village green with those necessary for work on common land. The two are quite different.

The Open Spaces Society was categorical in its advice that the kind of work envisaged (possible fencing off of part of the village green while stabilising the land and protecting it) would not leave the council open to any risk of prosecution, nor would the council need to involve the Secretary of State before taking action. Defra is also clear that no special permission is needed for any work on a village green as long as that work contravenes neither Section 12 of the Inclosure Act 1857 nor Section 29 of the Commons Act 1876.

The Planning Inspectorate also says in its guidance sheet 2b that “...there is generally no requirement under the legislation relating to commons and greens to obtain consent to carry out works on a green which are not in contravention [of] sections 12 and 29.”

So, as long as the work does not contravene these two acts, no permission is needed to undertake it. I will say more about each of these two acts below.

The Law

As I have mentioned above, registered town and village greens are protected by the following two statutes:

- Section 12 of the Inclosure Act 1857
- Section 29 of the Commons Act 1876.

Section 12 of the Inclosure Act 1857 says:

“If any person wilfully cause any injury or damage to any fence of any such town or village green or land, or wilfully and without lawful authority lead or drive any cattle or animal thereon, or wilfully lay any manure, soil, ashes, or rubbish, or other matter or thing thereon, or do any other act whatsoever to the injury of such town or village green or land, or to the interruption of the use or enjoyment thereof as a place for exercise and recreation, such person shall for every such offence, upon a summary conviction thereof before two justices, upon the information of any churchwarden or overseer of the parish in which such town or village green or land is situate, or of the person in whom the soil of such town or village green or land may be vested, forfeit and pay, in any of the cases aforesaid, and for each and every such offence, over and above the damages occasioned thereby, any sum not exceeding [level 1 on the standard scale];...”

Section 29 of the Commons Act 1876 says:

“An encroachment on or inclosure of a town or village green, also any erection thereon or disturbance or interference with or occupation of the soil thereof which is made otherwise than with a view to the better enjoyment of such town or village green or recreation ground, shall be deemed to be a public nuisance, and if any person does any act in respect of which he is liable to pay damages or a penalty under section twelve of the Inclosure Act 1857, he may be summarily convicted thereof upon the information of any inhabitant of the parish in which such town or village green or recreation ground is situate, as well as upon the information of such persons as in the said section mentioned.”

Practical implications of these two statutes for CCC

If the intended work on a village green contravenes neither section 12 of the Inclosure Act 1857 nor section 29 of the Commons Act 1876 then there is no need for CCC to obtain any special permission before undertaking the work. That is to say that no permission would be needed simply because the land is a town or village green. Of course, all the normal rules regarding planning permission would still apply, but we are talking in the case of The Downs about maintenance and repair work rather than any new build, so I will leave that to one side.

Contrary to the advice that you have been given, there is no process for getting approval for works from Defra in the case of village greens. As Defra pointed out to me, "Neither the Secretary of State, Defra, nor any other body is able to give consent for illegal works to be undertaken on a town or village green." So, either the intended works are legal, or they are illegal and Defra may not give permission for them. Defra's view (and I quote) is that: "Arguably works to improve drainage or to ensure the stability of the land could be considered to be for the better enjoyment of the green and therefore might not contravene either of these Acts....in Defra's view, when considering whether or not any given development or action contravenes either or both of the above mentioned statutes a court is likely to be concerned with whether material harm has been caused to a green and whether there has been interference with the public's recreational enjoyment. Other issues that might be relevant include the proportion of a green affected by the development or activity and the duration of the interference.* Whether or not either the 1857 Act or the 1876 Act have been contravened will ultimately be dependent upon the precise nature of the works which have been undertaken on the green."

[* For clarity, Defra is distinguishing between temporary works, however long, to achieve a legal aim and permanent fencing off of the land to deny access.]

I shall examine below what risk, if any, each of these two strands of statutory protection for village greens present to CCC if the council were to undertake the kind of maintenance or repair work that we are discussing here.

Assessing the risk presented by the 1857 Inclosure Act

It is a criminal offence to undertake on a village green any works which contravene the 1857 Act. Looking at Section 12 above, it is clear that CCC will not be damaging fences (there are none), nor driving animals onto the green, nor injuring the green. The only possible way in which CCC might be interpreted as contravening the 1857 statute is the "interruption of the use or enjoyment [of the green] as a place for exercise and recreation..."

The Act is specific about who can register a complaint against someone who interrupts the use of a village green. The relevant categories today are the parish council (there is none, but in its place would be the district council which is CCC) or the owner (CCC). So, only CCC could take a case against CCC to court. It is clear from this that the risk represented by the 1857 Act is entirely manageable by CCC.

Even if CCC did take CCC to the magistrate's court for interrupting the use of part of the village green and win, CCC would be liable to a fine not exceeding level 1 on the standard scale. Today that represents £200.

Assessing the risk presented by the 1876 Commons Act

Works undertaken on a village green in breach of the 1876 Act will be deemed to be a public nuisance unless they are undertaken "with a view to the better enjoyment of such town or village green or recreation ground". In undertaking maintenance work that protects The Downs and ensures its future existence, CCC would clearly be undertaking work "with a view to the better enjoyment" of the village green. In the case of a landslip where CCC would need to stabilise the land and make it safe, that work is demonstrably "with a view to the better enjoyment" of the village green as, were the work not to be done,

part of the village green would be unusable. No consent is needed from Defra or anybody else for works of this kind as they do not contravene the statute. If the work that CCC wishes to undertake is maintenance work or work that ensures the long term stability – and therefore usability – of the land, there is no risk to CCC in undertaking it nor is there any need to seek approval to do so.

Managing Town and Village Greens in Local Authority Ownership

Defra's guidance is that greens in local authority ownership are generally managed by the authority under the Open Spaces Act 1906 or by a scheme of regulation under the Commons Act 1899. Only if the village green were subject to a scheme of management under the Commons Act 1899 would section 38 of the Commons Act 2006 apply. Section 38 is the section that talks about the prohibition on works without consent and is, I suspect, the section that is worrying you and/or your colleagues. For the avoidance of doubt, I repeat that Section 38 of the 2006 Act does **not** apply to a village green that is not under such a scheme of management. My authorities here are Defra, the Open Spaces Society and The Planning Inspectorate. You may like to read for yourself "Common Land Guidance Sheet 2b" which spells this out clearly.

CCC could opt to have The Downs as a village green managed under a scheme of management under the Commons Act 1899. If the council were to do this, it could give itself permission in advance to undertake certain specified kinds of work *without* having to apply for permission from the Secretary of State.

The current model scheme of management gives examples of the kind of work for which local authorities can give themselves permission in advance by listing their village green in this way. They include:

- Protecting and improving the land – e.g. drainage, raising, levelling or other work

- Preventing accidents – e.g. fencing any quarry, pit, pond, stream or other like place
- Preserving the turf, shrubs, trees, plants and grass.

This would seem to cover everything that CCC would need to do in terms of maintaining and improving the drainage system; keeping the land stable; and reacting in the case of a landslip to make the green safe.

Conclusion

CCC has two options here. It can either take the view (as those experts to whom I have spoken have done) that there is no risk to CCC by doing the kind of maintenance and stability work that we are discussing. Either – in the case of the 1857 Act – only CCC could take CCC to court or – in the case of the 1876 Act – the work would be demonstrably for the enhancement of the green and so would not in any way contravene that Act.

Alternatively, CCC can take the view that there is a risk, however tiny, represented by one of these Acts. It can then register The Downs as a village green to be managed under a scheme of management under the Commons Act 1899. This would give CCC explicit advance permission to undertake all the necessary works – drainage; fencing; raising; levelling – without having to apply to anyone for permission to do so.

Either way, your concerns, or those of your colleagues, are groundless. The practical obstacles you describe about having to seek Secretary of State approval every time CCC needs to carry out the kind of work envisaged simply do not exist. This concern has been dealt with by seeking advice direct from Defra, the Open Spaces Society and KCC, as well as from other expert sources such as The Planning Inspectorate who make guidance information for landowners freely available on the internet. Given that, and given that CCC officers and councillors have said on a number of occasions that CCC has absolutely no objection in principle to voluntarily registering The Downs as a village green, I do hope we can now make speedy progress towards doing just

that. After all, CCC is there to represent the local people, not to pursue its own private agenda in the face of local opposition, and local people vigorously support the village green application.

26 Apr 2010 - Bin Collection

Response from Councillor Blakeley re Bin Collection

FOR YOUR INFORMATION:

The story printed in the Daily Post today is grossly misleading, especially the editorial.

It implies that the council has stopped its Assisted Collection Scheme, when it has done no such thing.

The council provides Assisted Collections to over a thousand of its citizens, and the service will be continuing in exactly the same way as before. The actions of the newspaper are likely to have generated unnecessary anxiety amongst a group of vulnerably people.

The link to the editorial is shown below:

<http://www.dailypost.co.uk/discussion/comment/2010/04/20/dfdfasdaatgrsyhtrsutyu6straweg-55578-26275294/>

The Daily Post did not ask the council about the content of the article.

- The truth is: that back door collections actually stopped in Denbighshire about ten years ago, so the council is merely reinforcing its existing policy.
- We chose to reinforce the policy now, due to recent incidents where DCC vehicles had damaged private property (when they shouldn't have even been there).

Diolch - Thanks

Steve Parker

Pennaeth Gwasanaethau Amgylcheddol/Head of Environmental Services

26 Apr 2010 - Drinking in park and anti social behaviour

Report from Councilor Gunning

The Community Support Officer has been made aware of the issue regarding the post box previously. This and another box on Ffordd Anwyl were damage by a group of youths from off the estate a couple of weeks ago. The local Royal Mail office have been informed and they have been asked to arrange for their engineering department to repair the damage.

In terms of the issues around drinking and ASB in the park, action will be taken, reports of youths having barbecues around the same area have also been reported, Obviously any incidents seen will be dealt with, and I advise the local residents to report any incidents.

5 Apr 2010 - A Year Ago This Week

ANN JONES AM / AC

Vale of Clwyd / Dyffryn Clwyd

Mr Hugh Evans

Leader

Denbighshire County Council

Wynnstay Road,

Ruthin

LL15 1YN

31st March 2009

Dear-Hugh,

Park View, Rhyl

You will know that the residents of Park View have submitted an application for a village green and it would appear that you as an Authority have the powers to deal with the application. It would seem that this has been held up by your Officers and the application has sat on someone's desk without progressing. This cannot be allowed to happen and I would now ask you to ensure this is dealt with immediately and also an investigation as to how this incident has occurred.

I hope the resident's application can now be resolved quickly.

Yours sincerely

Ann Jones AM

1 Mar 2010 - Community Meetings, Have your Say

Your Community - Your Views

Come and have your say about local public services in a series of community forums being staged across Denbighshire.

The events are being arranged by the Denbighshire Local Service Board - a partnership made up of a number of organisations providing public services across the county.

You can ask questions direct to a panel made up of the Leader and Chief Executive of Denbighshire County Council and senior officials from North Wales Police, North Wales Fire and Rescue Service, Denbighshire Voluntary Services Council and the Betsi Cadwaladr University Local Health Board.

The events will be held in the following locations:

AREA	VENUE	DATE	TIME
A55 Corridor	Ysgol Glan Clwyd, St Asaph	11 March	7-9pm
Ruthin	Ysgol Brynhyfryd, Ruthin	15 March	7-9pm
Prestatyn	Scala Cinema, Prestatyn	22 March	7-9pm
Denbigh	Eirianfa, Denbigh	25 March	7-9pm
Rhyl	Oak Tree Centre, Rhyl	29 March	7-9pm
Dee Valley	Sports Pavilion, Corwen	7 April	7-9pm

Leader of Denbighshire, Councillor Hugh Evans, who is also the Chair of the Denbighshire Local Service Board, said: "The last round of community forums held in September 2009 was extremely successful and more people than ever before took the opportunity to come and speak to the panel about issues of interest or concern to them.

"We want to bring public services closer to the community and it is vital that we listen to local people about local needs. We want to do this through regular opportunities for debate and we will take the chance to tell you what has been progressed since the last forums were arranged, as well as informing you about some of the key issues we are facing as public services"

25 Feb 2010 - DCC Replace Lamposts

DCC Replace Lamposts

Today council workers have begun to replace old lamps for new, and have started at the Dyserth Road end of the estate.



25 Feb 2010 - Buying Council Owned Land

What About Allotments

Land at the GEURON rear of council garages Prince Edward Avenue

Decision by the Lead Member for Regeneration and Housing

DENBIGHSHIRE COUNTY COUNCIL

RECORD OF DECISION BY CABINET MEMBER

Decision taken by: COUNCILLOR GARETH ROWLANDS, LEAD MEMBER FOR REGENERATION AND HOUSING

Date of decision: 27th February, 2008

Decision: To approve the sale of the land edged red on the plan to **T Anwyl** & Son Limited.

Reasons for Seeking Decision: The land is vacant and unused and is surplus to Council requirements.

Interests declared: None

Consultation: Local Members and Council Directorates were consulted and no objections were received.

Powers: S.123 of the Local Government Act 1972 gives the power to dispose of land

Authority for delegation of the decision to the Cabinet Member: Delegations 21/12/04 to Lead Member for Property and Asset Management

-

22 Feb 2010 - Three years ago this month

Weekly News

Call for firm to stump up cash

Feb 8 2007

by Richard Evans, North Wales Weekly News

A CONSTRUCTION company should put money back into the community after illegally lopping down trees and damaging the environment in Llandudno Junction, says a disgruntled councillor. Rhyl-based Anwyl Construction were fined thousands at Llandudno Magistrates Court for chopping down a row of horse chestnuts at the Albini House development site on Marl Drive in Llandudno Junction.

Anwyl pleaded not guilty but were fined £9,400 for felling growing trees without authority from the Forestry Commission.

The charges related to two separate occasions in the autumn of 2005 between October and December, and early 2006 between January and March. The company was fined £2,500 for each charge as well as £4,400 costs to Department for Environment Food and Rural Affairs.

The incident caused outrage among residents on the street who at the time branded the developers vandals for making room for the new homes. Residents accused the company in one instance of bulldozing the trees during the festive period when people were less likely to stop or report them.

[Story continues](#) _

ADVERTISEMENT

Now Llandudno Junction councillor and cabinet member for the environment Mike Priestley is demanding Anwyl shows it is sorry by pledging funds to improve the environment within Conwy.

“The people who did this barbaric act know exactly what they were doing,” said Cllr Priestley.

“They cut down the trees over the Christmas period when most people were on holiday. The maximum fine was imposed but I feel it is loose change to these people.

“Perhaps the developers would like to donate a sum of money to help improve the environment in the county?”

Matthew Anwyl is the director for Anwyl Construction but refused to make any comment.

10 Feb 2010 - Anwyl Appeal against refusal by Planning Committee

The Fight Begins Again

We urge all residents to object to the planning Inspectorate,

Head of Planning and Public Protection Services

CYNGOR

Sir Ddinbych Denbighshire

COUNTY COUNCIL

45/2009/0437/PO

5 February, 2010

01824706732

Ebost / Email

Please ask for: Eleri Morris

Dear Sir/Madam **SAFLE / SITE:**

Land Off Ffordd Elan Rhyl

T Anwyl & Son Ltd.

Development of 0.85 hectares of land by erection of residential care home (Class C2) and ancillary development of day nursery (Class D1) and community centre (Class D2), ancillary parking areas and associated access road (Outline application) APP/R6830/A/09/2119681/WF

ENW'R APELYDD APPELLANT'S NAME APEL YN ERBYN / APPEAL AGAINST:

RHIF CYFEIRIO Y SWYDDFA GYMREIG /WELSH OFFICE REF:

RHODDIR RHYBUDD TRWY HYN y bydd Arolygydd a benodwyd gan y Gynulliad yn bresennol i gynnal **YMHOLIAD GYHOEDDUS** i'r apel gan **T Anwyl & Son Ltd.** yn erbyn penderfyniad yr Awdurdod Cynllunio Lleol i wrthod caniatâu cynllunio i'r mater uchod.

Cysylltaf gyda chi nes ymlaen cyn gynted ac y bydd lleoliad a dyddiad yr Ymholiad Gyhoeddus wedi ei gadarnhau gan yr Arolygydd.

NOTICE IS HEREBY GIVEN that an Inspector, appointed by The National Assembly for Wales, will attend a **PUBLIC INQUIRY** into the appeal by **T Anwyl & Son Ltd.** against the decision of the Local Planning Authority to refuse to grant planning permission for the above matter.

Details of the Public Inquiry date and venue will be forwarded to you as soon as we receive confirmation from the Planning Inspectorate.

Rhoddir rhybydd felly bod y Datganiad Ceisiadau y bwriada'r Awdurdod Cynllunio Lleol ei gyflwyno, yn ogystal a Rhesymau am Apel yr apelydd, i'w archwilio yn y Gwasanaethau Cynllunio, Cyngor Sir Ddinbych yn ystod oriau gwaith arferol. Mi fydd y dogfennau ar gael erbyn **19/03/2010**, tan dyddiad yr Ymholiad ond dylech sicrhau pa swyddfa mae'r dogfennau yma ar gael trwy ffonio'r rhif cyswllt uchod.

Therefore, notice is hereby given that the Statement of Submissions which the Local Planning Authority proposes to put forward, as well as the appellant's Grounds of Appeal, may be inspected at Planning Services Denbighshire County Council during normal working hours. The documents should be available for inspection by **19/03/2010** until the date of the Public Inquiry, but you should check at which office these documents are available by telephoning the above contact number.

Under the provisions of the Town and Country Planning Appeals Rules, the Local Planning Authority shall afford any person interested a reasonable opportunity to inspect and where practicable take copies (at a minimal charge) of the Authority's submissions and any documents (including maps and plans) to be produced at the said Public Inquiry and any statements served on the Authority by the appellants.

Any persons who consider they are affected by the matter under appeal may attend the Public Inquiry and at the Inspector's discretion give their views, or may, if they cannot or do not wish to attend, give their views in writing. Views in writing will be disclosed to the parties and are liable to be read out at the Public Inquiry.

Any comments you have already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Planning Inspectorate and copied to the appellant and will be taken into account by the Inspector in deciding the appeal.

The Planning Inspectorate encourages the submission of comments on an appeal by e-mail at www.planningportal.gov. Submission of comments by e-mail is easy, quick, and it saves your time, and printing and postage costs. It minimises the possibility of delays once your comments are submitted. You will also get a receipt by e-mail so you know that your comments have been received safely.

To ensure that the Inspectorate complies with the 1998 Data Protection Act (DPA) and thereby help prevent Identity theft, fraud and distress to individuals, they are from 3rd March 2009 redacting signatures, telephone numbers and personal e-mail addresses from most of the documents published to the Planning Portal. The Planning Inspectorate has produced the attached template for the submission of representations.

The purpose of the template is to encourage interested parties to complete their personal details on a separate form from their representations. Your personal details can then be held separately from the publicly available information when they are received by the Inspectorate and disposed of in accordance with the terms of the Data Protection Act.

You can still choose to submit your comments by post - though the Planning Inspectorate would prefer you to send them to the Inspectorate by e-mail wherever possible. If you wish to make any additional comments, you must submit 2 copies to the Planning

Inspectorate, Crown Buildings, Cathays Park, Cardiff CF10 3NQ by 19/03/2010., quoting the Planning Inspectorate's appeal reference or the name of the appellant and the appeal site address where you do not. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned to you.

You can obtain a copy of the Planning Inspectorate's booklet 'Guide to taking part in planning appeals' free of charge by contacting ourselves.

The Inspector's decision letter can be viewed on the planning portal. The case can be searched for and then all available documents viewed by visiting the web site below

<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>

Should you wish to request a copy of the appeal decision letter, you should write direct to the Planning Inspectorate, address as above quoting the Planning Inspectorate's Ref No APP/R6830/A/09/2119681/WF.

Any views received after the Public Inquiry has been closed cannot normally be taken into account by the Inspector.

If you are likely to attend the Inquiry and wish to speak Welsh, you are entitled to do so, because Denbighshire operate a bilingual policy. If your desire is to speak Welsh it would be of great assistance if you could notify us. Please telephone the above number if you would like this facility to be available.

If I can be of any further assistance please do not hesitate to contact me.

Yours faithfully

Eleri Morris

Administration Officer

10 Feb 2010 - How to Object to Planning Inspectorate

Template for sending your comments

We recommend that you use this layout when sending us your comments about an appeal. Unless your handwriting is very clear it would help if you are able to have your comments typed. Please use **black** ink.

1. Your name and address.
2. The Planning Inspectorate appeal reference number (APP/R6830/A/09/2119681/WF)
3. The address of the appeal site.
4. 'I am against the appeal proposals' or 'I support the appeal proposals'.

5. Your comments. If you are against, say whether it is for the same reasons as given by the LPA or, if not, explain your own reasons. Or, say why you support the appeal proposals.

6. Say if you would like us to send you a copy of the decision.

If you want to appeal by internet go

to <http://www.pcs.planningportal.gov.uk/pcsportal/makerep.asp?caseaddress=COO.2036.300.8.2966487&appealtype=COO.2036.300.2.6913483>

If you decide to submit documents to support your comments

Documents in a sans serif font are easier to read. Please use a font such as Arial or Verdana in a size of 11 point or larger.

Please

- use **A4** paper wherever possible;
- number the pages of the documents;
- make sure **photocopied** documents are clear and legible;
- put any photographs (colour if possible), maps, plans, etc, in a **separate appendix** and cross-reference them within the main body of

the document;

- bind documents so that they can be undone quickly without damaging the document. Do not use wire or plastic spiral binders;
- do not use cover sheets, sleeves or other bindings that do not add value or information;
- do not send original documents unless we specifically ask for them;
- do not include self adhesive notes or small attachments which might be dislodged easily or lost;
- print documents on both sides of a page. You should use paper of good enough quality that something printed on one side of the page does not show through to the other side;
- ensure that the scale, orientation and paper size of any maps and plans are shown clearly. This is especially important if you submit your comments electronically through the Planning Casework Service.

9 Feb 2010 - OPEN DAY RHYL FOOTBALL CLUB

FOOTBALL OPEN DAY

There is an open day at Rhyl Football Club, Grange Road on MONDAY 15th February 2010 between 9am - 5pm for ages 8 - 16 years.

There will be a number of professional football coaches present and anyone is welcome, even those who cant play football and just want to kick the ball around or just sit and watch (like I will be doing!).

Please pass this on to anyone who you think maybe interested, it is an open day/event and anyone between the ages of 8-16 are welcome.

See you there.

7 Feb 2010 - News on Bin Collections

Environmental Services- Waste Management Briefing

This note is to bring you up to date with the latest developments in the Waste Management Section.

X2 System (Wheelie Bin Areas)

From the week commencing 1st March we will be extending the X2 system to areas that are currently on sack collections.

The new areas will receive the full system, i.e.

1. A blue wheelie bin for recyclable material (paper, cans, glass, cardboard, plastic & tetrapacks)- picked up fortnightly
2. A green wheelie bin for garden waste (grass cuttings, plants, weeds, clippings etc)- picked up fortnightly. This bin is optional
3. A black wheelie bin for non recyclable waste- picked up fortnightly
4. A 25 litre food waste container – picked up weekly

The areas receiving the X2 system will be:

1. Rhyl
2. Prestatyn
3. Meliden
4. St Asaph
5. Dyserth
6. Cwm
7. Rhuddlan
8. Denbigh
9. Ruthin
10. Henllan
11. Trefnant
12. Rhualt
13. Tremerichion
14. Bodelwyddan

We are using smaller refuse wagons for this new round so that we are able to provide wheelie bins in areas we were previously unable to get to. The collection system remains the same however, collection is from the **FRONT** of the property (wheelie bins cannot be collected from the rear of properties / alleyways etc). In areas where some residents could perceive this to be a problem we issued a survey where people could express their approval, disapproval or indifference to the wheelie bin system. The majority response was that people were in favour of having the wheelie bin system rather than the sack system and that they would be able to cope with putting their bins out at the front of their properties on collection day.

The full X2 system has been a tremendous success, Denbighshire is now recycling more than it landfills. The weekly food waste collection service plays an integral part in this and we must continue to encourage people to make use of this service. It's not just things like vegetable peelings we need, it's any leftover meat (e.g. chicken carcasses), plate scrapings, packaged food past it's sell by date (experience from collections to date shows that people tend to put this type of waste in their black bin. We need people to empty the food from the packaging into their food caddy and then recycle the packaging).

Information packs for the new roll outs are currently being prepared for residents along with collection day calendars. As soon as we have samples we will send these out to members (i.e./ in advance of the public receiving them).

Sack Collections

Some areas are not suited to wheelie bins (e.g. areas with high numbers of HMOs). We have trialled a communal street bin system in John Street and Aquarium Street in Rhyl, and despite initial resistance from some of the local residents when the project was at the planning stage, once the bins were actually installed the response has been overwhelming positive. The 'buy in' from these

residents has made a huge difference to the tidiness of the streets- there are no more problems from seagulls ragging the bags and scattering litter. People living in HMOs also have somewhere secure to store their waste rather than having to store refuse in the flats until collection day. With the success of the John Street / Aquarium Street project we are now looking to provide this system in Emlyn Grove, Maude Street and Abbey Street.

If you have any queries regarding any of the above please do not hesitate to contact me

Jim Espley (Senior Waste Officer)

Email: jim.espley@denbighshire.gov.uk

Tel 01824 712107

STOP PRESS!!:

We have just heard that Denbighshire is Wales' top recycler with 52% of the waste we collect being recycled (Anglesey is 2nd recycling 50% and Ceredigion 3rd recycling 49%)¹

8 Jan 2010 - Happy New Year 2010

HAPPY NEW YEAR TO ALL RESIDENTS

We would like to ask all residents to check on elderly neighbours during this very cold spell, and urge all residents to take care whilst walking on slippery pavements.