



Radyr & Morganstown Community Council Cyngor Cymuned Radur a Threforgan

Report

Agenda Item 6

Meeting: Environment Committee
Date: 2 February 2023
Report Author: Assistant Clerk

Environmental Update

Introduction

1. This report updates Members on progress in relation to current projects.

Key Issues

2. Key Issues are set out below:

2.1 Radyr Woods

Benches

Benches have been approved by Full Council and an order will be placed.

Information Boards

Members agreed at the 9 June 2022 Environment Committee meeting that Councillor Vina Patel is requested to report details of progress in relation to the new information boards for Radyr Woods

2.2 Windsor Gardens

Enhancement Proposals

The Council wishes to improve the appearance of Windsor Gardens and the Granny Park in Morganstown. Quotations will be invited to take forward any proposals.

Provision of new bins is being examined.

2.3 Pentwyn Park

Fencing Adjacent to Footpath

At the 17 February 2022 Full Council meeting members agreed that quotes could be sought for extending the retaining wall to hold back the car park. No progress on this as yet.

2.4 Tree Surveys

Tree surveys have now been carried out and quotes will be sought for any remedial work required. See separate report.

2.5 Bethel Chapel

Advice has been received from Cardiff Council in relation to Bethel Chapel and the position will be kept under review.

2.6 Hanging Baskets

Costs for 15 hanging baskets have been obtained.

2.8 Flag Policy

See appendix.

2.9 Work Programme Update

Environment Committee: Reported to Council 19 January 2023	
Tree Surveys. Commission/carry out and react to surveys of trees on Council land.	Survey results are under consideration. Report to Environment Committee.
Windsor Gardens enhancement.	Report to Environment Committee.
Council's vision for Station Road.	Meeting requested with Cardiff Council.
Flags Policy	Report to Environment Committee.

Financial Implications

3. Financial implications have been approved and included within approved budgets. Some further approvals may be required.

Links to Corporate Objectives

4. The Annual Report confirms the Council's objective to contribute to a Healthier and Resilient Community

Staffing Implications

5. n/a

Risk Management Implications

6. These are referred to in the Council's Risk Assessment Schedule

Legal Implications

7. The projects can be delivered/has been delivered using powers available to the Council under the following legislation:

Environment (Wales) Act 2016 Part 1 – s6
Local Government Act 1972 s111 and 144
General Power of Competence.

Recommendation

8. It is **recommended** that:

(1) the report is noted.

(2) Members consider any issues arising.

Use of Flagpoles in the Community

The Clerk contacted Cardiff Council about the potential use of flagpoles in the Community.

Advice from Cardiff Council states that flag staffs would usually be considered with regard to the advertisement regulations (The Town and Country Planning Control of Advertisement Regulations 1992 (as amended)).

[The Town and Country Planning \(Control of Advertisements\) Regulations 1992 \(legislation.gov.uk\)](http://legislation.gov.uk)

Flag advertisements are likely to require 'express advertisement consent' unless they are considered to fall outside of the Regulations (i.e. National Flags on a single vertical flagstaff) or benefit from 'deemed consent' (a general consent/permission see below).

Relevant extracts from the guidance: (see attached regs and guidance for full information)

Fall outside of regulations (i.e no consent required).

A national flag of any country. Any national flag may be flown on a single vertical flagstaff, so long as it does not have anything added to the design of the flag or any advertising material added to the flagstaff.

Can be displayed by virtue of 'deemed consent' (i.e. no express permission needs to be applied for).

Class 7: flag advertisements Class 7 permits some flag advertisements. (This deemed consent has no effect upon any display of the national flag of any country)

Class 7(A) permits an advertisement to be displayed as a flag, on one flagstaff, fixed upright on the roof of a building. There is no height limit for this consent, but the flag itself may only have on it the name, emblem, device or trademark of the company or person occupying the building or refer to a specific event of a limited duration taking place in the building. So flags are not permitted to advertise products unless they have the planning authority's specific consent.

Class 7(B) permits the display of advertising flags at housebuilding sites and where new houses remain available for sale, except in a National Park, Area of Outstanding Natural Beauty, Conservation Area, the Broads or Area of Special Control of Advertisements.

The rules for class 7(B) are:

- each flag must be on a single vertical flagstaff,
- a site where 10 houses or less are built may have one flag, 11 to 100 houses may have two flags, and over 100 houses may have three flags;
- the flagstaffs must not exceed 4.6 metres high;
- the flags must not exceed 2 square metres in area;
- the flags and flagstaffs must be removed at the end of one year after construction of the last house is completed.

Radyr War Memorial Flagpole – Ownership of Land

Research was carried out and according to their records Cardiff Council does not own the land, and the flagpole, at the War Memorial in Radyr.

The Clerk contacted Mike Clarke to ask if he knew the owner of the flagpole and land at the Radyr War Memorial. Mike Clarke was not aware of who owned the land but provided some background information.

The Earl of Plymouth gave the land for the War Memorial - the Earl unveiled it in 1921. The Earl owned most of the land in Radyr so it would be logical that he owned this plot. Mike Clarke's Grandfather laid the foundations for the memorial in 1920 but there is no record of who paid. It is understood that the memorial 'belongs' to Cardiff Council as they undertook the recent refurbishment prior to 2018 centenary (CADW).

Mike Clarke has always put the flagpoles up following his Father who first set the bases for the poles probably in the 1960's or before.

The Clerk contacted Cooke & Arkwright who look after Plymouth Estates interests in this area and from what they have determined, the land appears to belong to Viscount Windsor (now the Earl of Plymouth following the death of the last Earl in 2018).