

## **BAGILLT COMMUNITY COUNCIL**

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in YSGOL GLAN ABER, Bagillt on Friday 10<sup>th</sup> November 2006.

**PRESENT : Councillor B.T. Doleman (Chairman).**

**COUNCILLORS :** R. Davies, A. Griffiths, R.K. Jones, Mrs. S.L. Jones, S.M. Manfredi, C.P. Owens, M.A. Reece, C. Williams, C.R. Williams, Mrs. D.J. Williams and J. Williams.

**APOLOGIES :** Councillors Mrs. D. Jones and J. Ovens.

**IN ATTENDANCE :** Mr. G. Roberts (Clerk)

### **88. POLICING MATTERS**

The Chairman advised that as P.C. Schofield was not present at the meeting this item would be deferred to later in the agenda should the Officer turn up.

### **89. ROAD RUNNER WASTE**

The Clerk reminded Members of the discussion at the last meeting and made reference to further correspondence between a resident and himself relating to Road Runner Waste, the response on behalf of the Council having been a matter of consultation with the Chairman and Vice-Chairman.

In relation to the planning application, Councillor R.K. Jones indicated that it was not listed for consideration at the next meeting of the Planning Committee, whilst Councillor M.A. Reece indicated that a petition organised by Councillor J. Ovens on this subject was still available for signature and that there was time to submit to the Planning Authority prior to them considering the application.

#### **RESOLVED :**

That the further correspondence and the current position with the planning application in relation to Road Runner Waste be noted.

### **90. MINUTES**

The following comments were made on the Ordinary meeting of the Council held on 13<sup>th</sup> October 2005.

#### **a. Minute No. 74 – Policing Matters – Tyddyn Mesham**

The Clerk reported a response had been received from the County

Council indicating that it was not possible at this time to provide traffic calming at Tyddyn Mesham in contravention to the current moratorium. The letter also pointed out that the enforcement of the “access only” restriction would dramatically reduce traffic flow but this option was not realistic due to the demands this placed on the Police. The Clerk indicated he would be advising the resident who raised this issue of the response.

Councillor R.K. Jones made reference to a possible alternative option of the automatic 30 mph signs which flashed speeding vehicles. They were already located in a few areas in Flintshire and may well be the way forward as an alternative to previous physical traffic calming, which was under moratorium. It was acknowledged that this solution would not be practical for Tyddyn Mesham.

**b. Minute No. 75 – Access to the Foreshore**

The Clerk advised that a response had been received from the Acting Chief Executive to Flintshire County Council concerning the letter from Veolia, and that it was currently under consideration by the Planning Department.

**c. Minute No. 77(a) – Tyn Twll**

Councillor C.R. Williams was advised that to date there had been no further response and it was agreed that further representations be made to enable progress, even if this meant the remaining property was excluded from the works required to be undertaken.

**d. Minute No. 77(b) - High Street – Ivy**

The Clerk reported on a further letter received from Flintshire County Council, which advised a site meeting had taken place with Councillor J. Ovens to inspect the area and agree an action plan. The outcome was that it had been agreed to cut back and remove some of the ivy and tidy the area as part of the Autumn maintenance programme which would commence shortly.

**e. Minute No. 77(d) – Hanging Baskets**

The Chairman advised the meeting that, with the co-operation of other Members, the hanging baskets had been removed and were being stored at his property.

**f. Minute No. 87(a) – Sandy Lane – Traffic Calming**

The Clerk advised on a response received from Flintshire, which advised other complaints had been received regarding the negative impact of the humps on the slope on Sandy Lane, and discussions were continuing as to the principles and procedures to be adopted in removing traffic calming measures. Some items to be addressed were the replacement of the calming with some other form or feature to reduce speed, the cost implications and the required consultative procedures to be followed. However, no details had yet been confirmed. The Clerk indicated he would also be advising the relevant local resident accordingly.

**g. Minute No. 87(b) – Holywell Road, Manor Estate – Slow Markings**

The Clerk advised Councillor Mrs. D.J. Williams, that whilst he had received an acknowledgement, he had not yet been advised of the actions to be taken.

**h. Minute No. 87(e) – Development Adjacent to War Memorial – Pavement Flooding**

The Clerk advised that he had received an e-mail today advising that the work had been undertaken and other Members present confirmed that this had been the case. It had also been confirmed that High Street would be swept on Sunday morning prior to the Remembrance Sunday Service.

**RESOLVED :**

That the minutes of the Ordinary meeting of the Council held on 13<sup>th</sup> October 2006 be confirmed as a correct record and signed by the Chairman.

**91. CHAIRMAN'S COMMUNICATIONS**

The Chairman reminded Members that for Remembrance Sunday on the 12<sup>th</sup> November 2006 there would be a Church Service at St. Mary's Parish Church at 11.00 a.m. following by a further service at the War Memorial in the High Street at 12 noon. A request had been made to P.C. Schofield to make arrangements for a Police presence to ensure that traffic was stopped on the High Street during the silence part of the Service.

**92. COMMUNITY HEALTH SERVICES – FLINT AND SURROUNDING AREAS**

The meeting considered a letter from Flintshire Local Health Board and the summary version of the consultation document upon which comments were invited before 26<sup>th</sup> January 2007. In relation to the two options listed in the document which the FLHB had approved for public consultation, neither provided

for the retention of NHS beds at Flint but the first option did provide for existing facilities to remain as the new build integrated primary and community resource centre was provided at a new central location in Flint. Councillors R.K. Jones, C.P. Owens and C.R. Williams felt that the Council should not support either of the two options as they do not provide for the retention of NHS beds in Flint and whatever decision was made by the FLHB there should be no loss of services for Flint and surrounding area in the interim period.

**RESOLVED :**

That neither of the two options listed in the consultation document be supported as they do not provide for the retention of NHS beds in Flint and the proviso also be made that in the interim period there should be no loss of services for Flint and the surrounding area.

**93. PLANNING APPLICATIONS**

**a. Applications Determined Under Planning On-Line Consultation Period**

<b>No.</b>	<b>Location</b>	<b>Detail</b>
042185	Victoria Inn, Bagillt Road	Demolish public house and erect 8 semi-detached houses.

It was noted that it had been decided to neither support nor object to the proposal but to express concerns about access onto Bagillt Road, the fencing arrangements and encroachment onto the embankment.

**b. Applications for Consideration**

<b>No.</b>	<b>Location</b>	<b>Detail</b>
042387	5 Alwyn Drive	Bedroom and living room extension to rear.

**RESOLVED :**

That the application be supported.

**c. Site Visits**

The meeting considered a letter received from Flintshire County Council concerning legal advice that had been given on the future conduct of site visits for planning applications which were to be considered by their Planning and Development Control Committee. The purpose of site visits

was to give Members the chance to understand the features of the site and the surrounding area ahead of the Planning and Development Control Committee meeting when the merits of the application were discussed and a decision made. They were not the appropriate place for discussion of the planning merits or policy issues involved in determining the application and to do so could lead to a legal challenge of the process, as well as possible maladministration. The Ombudsman's office and the County Legal Officer were of the view it would be inappropriate for Town and Community Councils to be afforded preferential status in being able to address Members at site visits. Therefore on site visits the applicant, objector(s) and Town and Community Council representatives would be able to address County Members on the features of the site and surrounding area and this should only be when the applicant and objector(s) were represented.

A County Member Working Group was investigating ways in which representatives of Town and Community Councils, applicants and objectors could make their representations at meetings of the Planning and Development Control Committee. The research that had been undertaken as part of the investigation showed that Flintshire's practice in relation to site visits had been unusual when compared with other Councils throughout Wales.

**RESOLVED :**

That the advice concerning site visits be noted.

**d. Recording of Minuting of Consultations on Planning Applications**

The Clerk read out to the meeting a letter received from the Chief Planning Services Officer at Flintshire County Council concerning confusion that sometimes arose when planning applications on which Town and Community Councils had been consulted and were sometimes reported in the press. On some occasions it was reported that a Town or Community Council had approved or refused a proposal which could cause unnecessary confusion and misinformation in the eyes of the public, who then believed planning applications had been decided.

This was being drawn to the attention of Town and Community Councils as a result of a recent Planning Inspector's report. Although Town and Community Councils were consulted on planning applications, the power to grant or refuse such applications rested with Flintshire County Council.

The Clerk advised the meeting that in relation to this Authority, decisions were recorded indicating that the meeting either supported or objected to the proposal, or did neither. This information was duly conveyed to local

press representatives, and to date there had been no problems with the way they were reported.

**RESOLVED :**

That the letter be noted.

**94. FLINTSHIRE UNITARY DEVELOPMENT PLAN – PRE-INQUIRY PROPOSED CHANGES**

**a. Outcome of Objections to Previous Housing Allocations**

The meeting considered a letter received from Flintshire County Council together with the outcome of representations previously made concerning objections to housing allocations. The County Council had considered all representations of both support and objections to the deposit UDP and had approved certain changes, known as Pre-Inquiry Proposed Changes, in order to satisfy some of the objections.

There was now a six week period of consultation until 15<sup>th</sup> December 2006 and representations had to be made in writing and they could only be made to the proposed changes and not to part of the Deposit Plan that would remain unchanged. If a proposed change satisfied an original objection it would be helpful if a letter could be forwarded specifying a conditional withdrawal of an original objection on condition that the proposed change would be incorporated in the final plan.

In relation to Bedol Farm, it was proposed to delete the housing allocation and remove the site from the settlement boundary and not designate the land as green barrier. In relation to Victoria Park, whilst the housing allocation would be deleted, the site would be retained within the settlement boundary. In relation to Wern Farm, no change was being proposed and therefore the Council's previous objection had not been accepted.

**RESOLVED :**

That Flintshire County Council be advised that in relation to Bedol Farm and Victoria Park, Bagillt, there would be a conditional withdrawal of the original objections on condition that the proposed changes would be incorporated in the final plan.

**b. Other Changes**

The Clerk referred to the supplementary agenda forwarded to Members together with an extract from the proposed changes document. In relation

to green space designations, there would be three additions to the list for the Bagillt area concerning land between Wern Ucha and Bryn Dyrys, Llys Maesteg and at Victoria Road.

In relation to areas of search for new waste management facilities, reference was made to the inclusion of Springhill Quarry, Bagillt, in the list, together with many other sites throughout the County. These sites had been included to ensure that the plan complied with National Planning Policy in respect of the identification of areas of search for waste management facilities. The justification given was the policy sought to guide development to locations which had the potential to accommodate waste management facilities. The locations specified were not formal allocations but were intended as preferred areas of search in planning terms and it would be incumbent upon any applicant seeking development of a waste use on any location specified, to undertake assessments to justify the suitability.

The document then went on to explain in detail the term 'waste management facilities', that applications would be assessed on a case by case basis and that it would be an important consideration to ensure that proposals were sensitive to the needs of the locality. It had been recognised that several of the sites of search had the potential to harm Natura 2000 sites, and detailed development proposals would be rigorously assessed as to impacts on international nature conservation designations and were likely to require appropriate assessment.

Reference was made to the public Inquiry Inspector's report issued in 1999 when the application to extend Springhill Quarry had been approved, subject to numerous conditions, which included restoration to generally be on original profiles and which had not been undertaken within the timescale imposed. Members were unanimous in their objection to the inclusion of Springhill Quarry as a possible waste management facility.

**RESOLVED :**

1. That the inclusion of the additional green space areas identified by the Clerk be supported.
2. That the inclusion of Springhill Quarry, Bagillt as a preferred area of search for waste management facilities be objected to and the attention of the Planning Authority be drawn to the Planning Inquiry Inspector's report issued in 1999 in connection with the application to extend the Quarry.

**Note :** Councillor R.K. Jones declared a personal interest in the issue relating to waste management facilities and did not speak or vote thereon.

**95. REPRESENTATIVE'S REPORTS**

**a. One Voice Wales – Wrexham/Flintshire Area Committee**

The Clerk reported that on behalf of the Chairman he had attended the latest meeting held on 30<sup>th</sup> October 2006, which had been addressed by the Clwyd South AM. Particular reference had been made to the Government of Wales Bill, which would give the Assembly additional powers to effect legislation and would hopefully bring progress on the outcomes previously indicated in the Aberystwyth study.

The meeting had also received a report from the Chairman, who was one of the two Community Council representatives for Wales on the Partnership Council, as well as those who had attended the One Voice Wales annual conference held last month. Information was given on the present membership of the organisation and to the steps being taken to encourage membership by larger Town and Community Councils.

**RESOLVED :**

That the report be noted.

**b. Bagillt Heritage Society**

Councillor C.P. Owens indicated that the Society were looking for a representative to replace former Councillor Mrs. J. Davies.

**RESOLVED :**

That Councillor R.K. Jones represent the Council on the Heritage Society.

**96. DONATIONS**

The meeting considered four applications received for financial assistance, details of which had been previously circulated to Members.

**RESOLVED :**

1. That a donation of 300 (cheque No. 101065) be agreed under Section 137 of the Local Government Act 1972 to Ysgol Glan Aber, Bagillt.

**Note :** Councillor R.K. Jones declared a personal interest in item 1. and did not speak or vote thereon.

2. That no donations be made in respect of the applications received from Bobath Children's Therapy Centre and the North Wales Deaf Association.
3. That a sum of 750 be included in estimates for the next financial year to enable further financial assistance to be given to the Flintshire Eisteddfod 2007, should the need arise.

**97. ACCOUNTS FOR PAYMENT**

**RESOLVED :**

That the following accounts be paid :-

<b>Name</b>		<b>Cheque No.</b>	<b>Expenditure Powers</b>
Mr. G. Roberts	602.19	101060	Loc.Govt. Act 1972 (S.112)
HM Revenue & Customs	183.32	101061	Loc.Govt. Act 1972 (S.112)
Flintshire County Council	1,960.00	101062	Loc.Govt. (MP) Act 1976 (S.19)
UHY Hacker Young	293.75	101063	Loc.Govt. Finance Act 1982
Clr. R.K. Jones	16.50	101064	Loc.Govt. Act 1972 (S.112)
LITE Limited	361.90	101066	Loc.Govt. Act 1972 (S.144)
Flintshire County Council	78.00	101067	Loc.Govt. Act 1972 (S.112)
Flintshire County Council	78.00	101068	Loc.Govt. Act 1972 (S.112)
LITE Limited	293.75	101069	Loc.Govt. Act 1972 (S.144)
LITE Limited	3,394.27	101070	Loc.Govt. Act 1972 (S.144)
Mr. G. Roberts	640.60	101071	Loc.Govt. Act 1972 (S.112)
HM Revenues & Customs	183.30	101072	Loc.Govt. Act 1972 (S.112)
LITE Limited	630.08	101073	Loc.Govt. Act 1972 (S.144)

**98. FLINTSHIRE SUMMER PLAYSCHMES 2006**

The meeting considered a letter received from Flintshire County Council with particular reference to the two Bagillt schemes. It was noted that 205 children had attended the Victoria Road site in the 5 week period and 494 the Merllyn School site. Feedback from parents and children carried out in the evaluation of

the scheme was very positive and from the selection of comments made the view being expressed was that the standard of provision and variety of activities had once again improved.

**RESOLVED :**

That the report on attendances for the 2006 playschemes be noted and that appropriate provision be made in estimates for the next financial year for the schemes to continue.

**99. NOTICE BOARDS**

The Clerk reported that formal consent had now been received from the Community & Housing Services Directorate at Flintshire County Council concerning locating the Notice Board at the car park High Street, which would be in a designated area fronting onto the High Street using part of the current flower bed. In addition, application forms had now been received for consent under the Advertisement Regulations for both sites.

**RESOLVED :**

1. That the consent for the use of the car park area High Street to locate a Notice Board, be noted.
2. That the Clerk be authorised to make planning applications under the Advertisement Regulations in respect of the two Notice Boards and that the appropriate fee of 78 per application be paid accordingly.
3. That Flintshire County Council be requested to provide storage and arrange for erection of the two Glasdon Notice Boards on a re-chargeable basis subject to receipt of all the necessary permissions.

**100. ESTIMATES 2007/08**

The Responsible Financial Officer advised that it was current practice at this meeting to discuss the possible addition or deletion of items of expenditure for the next financial year, to enable the inclusion of appropriate sums in the report to be prepared in the recess, in consultation with the Chairman and Vice-Chairman, for consideration by the Council at the January 2007 meeting.

Councillor R.K. Jones referred to comments he had made earlier in the meeting regarding the automatic 30 mph warning signs and suggested that application should be made to the Highway Authority as they had a small number available, and to offer match funding. In relation to sites, it was suggested that the A5026, Holywell Road approaching Riverbank from Holywell, could be one site, together with two further being located on the High Street at appropriate sites at either

end. Monies presently set aside for traffic calming, which was under moratorium and which was unlikely to be released, at least in the near future, could be utilised if progress could be made in this financial year and that appropriate provision be made for such a scheme in the next financial year.

Councillor C.P. Owens felt that an appropriate sum should be included for IT enablement for the community.

In relation to the discussion at the last meeting, the Clerk circulated examples of a community newsletter that had been introduced in their area by Llangollen Rural Community Council and gave an estimate provided by a local printer for producing copies and the additional charges that would arise if photographs were to be included. There would need to be a discussion at another meeting in the New Year as to style and content as well as circulation.

**RESOLVED :**

That appropriate sums be included in the estimates for 2007/08 for the provision of 30 mph automatic warning signs, IT enablement and producing a community newsletter.

**101. AUTHORITY FOR ACTION DURING THE RECESS PERIOD**

**RESOLVED :**

1. That in accordance with the provisions of Section 101 of the Local Government Act 1972, the Chairman and Vice-Chairman, acting as a Sub-Committee, be given powers to act on matters of an urgent nature during the recess period.
2. That in accordance with the provisions of Section 101 of the Local Government Act 1972, the Chairman and Vice-Chairman, together with a Local Member who lived nearest to the application site, acting as a Sub-Committee, be given powers to act on comments regarding planning applications and other matters where Local Member involvement would be helpful during the recess period.

**102. RIGHTS OF WAY IMPROVEMENT PLAN – FLINTSHIRE**

The meeting considered a letter received from Flintshire County Council, copies of which had been previously circulated. It explained that the Countryside and Rights of Way Act had placed a new duty on local Highway Authorities to prepare a Rights of Way Improvement Plan. In drawing up the Plan, Authorities were required to assess the extent to which local rights of way meet the present and likely future needs of the public, the opportunities provided for exercise and other forms of recreation, the enjoyment of the area and the accessibility to blind, partially sighted and others with mobility problems.

The letter went on to explain the assessments that would be undertaken and that consultation was an important part of the work. Also enclosed, and circulated to Members, was a brief questionnaire and an outline for various focus group meetings.

**RESOLVED :**

That Members complete the previously circulated questionnaire and forward to Flintshire County Council accordingly.

**103. AUDIT OF ACCOUNTS 2005/06**

The Responsible Financial Officer indicated that notification had been received of the completion of the external audit for 2005/06, and that it was a clean report. Notice of concluding the audit had been displayed at the Branch Library and the Post Office, and this would be confirmed to the external auditor UHY Hacker Young.

**RESOLVED :**

That the completion of the external audit for 2005/06, and the consequent action taken by the Responsible Financial Officer, be noted.

**104. IMPROVEMENTS TO DRAINAGE SYSTEM – HIGH STREET**

The Clerk advised that, following the last meeting of the Council, a Member had requested him to make representations to the County Council concerning the completion date for the improvements to the drainage system. A reply had been received which advised that the main culvert replacement works had been completed with only the white lining to the highway at the junction of High Street and Gadlys Lane and reinstatement of the car park where the compound was currently situated still to be completed. The works currently occurring at the top of Gadlys Lane were explained and that it was anticipated they would be completed next week, with the removal of the compound taking place the week after. The work taking place of the inner structure at the top of Nant y Glyn was also explained with the installation of a grating to be the final part and would be completed within 3-4 weeks.

It was explained that the culvert replacement works were not straightforward due to the extent of the public utilities apparatus buried in the highway which necessitated alterations to design which together with unforeseen factors having resulted in the works taking longer than originally intended.

**RESOLVED :**

That the report be noted.

**105. MEMBERS' ITEMS**

**a. Footpath - Highfield to Gadlys Lane – Shrubs – Apple Tree by Library**

Councillor M.A. Reece advised that the Clerk had informed him that the promised work by the County Council to cut back the shrubs would be commenced next week. He had a concern about the apple tree near to the public Library, as the fruit was being used to throw at the building and requested that representation be made for it to be removed.

**RESOLVED :**

That representation be made to Flintshire County Council about the apple tree accordingly.

**b. Gadlys Lane – Playing Area Support**

Councillor A. Griffiths indicated that the stones were being removed from the support structure to the play area and he was concerned as to its future stability.

**RESOLVED :**

That representation be made to the appropriate Department of Flintshire County Council accordingly.

**c. Car Park, High Street – Planted Area Fronting the Stag Inn**

Councillor M.A. Reece indicated that it would be helpful if the contractors currently finishing off the drainage improvement works could be encouraged to leave behind some of the piping, which could be used as a form of retention for the soil in the planted area fronting on to the Stag Inn due to its width at this point. In view of the short time available prior to the contractors leaving the site, Councillor R.K. Jones undertook to see if anything was possible by contacting the appropriate Officer within the Community & Housing Services Directorate to see if such a scheme was feasible.

**IN ACCORDANCE WITH BAGILLT COMMUNITY COUNCIL'S  
CODE OF CONDUCT**

<b>Date of Council Meeting</b>	<b>Friday 10<sup>th</sup> November 2006</b>
--------------------------------	---

<b>Member</b>	<b>Item</b>	<b>Minute No. Refers</b>
Councillor R.K. Jones	Flintshire UDP – Possible Waste Management Sites	94b
Councillor R.K. Jones	Financial Assistance to Ysgol Glan Aber	96

.....  
**Chairman.**