

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in YSGOL GLAN ABER, Bagillt on Friday 8TH June 2007.

PRESENT : Councillor M.A. Reece (Chairman)

COUNCILLORS : R. Davies, B.T. Doleman, A. Griffiths, Mrs. D. Jones, Mrs. S.L. Jones, J. Ovens, C.P. Owens, C. Williams, C.R. Williams, Mrs. D.J. Williams and J. Williams.

APOLOGIES : Councillor R.K. Jones and S.M. Manfredi.

IN ATTENDANCE : Mr. G. Roberts (Clerk) and P.C. Schofield

18. ADDITIONAL ITEM – STATEMENT BY A MEMBER OF THE PUBLIC

The Chairman indicated that, following an approach by Councillor J. Ovens via the Clerk, he had agreed to an additional agenda item which would be taken immediately after apologies for absence. It concerned an approach from Mrs. J. Davies, who wished to inform the Council about proposals and progress for a retail facility in the Village. The item would be dealt with as if the public enquiry sessions report referred to later in the agenda had been agreed and implemented for this meeting. She would therefore be able to speak for up to five minutes but there would be no other comments or questions permitted. If Members wished to make reference to any of the information given then they must do so when an appropriate item was being considered later on the agenda.

Mrs. Davies thanked the Council for being given the opportunity to speak and inform Members about the proposals to convert the former Kings Head Antique shop into a retail facility under the Cost Cutter Group. The Group had over 1,500 shops nationwide and as a result had significant buying power. Under their rules 66% of goods to be sold had to be purchased through the chain but the remainder could be sourced locally and this was as far as possible the intention of her and her husband. She referred to the plans she had circulated at the meeting and made reference to the services which would be run from the premises in addition to retail, such as a pay point, lottery facility and an ATM, which although a charge would be made for use, was subject to review depending on usage. There were plans in the future for an extension to the premises if the business was sufficiently supported and she made reference to the parking facilities which were available to customers.

19. POLICING

The Chairman suggested inviting Councillor T. Renshaw, a Flintshire County Council representative on the Police Authority, to address a future meeting. The Clerk indicated that at a meeting he had attended at the end of last month on Neighbourhood Policing, Councillor Renshaw had been present and had made

an offer to attend any Town and Community Council meeting, to also include either a territorial Inspector or the Community Beat Manager, if operational issues were also required to be discussed.

At the Neighbourhood Police meeting Councillor Renshaw had made reference to the difficult position facing the Authority, which as a result had released civilian employees with their work now being covered by Police Officers. He had also made reference to the excellent overall performance by the Force in relation to the rest of England and Wales and to good reports received from independent assessors.

Superintendent Purdie, who was in charge of Neighbourhood Policing for the Eastern Division, then made a presentation initially commenting on the North Wales Police Strategy with particular reference to access, influence, intentions and consensus to include the community at large. Reference was made to the staffing for the Division and to the issues which were common amongst the various communities, a number of which were of an environmental nature, such as litter and dog fouling. The main Police type issues were those concerning anti-social behaviour and speeding. It was pointed out that the Police were only part of the partnership approach on Neighbourhood Policing, with each area influencing the approach by identifying what was of particular concern. Reference was also made to the partnership approach with other organisations in the Community Safety Initiative and the importance of all CBM's making contact with Schools in their area.

It was the intention that all CBM's should spend 80% of their available time on community based duties and that in relation to the Eastern Division budget 25.7% of expenditure was on Neighbourhood Policing. The Superintendent had then responded to questions relating to issues, such as replacement CBM's in particular areas, visibility of CBM's in their community and contacts made with community leaders, the issues of speeding and automatic speed warning signs and noted the many comments of supporting the work undertaken by CBM's.

A Member made reference to a particular issue of concern in the Village, to which he received the support of other Members, and indicated that contact would be made with the Officer after the meeting. P.C. Schofield reminded Members that the Police could only respond when they received information and to the fact that the crime stoppers number enabled information to be given without revealing identify.

In response to Councillor C.R. Williams, the Officer made reference to the actual time he was spending in the Village in view of the other duty calls. In addition, he advised that he would be leaving Bagillt to take up another CBM post at a nearby larger rural area and he was not able to advise as to a replacement. Councillor C.R. Williams referred to a recent incident on the foreshore involving 4x4 vehicles and motorbikes, which had frightened residents wishing to walk in the

area, and which had been reported to the Police.

RESOLVED :

1. That Councillor T. Renshaw be invited to attend the next meeting of the Council, to be accompanied by an appropriate Policing colleague so as to enable discussion to also include operational issues.
2. That in the invitation referred to in 1 above, reference be made to the leaving of P.C. Schofield as CBM for Bagillt and that Members would expect an update in relation to a replacement.

20. MINUTES

The following comments were made on the minutes of the Annual meeting of the Council held on 11th May 2007.

a. Minute No. 6 – Access to the Foreshore

The Clerk advised that he had received an acknowledgement from the Legal Officer of Flintshire County Council and that when the issues raised had been investigated the Council would receive a substantive reply.

b. Minute No. 7(h) – Proposal for Branch Surgery Premises Closure – Wern Surgery, Bron y Wern

The Clerk advised that following consultations with the Chairman he had approach the Flintshire Local Health Board (FHLB) in order to find out when a decision would be made and if there were appeal arrangements. In the e-mail dated 23rd May, it was advised that the minutes of the hearing had been circulated to the LHB Primary Care Committee for approval and comment, and once this process was complete it could formally notify all interested parties. Only the applicant would have the right of appeal in this type of case, initially to the Local Health Board and then also to the Welsh Assembly Government in the event of a dispute. Councillor J. Ovens indicated that he had attended the hearing to give evidence objecting to the proposed closure, and made reference to the fact that the Doctor was not present at the hearing and that there had been no prior consultation with patients.

c. Minute No. 16(a) – Tw'n Twll

The Clerk read out to the meeting a copy of a letter received from Flintshire County Council that had been sent to the Local Member of Parliament concerning the possibility of residents in the other seven properties meeting the short-fall on behalf of the one resident in Cae'r

Ffynnon. Councillor C.R. Williams enquired as to whether this issue had been taken up with the residents concerned by Flintshire County Council, and it was agreed the Clerk make representations accordingly.

d. Minute No. 16(d) – Planning Application – Former Central Garage, High Street

The Clerk advised Councillor Mrs. D. Jones that he was still awaiting a reply from the Planning Authority concerning the use of contributions from developers in lieu of providing recreational provision and would accordingly send a reminder.

RESOLVED :

That the minutes of the Annual meeting of the Council held on 11th May 2007 be confirmed as a correct record and signed by the Chairman.

21. LOCAL GOVERNMENT ACT 1972 – SECTION 85(1)

The Clerk advised that it was his practice when a Member had been absent for a number of meetings to forward a letter reminding of the need for attendance at a meeting within six months of the previous one otherwise membership would cease. A letter had accordingly been forwarded to Councillor S.M. Manfredi indicating the need to attend this meeting of the Council or to forward a letter requesting the Council to extend the six month period of absence, providing it was considered prior to the expiry of the six month period. A letter had accordingly been received from Councillor S.M. Manfredi, the content of which was read out to the meeting.

RESOLVED :

That under Section 85(1) of the Local Government Act 1972, the period of absence for Councillor S.M. Manfredi be extended for a further period of six months.

22. UNAUTHORISED USE OF LAND OFF HOLYWELL ROAD (A506) BY TRAVELLERS

The Clerk read out to the meeting copies of e-mails received from County Councillor R. Baker and Regional Assembly Member, M. Isherwood. They concerned the fact that a planning application had been received, but at the present time it was not shown as valid, which was not an uncommon feature as many applications frequently required amendment before being formally accepted. The development was described as “a change of use for a caravan site (10 pitches) with alterations to said access, additional hard standing, a septic tank, sheds and communal buildings”. The information in the e-mails then

went on to indicate how a valid application was dealt with, that any comments to be made had to be on planning grounds and to the role of the Assembly if it was requested to call in the application.

The Clerk also read out to the meeting copies of letters received from the Bagillt West Action Committee, which had been forwarded to the County Council and other persons and bodies. In the first letter they made reference to the role of the County Council in providing facilities, the number of travellers on site, the accidents which had occurred since the concealed entrance on a bad bend and to the fact that the A5026 would become even busier when the new hospital in Holywell was opened. The second letter, which had been received shortly before the meeting commenced, made reference to the fact that the site would appear to be getting bigger, with evidence by means of a photograph, of drilling taking place on the site, and to the difference in planning aspects in relation to travelling and static caravans.

Councillor J. Ovens indicated that he deplored the manner in which some of the sentiments had been expressed in the letters received from the Action Committee, a view that was shared by Councillor A. Griffiths. As a County Councillor however, he offered to make arrangements for a meeting with appropriate Officers at Flintshire County Council and local Councillors, if they wished him to do so. Councillor Mrs. S.L. Jones and J. Williams indicated that the Action Committee were expressing many of these sentiments being expressed by local residents concerning this matter and the latter Member also referred to the history of the site.

Councillor B.T. Doleman advised that if any meeting were to be arranged with Flintshire County Council then Holywell Town Council should also be involved, and that the Action Committee should also be forwarding copies of their correspondence to them also. He also made reference to the role of enforcement concerning this site but was advised by Councillor J. Ovens that nothing would be possible until the legal complexities had been fully explored. Councillor Mrs. D. Jones referred to the services being made available by the County Council, which were no doubt on health and safety grounds, to ensure that matters were not made worse.

RESOLVED :

1. That the information received by e-mail and letters, as reported to the meeting, be noted.
2. That it be suggested to the Bagillt West Action Committee they also include Holywell Town Council in any future circulation of correspondence with the County Council.

23. PLANNING

a. Applications Determined under Planning On-Line Consultation Period

No.	Location	Detail
043270	25 Romans Way	First floor extension to rear
It was supported.		
043300	Walwen Bungalow, Bagillt Road	Erect detached double garage with granny flat above.
Objected to due to effect on adjoining property.		
043242	Land front of car park, High Street	Erect a notice board.
It was supported.		
043239	Filling station, Coast Road	First floor to form store/office/wc

It was supported.

b. Applications

No.	Location	Detail
043297	Adjoining Foresters Hall, High Street	Outline – erection of a retail food store with office and store.

Councillor J. Ovens indicated that he objected to the proposal due to the fact that it would remove part of the last green area in the centre of the Village, the effect on mature trees, the fact that the flood defence sewer went under the car park and the problems that would be caused by delivery lorries. Councillors C.P. Owens, B.T. Doleman and C.R. Williams indicated that they supported the proposal, as did the Chairman notwithstanding the information received earlier in the meeting concerning progress with another retail facility in the High Street. The Clerk read out to the meeting a letter from Councillor R.K. Jones in support of this proposal, as he was not able to be present.

043427	38 Deans Close	Change of use for operation of one private hire vehicle.
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RESOLVED :

That the applications 043297 and 043427 be supported.

c. Flintshire Unitary Development Plan – Responses to Proposed Change of Representations and Pre-Inquiry Further Proposed Changes

The Clerk circulated to the meeting a letter received from the County Council together with a summary of representations concerning the Springhill Quarry. The Council had previously objected to the proposed site in the Plan for a new waste management facility, but this view had not been accepted by Flintshire County Council, who were recommending no change.

RESOLVED :

That the Council's previous objection to the inclusion of Springhill Quarry in the areas of search for a new waste management facility be reiterated and the County Council be advised accordingly.

24. PUBLIC ENQUIRY SESSIONS

The meeting considered a report of the Clerk that had been discussed previously with the Chairman and Vice-Chairman, copies of which had been previously circulated to Members. The report reminded Members of the present system of a public enquiry session once a year, either at the Annual meeting or the meeting beforehand, the background to considering an alternative system following the information received from other Local Councils, and the alternatives that were available.

With regard to a possible alternative system, reference was made to the issue of when the item should be placed on the agenda, whether it was part of the actual meeting or merely an information gathering exercise and the time permitted for such an item. There would need to be strict control by the Chairman to ensure the opportunity to speak at each meeting if this was to be agreed would not be abused, whilst still permitting some flexibility should the need arise.

Councillor C. Williams, who had originally requested that the Council consider this issue, indicated that he felt to include an item on every agenda, apart from the Annual and Special meetings would give members of the public an opportunity to raise an issue whilst it was current and made reference to the opportunity permitted at this meeting by the Chairman. Other Members indicated that they would support the introduction of such a system.

RESOLVED:

That the new procedure of a public enquiry session item appearing on the agenda of every Ordinary meeting of the Council, subject to the conditions indicated in the report, be agreed, and that it be introduced for the September meeting, following which there would be a review after six months.

25. ANNUAL RISK ASSESSMENT 2007/08

The meeting considered a report of the Responsible Financial Officer on Annual Risk Assessment, copies of which had been previously circulated to Members. The report reminded Members of the risk assessments undertaken in previous years. It was a statement adopted by the Council, showing its identified risks, assessed them and put controls in place to manage. The Council had to carry out a risk assessment to provide assurance for local tax payers and to prevent the cost of litigation. The Appendix attached to the report was once again in the form recommended by the Internal Auditor. In addition to budgetary control, the Council considered and agreed a report on Estimates of Income and Expenditure at its January meeting in order to set the precept for the coming financial year. It also received a quarterly update, which included a bank reconciliation. At the same time as estimates were considered at the January meeting, the Council also considered a separate report in relation to Local Government Investment.

RESOLVED :

1. That consideration of the report of the Responsible Financial Officer be accepted as the formal risk assessment by the Council for 2007/08.
2. That in relation to the key risks, the response again be identified as relating to the Council's assets, Bank accounts, internal financial controls and insurance cover, for statutory and other purposes.
3. That the Appendix attached to the report be accepted as having taken all the appropriate steps to minimise risks in conjunction with documented internal financial controls, Standing Orders and Financial Regulations.

26. COMPLAINTS PROCEDURE

The meeting considered a report of the Clerk on Complaints Procedure, copies of which had been previously circulated. This followed on from a report to the Council in March 2007 concerning information received from One Voice Wales, on establishing a Complaints Procedure following discussions with the Public Services Ombudsman for Wales. The collation, analysis and resolution of complaints should be an essential element of the efficient administration of all Councils.

The report identified the definition used by the Ombudsman for a complaint, and what issues were not to be regarded as a complaint following the advice issued by OCW. It was recommended each Council should develop a Complaints Handling Procedure which suited their particular circumstances. Attached to the report was a suggest Complaints Procedure.

RESOLVED :

That the Complaints Procedure, as outlined in the report of the Clerk, be adopted by the Council with immediate effect.

27. CHRISTMAS LIGHTING 2007

a. Rope Lights on Lamp Columns

The Clerk reminded Members of their request as to the possibility of an alternative system of connecting the rope lights to lamp columns, following on from the vandalism problems in 2006. Details had now been received from LITE Limited, which had been circulated previously, and it was noted that the new arrangement being suggested, even it was agreed by Flintshire County Council, would cost 435 plus VAT per lamp column, of which there were five. The Clerk advised Members of the costs that had been incurred in 2006 for meeting the requirements of Flintshire County Council for each lamp column, at a cost of 325 plus VAT per column. There was also the cost of erection and dismantling, which would be applicable for each year of use. Having observed the lights in operation on a number of occasions, he questioned whether further expense of the order being suggested by LITE could be justified, a view that was shared by Members.

RESOLVED :

That, having regard to the problems which occurred in 2006 and the accompanying safety issues, together with the cost of an alternative scheme even if approval were to be given, then the rope lights not be erected on lamp columns in the future.

b. Damage to Overhead Display

The Clerk reminded Members of the damage caused to the overhead display at the junction of Gadlys Lane and the High Street, and it was noted that in a letter received from LITE the cost of repair would be 426 plus VAT. This had been referred to the contractor responsible for the damage and a copy sent to Flintshire County Council as they had employed Mulcair as the contractor for undertaking drainage works in the

Village. The County Council were also pursuing the issue on behalf of the Council with the contractor.

Members were reminded by the Clerk that the premises currently used to display both the overhead lighting scheme and a lantern was once again unoccupied and that at a future meeting a decision would have to be made concerning these displays.

RESOLVED :

That the report be noted and that the matter be further considered at the September meeting of the Council.

28. ACCOUNTS FOR PAYMENT

RESOLVED :

That the following accounts be paid :-

Name		Cheque No.	Expenditure Powers
Flintshire County Council	183.81	101106	Loc.Govt. Act 1972 (S.144)
Mr. G. Roberts	730.21	101107	Loc.Govt. Act 1972 (S.112)
HM Revenue & Customs	209.52	101108	Loc.Govt. Act 1972 (S.112)
Clwyd Community Chest	35.00	101109	Loc.Govt. Act 1972 (S.111)
Shaw & Sons Ltd.	57.46	101110	Loc.Govt. Act 1972 (S.111)
Fron Heulog Nurseries	176.00	101111	Loc.Govt. Act 1972 (S.144)
Clr. B.T. Doleman	96.92	101112	Loc.Govt. Act 1972 (S.144)

29. DONATIONS

The Clerk reported that there were no donations to be considered at this meeting.

30. HANGING BASKETS 2007

Following on from the discussion at the last meeting, the Clerk advised that he had approached Flint Town Council concerning the possibility of them assisting with the watering arrangements for the hanging baskets but unfortunately they were unable to do so. Councillor A. Griffiths advised that he had approached his

brother, and he had agreed for the Council to be able to use his water source, and also to locate any hose requirements thereat. Members were reminded it had the advantage of being on the same side of the road as the hanging baskets, albeit on the other side of Foresters Hall. It was noted that arrangements were now being made to assess the hose requirements and that they would be purchased accordingly.

The Clerk also advised the meeting that the eight hanging baskets had been collected from Fron Heulog Nurseries, Sychdyn, and delivered to the home of Councillor B.T. Doleman. The Member would be arranging for their erection this weekend together with the Chairman. The Clerk indicated that Councillor B.T. Doleman was looking for assistance from other Members concerning the watering arrangements for 2007 and to date Councillor A. Griffiths had indicated his willingness. The Chairman, Councillors R. Davies and C.R. Williams indicated that they would also assist with the watering for 2007.

RESOLVED :

1. That the watering arrangements for 2007 be noted and that the Clerk be authorised to reimburse Councillor B.T. Doleman for costs incurred in purchasing any hoses that may be required for the new arrangement.
2. That the delivery of the hanging baskets and the arrangements for their erection be noted.

31. LAND AT FORMER CLINIC, BAGILLT – STREET NAME

The Clerk advised the meeting that Flintshire County Council had indicated the Developer had proposed three alternative street names of Llys Celyn, Cwrt Celyn and Allt Celyn. The Council would be given the opportunity of commenting on these suggested names by the 12th June 2007.

RESOLVED :

That Flintshire County Council be advised the Council would prefer the use of Allt Celyn for this development.

32. MEMBERS' ITEMS

a. New Brighton Cemetery – Missing Gravestone

Councillors A. Griffiths and C.R. Williams made reference to contact made to them by the Press concerning an alleged missing gravestone from the New Brighton Cemetery, of which they had no knowledge and neither did P.C. Schofield of any such incident. Councillor J. Williams advised the meeting of where contact could be made for further details.

b. Dog Fouling

Councillor Mrs D.J. Williams made reference to the increased nuisance of dog fouling on pavements and to the prior promise of Flintshire County Council concerning additional Dog Warden service to assist in this matter.

RESOLVED :

That the Clerk made representations to Flintshire County Council accordingly.

c. Development at Rear of War Memorial – Storage of Refuse

Reference was made by Councillor C.P. Owens to the area provided by the Developer for residents to store refuse prior to collection and to the fact that this was an untidy arrangement as it was not properly covered. Councillor B.T. Doleman indicated that if the expected approval came through next month concerning the improvement scheme at the War Memorial, then the Heritage Society would certainly be approaching the Developer to make a better arrangement.

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

Date of Council Meeting	Friday 8th June 2007	
Member	Item	Minute No. Refers
	There were no Declarations of interest	

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Chairman