

## **BAGILLT COMMUNITY COUNCIL**

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in YSGOL GLAN ABER, Bagillt, on Friday 13<sup>th</sup> November 2009.

**PRESENT : Councillor A. Griffiths (Chairman)**

**COUNCILLORS :** B.T. Doleman, Mrs. S.L. Jones, M.A. Reece, C.R. Williams, Mrs. D.J. Williams, J. Williams and T.M. Withington.

**APOLOGIES :** Councillors Mrs. N.M. Jones, R.K. Jones, S.M. Manfredi, C.P. Owens and C. Williams.

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

### **81. COMMUNITIES FIRST HOLYWELL NEIGHBOURHOODS**

It was noted that Mr. David McKnight of Communities First Holywell was no longer able to attend this meeting as he was required to be at the Communities First event that had been organised for the same date. In addition to expressing his sincere apologies he had suggested that, as he had addressed the Council on previous occasions, and provided information on funding opportunities and partnership working, a separate meeting be arranged with West Ward Members.

#### **RESOLVED :**

That the offer of Mr. McKnight to hold a separate meeting with West Ward Members be noted and they be left to decide whether they wished to take up the offer.

### **82. MINUTES**

The following comments were made on the minutes of the Ordinary meeting of the Council held on 9<sup>th</sup> October 2009.

#### **a. Minute No. 68 (c) – Children’s Play Area – Victoria Road**

Flintshire County Council had advised that, following information from Councillor M.A. Reece on further discussions with Community Groups and Communities First Co-ordination Officer, it had not been possible to identify any local group that could make an application on behalf of the scheme without jeopardising their own funding opportunities. In the light of this, the upgrading scheme would be progressed as soon as possible.

**b. Minute No. 68(e) – Tyddyn Mesham**

The Clerk advised Councillor Mrs. D.J. Williams that there had as yet been no recent applications received for development.

**c. Minute No. 69(a) – Friends of Bettisfield**

The Clerk advised Councillor J. Williams that he had received a response from the Head Ranger, Mr. M. Taylor, who had given him a contact in the Highways Department at the County Council. E-mails had accordingly been forwarded and a response was now awaited on the aspect of pedestrian access to the coastal path on the Bagillt foreshore.

**d. Minute No. 80 – Remembrance Sunday**

Reference was made by Councillor B.T. Doleman and the Chairman to the excellent attendance last Sunday for the service at the War Memorial. The Chairman also expressed his thanks to the Police presence, which had closed the High Street for the whole of the service and had been welcomed by all who had attended.

**RESOLVED :**

That the minutes of the Ordinary meeting of the Council held on 9<sup>th</sup> October 2009 be confirmed as a correct record and signed by the Chairman.

**83. REPORTS BY REPRESENTATIVES**

**a. One Voce Wales Annual Conference**

The Chairman reported on his attendance at the One Voice Wales Annual Conference and AGM, which had been held at Pontrhydfendigiad, Ceredigion on 10<sup>th</sup> October 2009. Whilst the conference venue was in a very rural area, it was itself an excellent facility and the Chairman expressed the view that the conference was extremely well organised and professional in its approach. In the morning session the principal speaker was Dr. Brian Gibbons from the Welsh Assembly Government and he had referred to issues such as, proposed changes in the way in which Members of Town and Community Councils were co-opted, the prospect of the age for becoming a Councillor being reduced and financial

assistance for training opportunities for Town and Community Councillors. He had also made reference to the issue of street lights being turned off in some areas in order to save money, the need to set up more Community Councils in Wales, as there were still areas which had none, and he also referred to some Local Councils taking over responsibility for issues such as public toilets and footpaths. Reference had also been made to the possibility of financial assistance for Town and Community Councils towards the cost of holding elections and by-elections.

In the afternoon session there had been a report by the Wales Audit Office, as well as updates from One Voice Wales in relation to their website and training for Town and Community Councillors.

**b. Flintshire County Forum**

The meeting held on the 21<sup>st</sup> October 2009 in Connah's Quay had been attended by the Chairman and the Clerk. Reference was made by the Clerk to the update which had been given by the Chief Executive to the County Council in relation to progress with the revision of County Electoral Boundaries being undertaken by the Local Government Boundary Commission (LGBC). Members had previously been informed that Flintshire were one of the four Unitary Authorities in the first group to start the process, with the intention that all would be undertaken in time for the next County elections. Three of the four draft reports had been received but Flintshire was still awaited due to the number of representations which had been received by the LGBC. In the draft reports for the other three Authorities, all had shown a reduction in membership of between 10-15% and it was therefore likely that similar would happen when the Flintshire draft proposals were received from the Commission. In relation to the Model Charter, the Working Group had now met on three occasions and was now in a position to forward the draft to senior County Officers for consultation, following which it would be circulated to Town and Community Councils for comments.

The meeting had also received updates in relation to the UDP, dog control, planning third party representations, regeneration plan and alcohol control. There had also been a presentation in relation to affordable housing. Included in the issues raised by Town and Community Councils were planning enforcement and single status at the County Council.

**84. PLANNING**

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

No.	Location	Detail
046736	Belvedere, Sandy Lane	Replace single dwelling with 2x4 bed dwellings.

It was noted that it had neither been objected to nor supported, but concern had been expressed on grounds of access.

**b. Applications**

No.	Location	Detail
046806	1 Sunnyside	Erection of two storey dwelling/access change
046792	Bryn Afon, Merllyn Lane	Felling of Trees

In relation to application 046806, the Clerk reminded the meeting of the grounds of objection which had been made to a previous application in April 2008. On application 046792, reference was made by Councillor B.T. Doleman to the use of the Ash trees for wildlife purposes and that the Oak tree was the subject of a Tree Preservation Order, whilst noting the photographs which had been circulated with the application.

**RESOLVED :**

1. That an objection be made to application 046806 on the grounds of access and vehicle movement, over-development of the site and the effect it would have on adjoining properties.
2. That in relation to application 046792, it neither be supported nor objected to, and that comment be made in relation to wildlife use of the trees and the hope that lopping could achieve the aims intended without the need to fell, based on expert advice.

**Note:** Councillor A. Griffiths declared a personal interest in application No. 046792 and left the meeting during discussion of this item. (As the Chairman had vacated the Chair for this item, Councillor Mrs. D.J. Williams, chaired it accordingly).

**c. Roadrunner Waste**

The meeting noted the reply received from Flintshire County Council, following the representations agreed at the last meeting, copies of which had been previously circulated to Members. In

addition, the Clerk read out to the meeting copy of an e-mail received by Councillor M.A. Reece which had been forwarded to him by Flintshire County Council. It was from the agent acting on behalf of Roadrunner and it indicated the site owner had been able to complete the purchase of a former tarmac batching plant adjoining the existing waste transfer station. They would now be looking to submitting a full planning application for the change of use for this additional land to allow for the storage and processing of inert material. This will also allow Roadrunner to use this area as a temporary holding area to allow the existing site to be cleared for its re-development.

Flintshire were being asked to permit a period of grace in enforcement proceedings not exceeding six weeks to allow for the temporary storage of skips, equipment, inert waste and inert product. It was the intention of Roadrunner during November to submit a retrospective temporary planning application for the storage of skips, product and materials on a satellite site, a full application for the processing and storage of inert waste and products for the former tarmac batching plant and a Paragraph 13 exemption to the Environment Agency for the storage and processing of inert waste. The proposed development timelines were to start construction of the new building before the end of the year, install interceptor for the surface water management system by February 2010, resurface the main yard area by Easter 2010 and re-cladding the existing building by June 2010.

Having regard to the timeframe now reported, it could therefore be expected that further planning applications would be received during the recess, which under the agreed procedure would be forwarded to the seven West Ward Members for determination. As Members now had advanced notice they were requested to indicate their views and reference was made to the previous objections made concerning this site and the lack of enforcement action by the County Council.

**RESOLVED :**

That the further information now reported concerning the Roadrunner site be noted.

**d. Planning Procedures**

The Clerk reported on a letter received from the County Council which indicated that as from 26<sup>th</sup> October 2009 they had re-introduced the duty rota at Planning Reception, whereby a Planning Officer would be available between the hours of 9 am to 5 pm to answer planning related enquiries. This service, which had previously been available until 1 pm only, had been extended to

enable customers to have more opportunity and flexibility to discuss simple queries relating to planning applications.

Another service improvement which was discussed at the recently held Customer Focus Group was the introduction of third party representation at Planning and Development Control Committee, which would now start on the 2<sup>nd</sup> December 2009. If a decision on the planning application fell outside the scheme of delegation, it would be reported to the first available Committee meeting, at which a representative of the relevant Town/ Community Council would be allowed to speak in support of their Council's views if so wished. If a Council wished to be represented they would need to register their request with the County Council at least 24 hours prior to the Committee time.

**RESOLVED :**

That the changes now reported in planning procedures be noted.

**85. ACCOUNTS FOR PAYMENT**

**RESOLVED :**

That the following accounts be paid :-

<b>Name</b>	<b>£</b>	<b>Cheque No.</b>	<b>Expenditure Powers</b>
Flintshire County Council	2,145.00	101294	Loc.Govt (MP) Act 1976
Flintshire County Council	3,150.00	101295	Loc.Govt (MP) Act 1953/ Parish Councils Act 1957
Mr. G. Roberts	774.32	101296	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	205.14	101297	Loc.Govt.Act 1972 (S.112)
Clr. A. Griffiths	138.05	101298	Loc.Govt.Act 1972 (S.112)
LITE Limited	995.90	101299	Loc.Govt.Act 1972 (S.144)
Delyn Press	90.00	101300	Loc.Govt.Act 1972 (S.111)
LITE Limited	195.50	101301	Loc.Govt.Act 1972 (S.144)
Clr. R.K. Jones	16.50	101302	Loc.Govt.Act 1972 (S.112)
Mr. G. Roberts	751.49	101303	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	205.14	101304	Loc.Govt.Act 1972 (S.112)

**86. APPLICATION FOR FINANCIAL ASSISTANCE – BAGILLT BOWLING CLUB**

The meeting considered the application from Bagillt Bowling Club, which had been deferred at the last meeting pending further information. This related

to the ownership of the Bowling Club, which was leased from Flintshire County Council, and it had been confirmed that it did not undertake any maintenance on behalf of the Bowling Club. Councillor M.A. Reece indicated that he had held further discussions with Mr. M. Hornby at Flintshire and it had been confirmed that they were not able to undertake any Bowling Green maintenance under the lease but were however prepared to look at what other assistance they could offer following a meeting on site with the Club.

The Clerk reminded Members of the financial assistance they had given to the Bowling Club in previous years.

**RESOLVED :**

That in accordance with Section 137 of the Local Government Act 1972, a donation of £200 be made to Bagillt Bowling Club (cheque No. 101287).

**87. BAGILLT COMMUNITY NEWSLETTER**

The Clerk reported he had received information to include articles from Condis Community Angling Club, the Community Centre and Communities First Holywell Neighbourhoods. In addition, there had been a request from NHS Wales Direct to include information in any Newsletter on the Swine Flu. Articles by the notified deadline had also been promised from the Community Policeman, Bagillt Library and Ysgol Merllyn, and it was hoped that there would also be information from the Vicar of Bagillt in relation to Christmas Church Services. If the promised information was received there would be sufficient to enable a publication, as intended by the end of this month or early December.

**RESOLVED :**

1. That on the understanding that the promised articles are received in time by the Clerk then there be a further publication of the Community Newsletter by way of Delyn Press for the end of November or early December.
2. That if time permits, the Clerk circulate a copy of the draft Newsletter to all Members prior to publication, and failing this the final content be agreed by the Chairman and Vice-Chairman.

**88. WALES AUDIT OFFICE CHECK LIST**

The Clerk indicated that, further to the report made to the last meeting, a copy of the updated check lists had now been forwarded to each Member for information, following consultation with Councillors A. Griffiths and C. Williams.

**RESOLVED :**

That the action of the Clerk be noted.

**89. HOLIDAY PLAYSCHEMES**

A copy of the report from Flintshire County Council to Local Councils had been previously circulated to Members, including information relating solely to the two Bagillt playschemes. The Chairman made reference to the pleasing attendances at the two schemes in Bagillt.

**RESOLVED :**

That the report be noted.

**90. FINANCIAL REGULATIONS**

The Clerk indicated that Members had been previously advised that the external auditor recommended that financial regulations were reviewed from time to time. The current financial regulations were last reviewed and approved by the Council in September 2005.

The Council were requested to approve financial regulations, copies of which had been previously circulated to Members. They were based on the latest Model format received from One Voice Wales, hence the use of the headed notepaper to reflect the source. They had been updated by the Clerk to reflect the Council's practices and had been perused by the Chairman, Vice-Chairman and Councillor C. Williams.

**RESOLVED :**

That the financial regulations based on the Once Voice Wales Model format be approved as circulated and that this constituted the periodical review recommended by the external auditor.

**91. 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 (other than planning applications) acting as a



Sub-Committee, be given power to act where Local Member involvement would be helpful during the recess period.

**92. BRANCH POST OFFICE, HIGH STREET, TEMPORARY CLOSURE**

A copy of the reply from Post Office Limited had been previously circulated for the information of Members, following the views expressed at the last meeting. Comments were made by Councillor Mrs. D.J. Williams in relation to the reason for the closure and by Councillor M.A. Reece to a possible re-location to another nearby venue.

**RESOLVED :**

That the matter be noted.

**93. COUNCILLORS COMMISSION EXPERT PANEL FOR WALES**

A copy of the “Are We Being Served” report recommendations received from One Voice Wales (OVW) had been previously circulated to Members. OVW was represented on the Panel and had advised that a number of the meetings held were themed on issues such as The Role of Councillors, Public Perception, Understanding Councillors and the Role of the Media, Balancing Working and Family Life with being a Councillor, Supporting, Recognising and Rewarding Councillors and Recruiting and Retaining a Diverse Range of Councillors. OVW was supportive in principle of all the recommendations, but recognised that implementation would have to be proportionate to the size of the Council.

The Clerk had circulated at the meeting suggested comments on each of the recommendations, following consultation with the Chairman. On a number of the recommendations comments were related to the need to bear in mind that they should relate solely to Unitary Authorities due to the fact that the vast number of Community Councils had only one part-time employee working from home. The Clerk suggested that if Members had any views on the comments as circulated they let him know by Wednesday 18<sup>th</sup> November 2009 so that a response can be forwarded before the closure of the consultation date.

**RESOLVED :**

That the recommendation of the Clerk be approved.

**94. ESTIMATES 2010/11**

The Clerk reminded Members that at this meeting there was an opportunity to discuss possible additions or deletions of items of expenditure for the next financial year to enable the inclusion of appropriate sums in the report, to be prepared in consultation with the Chairman and Vice-Chairman, for

consideration by the Council at the January 2010 meeting. The Clerk referred to discussions held with Councillor C.P. Owens concerning the previously agreed upgrading of the Council website, as it had been suggested that for the next financial year a sum of £500 be included. In addition, with the support of the two Schools, it had been agreed to provide community awards to mark the 25<sup>th</sup> anniversary of the Authority next year. It was suggested that a sum of £250 be included for this purpose. There were no other items raised by Members for estimates purposes.

**RESOLVED :**

That the two items referred to by the Clerk be noted for inclusion in estimates for consideration at the next Council meeting.

**95. CHRISTMAS LIGHTING**

The Clerk reminded Members that they had previously agreed to utilise the three spare Christmas lanterns by including a second one at Foresters Hall and the Stag Inn, and for the first time providing one at the Community Centre. The changes to existing arrangements had all been agreed with the owners of the premises concerned. These details had been conveyed to LITE Limited together with comments expressed previously by Members about the fact that in the past lighting had been erected and then had not functioned. In order to prevent this occurring for this year LITE had suggested that the contractors should not erect any lighting unless it could be confirmed that electricity supply had been made available, and this had been agreed by the Chairman and Vice-Chairman. In addition, they had indicated that the lighting would probably be erected in the week commencing 22<sup>nd</sup> November 2009, and it had been pointed out that this would be fine as far as the Council was concerned providing the Clerk was given appropriate notice so that he could advise the owners of the four premises concerned. This was particularly important at three of the premises as changes were occurring and due to the need for the precise siting to be agreed with the owners.

The Clerk advised that he had received a telephone call late this afternoon from an employee of the contractor used to erect and install the Christmas lighting, who had indicated that they were on their way to Flint and would then be visiting Bagillt. In response, they had been advised that as no notice had been given, as previously agreed, none of the premises concerned would be aware of the arrangement and therefore no one would be available to agree additional work or to ensure that electricity was available, and neither was the Clerk in a position to make contact at this late stage. They were therefore advised not to undertake any work in Bagillt at present and an e-mail had been sent to LITE Limited reminding them of the previously agreed arrangements and the outcome of this telephone conversation.

Members concurred with the proviso that lighting should not be erected unless it had been confirmed by the contractor that an electrical supply was available for use, and also of the actions taken by the Clerk concerning erection not taking place without prior notice. In addition to the expenditure already agreed under Accounts for Payment, the Clerk advised the meeting of the costs for the erection and dismantling if work proceeds as previously agreed.

**RESOLVED :**

1. That the report and actions taken by the Clerk be noted and agreed.
2. That at the January 2010 meeting when estimates for the following financial year are being discussed the matter of provision for Christmas lighting again be considered.

**96. SWINE FLU – COMMUNITY UPDATE**

A copy of the information received via One Voice Wales from NHS Direct Wales had been circulated to Members either by e-mail or having a copy included with this agenda. In addition to including some information in the Community Newsletter, as requested by NHS Direct Wales, an information sheet had also been posted on each of the Council Notice Boards.

**RESOLVED :**

That the action taken in relation to information on the Swine Flu update be noted.

**97. MEMBERS' ITEMS**

**a. Hedge Cutting, Boot End**

Councillor M.A. Reece referred to problems with hedges in the Boot End, and to discussions that had taken place with the County Council. Whilst it had been possible to arrange for cutting of the hedge on one side of the road by the Bus Company garage with the co-operation of relevant parties, it had not proved possible to do likewise on the opposite side of the road. In addition to a section at the property called 'Lyndale' there was also some which was thought to be on Council owned land and he sought the support of the Council in necessary action being taken as it was causing problems for pedestrians.

**RESOLVED :**

That the Clerk make representations accordingly to the Highway Authority in support of Councillor M.A. Reece.

**b. Unauthorised Access – Boot End**

Councillor T.M. Withington referred to this issue, which had previously been raised by Councillor Mrs. S.O. Jones and to the fact that it appeared there would not be an application to drop kerbs due to a drain situation, but there was still the matter of unauthorised access. The Clerk referred to a response he had received from the Highway Authority when the issue had been raised by Councillor Mrs. S.L. Jones, and she agreed to pass a copy of the reply received onto Councillor T.M. Withington.

**c. Attendance at Meetings**

Councillor T.M. Withington referred to the note which had been in his agenda envelope regarding non-attendance at meetings and that, whilst he had not been at a meeting since July, he had submitted apologies. In response, the Clerk advised the Member that submitting an apology did not count in terms of covering for non-attendance, and that a Member was required to attend a meeting once within a six month period. It was his practice to give Members warning of a possible absence problem when the fourth or fifth month was coming due and that the period from July to January was more of a problem due to the fact that it contained two recess months, which counted in terms of non-attendance. In addition, the Clerk pointed out that a Member had the right to request the Council to extend their period of absence providing it was done in writing before the six month period expired.

**98. TRAVELLERS SITE – DOLLAR PARK, BAGILLT ROAD, HOLYWELL**

The Clerk read out to the meeting a copy of a letter he had received from the West Bagillt Action Committee which had been forwarded to the Chief Executive of Flintshire County Council. The Action Committee had made reference to previous correspondence and lack of sensible replies, as well as non co-operation and action with regard to Dollar Park and its residents. Particular reference was made to not meeting the requirement indicated at the public Inquiry in relation to a stream that runs next to the site and that all the water being used was being taken from another source. In addition it had been pointed out that if they were not off the site by 1<sup>st</sup> March 2010 then the whole process of getting them moved had to be re-started. Reference was also made in the letter to the lack of action by Flintshire County Council in obtaining evidence concerning water being taken from the New Brighton cemetery.

Councillor M.A. Reece referred to discussions he had held with the Local

County Councillor for the area and, along with other Members at the meeting, supported the contentions made in the letter regarding the Inquiry requirements on the stream and the need for action before 1<sup>st</sup> March 2010 as well as the taking of water from another source.

**RESOLVED :**

That the West Bagillt Action Committee be advised that the Council supports the issues raised in the letter and will be writing to Flintshire County Council accordingly.

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

<b>Date of Council Meeting</b>	<b>Friday 13<sup>th</sup> November 2009</b>	
<b>Member</b>	<b>Item</b>	<b>Minute No. Refers</b>
Councillor A. Griffiths	Planning Application No. 046792	84(b)

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**Chairman**