

## **BAGILLT COMMUNITY COUNCIL**

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in YSGOL GLAN ABER, Bagillt, on Friday 16<sup>th</sup> April 2010.

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

**COUNCILLORS :** R.K. Jones, C.P. Owens, M.A. Reece, T. Renshaw, C. Williams, Mrs. D. J. Williams and J. Williams.

**APOLOGIES :** Councillors B.T. Doleman, Mrs. N.M. Jones, S.M. Manfredi, C.R. Williams and T.M. Withington.

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

### **145. PRESENTATION TO MRS. JEAN HURST**

Prior to the commencement of the meeting the Chairman presented an engraved shield bearing the Council's logo to Mrs. Jean Hurst in recognition of her 20 years service as a School Crossing Officer at Ysgol Glan Aber, a position in which she was continuing to serve. Mrs. Hurst thanked the Council for the award.

### **146. POLICING MATTERS**

Although P.C. Byron was not present, Councillor T. Renshaw referred to the previously reported concerns regarding youths congregating on vacant land at Talbot Terrace, High Street, and to a letter he had received on behalf of a resident in Talbot Terrace concerning the problems that were being caused. The Clerk indicated that he was still awaiting a formal response from Flintshire County Council, as landowners, as to their intentions with this area of land for the future, and he would once again approach them on this issue, as well as informing P.C. Byron. The Chairman concurred with the concerns being expressed regarding the youths congregating in this area.

The Chairman indicated that he would be attending a road traffic conference organised by the Police which was going to be held in Saltney on the 11<sup>th</sup> May 2010. Councillor T. Renshaw indicated that the meeting was open for any member of the public to attend and express their views.

### **147. MINUTES**

The following comments were made on the minutes of the Ordinary meeting of the Council held on 12<sup>th</sup> March 2010.

**a. Minute No. 134(c) – Flintshire County Council Electoral Arrangements**

Reference was made by Councillor T. Renshaw to a recent meeting of the North Wales Association of Town Councils and that the expected attendance by a representative of the Boundary Commission had been withdrawn.

**b. Minute No. 134(f) – Beechcroft Car Park**

The Clerk informed Councillor M.A. Reece that he had not yet received a response from Flintshire County Council and that he would forward a reminder.

**c. Minute No. 143(a) – Dog Bin – Beechcroft Close**

The Clerk advised that Flintshire County Council were awaiting a precise siting for this dog bin. In response, Councillor M.A. Reece reported on an alternative site near to Beechcroft, following further discussions with residents.

**d. Minute No. 143(b) – Welsh Water – Advance Warning**

The Clerk advised that he had received a telephone call from Welsh Water after they had received the letter from the Council. They had apologised for the fact that notification had not gone out to residents earlier, but explained that they had had a problem with the company looking after the forwarding of the information. He had also noted that in future it would be beneficial to also consult Town and Community Councils and, where possible, make use of their local facilities to inform residents, such as web sites and notice boards.

**e. Minute No. 143(f) – Litter Bin – Manor Estate**

The Clerk advised Councillor C. Williams that, to date, he had received no response from Flintshire County Council. Councillor R.K. Jones expressed surprise that Flintshire County Council had indicated that it was not an adopted highway and felt this should be checked with the Authority as there had been significant expenditure on this highway by that Authority some 5-6 years previously. The Clerk indicated he would pursue these matters again with the County Council.

**RESOLVED :**

That the minutes of the Ordinary meeting of the Council held on 12<sup>th</sup> March 2010 be confirmed as a correct record and signed by the Chairman.

## **148. REPORTS BY REPRESENTATIVES**

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

The Chairman reported that he had attended a meeting of the Area Committee on 15<sup>th</sup> March 2010, when the principle item had been a presentation by a representative of the Flintshire Credit Union, which had started in Holywell and had premises in that town. In particular, he expressed the view that it was a very interesting topic and made reference to the borrowing possibilities at lower than normal interest rates.

### **b. Flintshire County Forum**

This meeting had been held in the Town Hall, Flint on the 17<sup>th</sup> March 2010 and had been attended by the Chairman and Clerk. There had been updates concerning progress with the Model Charter, Town Centre Action, Dog Fouling, No Ball Games and Alcohol Control Zone signs. Reference had been made to the financial position facing Flintshire County Council in the current year, and also their response to the Local Government Boundary Commission on their Draft Proposals for the electoral arrangements for the County. The meeting had also received presentations from the Police, School Modernisation Strategy by the appropriate Director and the North Wales Residual Waste Treatment Project. Items from Town and Community Councils had related to having their item earlier on the agenda, enforcement and a SSSI site.

### **c. Town and Community Council Planning Focus Group**

The Council had been represented at this meeting held on 13<sup>th</sup> April in County Hall, Mold, by the Chairman and Clerk. It had received an update on the points raised at the last meeting of the Focus Group in relation to improved Officer access and reception facilities, introduction of third party representation at Planning Committees, filling of vacant enforcement posts and the transfer of Countryside Services to the Planning Department. There had been two presentations made on community planning, on the approaches taken by Gwernymynydd Community Council and Saltney Town Council, with particular reference to community involvement, progress to date, and intended for the future, as well as the contact and co-operation received from Flintshire County Council and using information from Parish Council practices in England. There had also been an update on the UDP, which should be completed by the end of next month and the differences that will arise concerning the LDP process, particularly in relation to consultation with Town and Community Councils. The meeting had concluded with a detailed presentation on the Planning Portal in relation to how it can be used to submit planning applications as well as enabling Local Councils to submit comments and keep updated with issues. Reference had been made to

the increased usage being made of this system and the cost benefits to applicants and Planning Authorities, and that it operated throughout the whole of England and Wales.

**149. PLANNING APPLICATION**

<b>No.</b>	<b>Location</b>	<b>Detail</b>
046995	Roadrunner, Deebank and transfer of inert Industrial Estate	Storage, processing waste

Reference was made to the discussion held on this application at the February meeting when a representative of Flintshire County Council had made a presentation and to the link with the application for the satellite site (046953). Councillor R.K. Jones indicated that the application could be supported, with additional conditions which had not been referred to in the paperwork submitted with the application, such as wheel washing and dust suppression, as well as being linked to the other application, as there was now additional facilities on site to store materials, hence should only be used for locating empty skips. Reference was made by Councillor C.P. Owens to the lack of detail in the information forwarded with the application, but he concurred with the views expressed concerning the need to impose conditions. Councillor M.A. Reece indicated that, as local County Member, he had requested the application be considered by the Planning Committee.

**RESOLVED :**

That the application be supported with the addition of conditions and being linked with the previous application on the satellite site, as discussed at the February meeting.

**150. ACCOUNTS FOR PAYMENT**

**RESOLVED :**

That the following accounts be paid :-

<b>Name</b>	<b>£</b>	<b>Cheque No.</b>	<b>Expenditure Powers</b>
Mr. G. Roberts	818.04	101328	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	205.14	101329	Loc.Govt.Act 1972 (S.112)
The Ramblers	40.50	101330	Loc.Govt.Act 1972 (S.111)
AON Ltd.	789.60	101331	Loc.Govt.Act 1972 (S.111)

**151. APPROVAL OF ACCOUNTS 2009/10**

The meeting considered a report prepared by the Responsible Financial Officer, copies of which had been previously circulated. In relation to Section 137, expenditure, Members' attention was drawn to the fact that the donation given to Bagillt Ti a Fi had now been returned and paid into the Council's Bank account, due to the fact that this organisation was folding.

**RESOLVED :**

That the accounts for 2009/10 be approved as circulated and signed by the Chairman and Responsible Financial Officer.

**152. ANNUAL RISK ASSESSMENT – 2010/11**

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 identified risks, assessing them and putting controls in place to manage. The Council had a duty to provide assurance to local tax payers and to prevent the cost of litigation.

The Responsible Financial Officer advised Members there had been a slight change in the appendix attached to the report for this year, to reflect the fact that the Council no longer had the risk with Christmas lighting, following the decision taken to no longer provide the facility in the future and to dispose of the assets.

**RESOLVED :**

1. That consideration of the report of the Responsible Financial Officer be accepted as the formal Risk Assessment by the Council for 2010/11.
2. That in relation to the key risks, the response again be identified as relating to the Council's assets, Bank accounts, internal controls and insurance, 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 Controls, Standing Orders and Financial Regulations.

**153. PLAY AREAS**

**a. Removal of Equipment – Bron Haul**

The meeting considered a letter received from Flintshire County Council concerning the removal of the town art timber house from this site, as it had been deemed unsafe and not economical to repair, following a

recent inspection of the children's play area at Bron Haul. A photograph of an item of equipment had been enclosed which was similar in play value called a 'shimmy' that would cost £10,000 to supply and install. At the time of writing the letter the Play Unit did not have a capital budget for providing new play equipment but the Authority was in the process of developing a match funding facility for 2010/11.

The Clerk advised the meeting that the Council did not have provision in the budget and that during the last financial year there had been a significant reduction in balances which would need to be considered at the next estimates meeting. Councillor R.K. Jones felt that Flintshire County Council could perhaps be more pro-active in relation to repair and maintenance, which could lengthen the life of play equipment, which was very expensive to replace, and suggested they be requested to provide details. Councillor M.A. Reece made reference to possible funding from Communities First for any play area within its area of influence and indicated that it was not a possibility with the County Council.

**RESOLVED :**

1. That Flintshire County Council be advised that the Council does not have the financial resources to purchase the suggested replacement play equipment at this site.
2. That Flintshire County Council be requested to give details in relation to their repair and maintenance provision, including their budget for play areas.

**b. Match Funding Scheme – Improvements to Play Areas**

The meeting considered a letter received from Flintshire County Council, copies of which had been previously circulated to Members. It advised that a limited fund of £55,000 had been established for match funding in 2010/11, and it was also anticipated that the provision would be maintained for the two following financial years so that it would be possible to undertake some forward planning. As was the practice some years ago, they wished to work in partnership with Town and Community Councils on a match funding (pound for pound) basis in order to secure improvements to play areas. In this way local communities would be actively engaged in identifying what improvement works would take place and the benefits of limited funds would be spread further across the County. In addition, a further sum of £6,000 had been retained for the on-going maintenance requirements on any new works. A response was requested by the 7<sup>th</sup> May 2010 to enable a further report to be made to the Flintshire County Council's Executive.

The view was expressed that such a small sum spread between 34 Town and Community Councils would not achieve a great deal, even if it were matched, given the cost for equipment, as had been pointed out in the previous discussion. As far as this financial year was concerned, the Clerk pointed out that there was no provision in the budget.

**RESOLVED :**

That Flintshire County Council be advised that the Council does not have any provision in its budget for the current financial year to participate in a match funding scheme and with regard to future years, it was felt that such a small provision spread across the whole of the County could achieve very little given the cost of equipment.

**c. Children's Play Area – Victoria Road, Bagillt**

The meeting considered a letter received from Flintshire County Council, copies of which had been previously circulated to Members. It advised that the scheme at Victoria Road had been completed and that Flintshire Community Trust would be contacting the Council shortly with regard to the reimbursement of the £1,200 to A.D. Waste Limited, being our agreed 10% contribution to the scheme.

Reference was made by Councillor R.K. Jones to the changes which were taking place with regard to A.D. Waste being subsumed into the County Council, and that perhaps enquiries should be made concerning the future of the landfill tax scheme for schemes such as this.

**RESOLVED :**

That the Clerk make enquiries with Flintshire County Council on the future of the landfill tax scheme.

**d. Residential Development – Former Garage Site, High Street – Play Provision**

The meeting considered a letter received from Flintshire County Council, copies of which had been previously circulated to Members. This followed on from representations made arising from the previous meeting. It advised that Legal Services had informed the developer in November 2009 that before the play area could be adopted a commuted sum payment for ten years maintenance must be paid and that the area must be to a standard acceptable to the Authority. The play area had at that time only recently been seeded/turfed and they suggested it be offered by the developer to the Authority once the grassed area was established in the Spring. It would then be inspected and, if acceptable, transferred to the Authority and the maintenance sum would become available. They

had not received a reply to that letter nor had they heard regarding the transfer of the play area to the Authority. They were liaising with legal colleagues with a view to them establishing when the developer planned to proceed with the adoption.

The Chairman made reference to the fact that no turfing had taken place, merely that some weeds had been removed, and that the appropriate time for seeding and turfing was in the Spring. Councillor T. Renshaw referred to the Section 106 Agreement which would have been entered into by the developer and that action should be taken by the County Council to progress matters accordingly.

**RESOLVED :**

That the County Council be requested to take firm action with the developer, including use of the terms of the Section 106 Agreement to secure the completion of this play area site in view of the time which had elapsed.

**154. COMMUNITY AWARD TROPHY**

The Clerk reported that the Head Teachers at Ysgol Glan Aber and Ysgol Merllyn had agreed with the presentation of engraved shields and that the award should be for a of significant contribution to the school in the community. They had also requested that a Member of the Community Council be present to award the shields toward the end of the school year.

The Clerk reminded Members that they had agreed at the last meeting to purchase a new stock of shields bearing the Council's logo and there now only remained to agree the wording to be engraved with the Head Teachers.

**RESOLVED :**

That the report be noted and it be agreed that the Chairman or Vice-Chairman would endeavour to be present to award the shields towards the end of the school year and that in any case a Member of the Council would attend.

**155. REVIEW OF COUNCIL'S ALLOWANCES REGULATIONS**

The meeting considered information received from Welsh Assembly Government which was a policy consultation seeking views on the need to review the Regulations on allowances for Members of Town and Community Councils and the possible content of any revised Regulations. The information referred to the research study into the role, function and future potential of Community and Town Councils in Wales (the Aberystwyth Report) and possible content of revised Regulations. There was also a list of questions for response, and the meeting considered each of these in detail



Q.1 Yes for elected and co-opted members. Q.2 Yes  
 Q.3 be retained as it is. Q4 a-No and b-yes  
 Q5 a-No, b-no and c-yes – in relation to this answer reference to be made to the need for discretion to Town and Community Councils to pay an allowance for the Chairman appropriate to local circumstances.  
 Q6 Yes Q7 No Q8 Yes  
 Q9 Be available to both elected and co-opted Members.  
 Q10 The current method should be retained.  
 Q11 Yes Q12 Yes Q13 Yes  
 Q14 Yes Q15 Yes Q16 Yes  
 Q17 No comment

**RESOLVED :**

That the Clerk forward the above answers as the Council’s response to the Consultation, pointing out that, as far as this Authority was concerned, it was a view of Members that allowances, other than for the Chairman as current and for travel and subsistence for events outside the community, would not be claimed by Members of this Authority.

**156. RESIDUAL WASTE TREATMENT PROJECT**

The Clerk advised that the Council had received an invitation to attend an informal briefing session on the Outline Business Case in connection with the North Wales Residual Waste Treatment Project. It was being held at St. David’s Park Hotel, Deeside on three days next week. Councillor R.K. Jones indicated that he had already received an invitation to attend the session to be held on Saturday 24<sup>th</sup> April 2010, and it was agreed that he also represent this Authority and that the Clerk advise the Project Manager accordingly.

**157. IRISH SEA ZONE OFF-SHORE WIND PROJECT EXHIBITIONS**

The Clerk advised that he had received a letter from Centrica Energy advising of public exhibitions to take place next week in connection with the Irish Sea Zone Off-Shore Wind Project.

**RESOLVED :**

That the invitation be noted.

**158. MEMBER’S ITEM**

**Trebor Avenue Play Area – Fencing**

Reference was made by Councillor C. Williams to an issue he had raised previously concerning the need for fencing between the play area and the rear of his garden, given the close proximity of the stream and the incline, which could

be a danger to children. Flintshire County Council had erected the fencing for part of the area, they had previously promised, with the remainder to be left to the natural barrier. The Member advised that during the recent Easter holiday a number of children had been coming through the area onto his property but his principle concern was the danger from the stream. He wondered whether Flintshire County Council could be requested to complete the fencing to make it secure, or whether he could undertake the work. In addition, he pointed out that on a number of occasions he had cleaned out the stream and that it was deep enough to cause concern for childrens' safety.

It was suggested that it might be prudent to also involve the Environment Agency in relation to this stream which, as far as Councillor Williams was concerned, was not on his title deeds.

**RESOLVED :**

That further representations be made to Flintshire County Council on this issue and that the Environment Agency be advised of the concern in relation to the perceived danger from the watercourse.

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

<b>Date of Council Meeting</b>	<b>Friday 16<sup>th</sup> April 2010</b>
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<b>Member</b>	<b>Item</b>	<b>Minute No. Refers</b>
There were no declarations of personal interest.		

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**Chairman**