

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 April 2011.

PRESENT : Councillor C.P. Owens (Chairman)

COUNCILLORS : A. Griffiths, Mrs. N.M. Jones, R.K. Jones, Mrs. S.L. Jones, M.A. Reece, T. Renshaw, C.R. Williams, Mrs. D.J. Williams, and J. Williams.

APOLOGIES : Councillors B.T. Doleman, S.M. Manfredi, C. Williams and T.M. Withington.

IN ATTENDANCE : Mr. G. Roberts (Clerk) and Mr. Richard Lovelace and Mr. Mel Evans, Flintshire County Council (minute No. 148).

148. HOUSING BALLOT PROJECT

The Chairman welcomed Mr. Richard Lovelace, Project Director, and Mr. Mel Evans, Project Officer, from Flintshire County Council, who were going to address the meeting on the Housing Ballot Project. Mr. Lovelace indicated that he had attended some meetings of Town and Community Councils, and had been invited to a number of others, and welcomed the opportunity to address Members on this issue. He referred to notes circulated at the meeting and indicated that he would be referring to the key points.

Flintshire County Council was consulting and balloting tenants on the transfer proposal as it could not ensure that the Welsh Assembly Government (WAG) Welsh Housing Quality Standard (WHQS) which required all Council houses to be brought up to standard by 2012, or soon after, could be met and maintained. Accordingly, it had resolved to ballot tenants over the proposal to transfer Council homes to a new 'not for profit' Registered Social Landlord (RSL) with the process being conducted in accordance with WAG guidance. Reference was made to the WHQS as indicated in the handout, as well as the work required to meet this standard. In putting the proposal to tenants to transfer to a RSL, Flintshire was not seeking to promote a particular result and it was a choice for Council tenants when the ballot takes place later in 2011, to vote in favour of transfer, or not.

Mr. Lovelace indicated that, although the Council was taking a neutral stance, it was not on a level playing field in meeting the WHQS compared to Dee Housing, the name chosen for the RSL, if the stock transfer was to be agreed by tenants. In particular, the Council must pay £6.2 million of tenants' rents to HM Treasury every year, whilst Dee Housing would be allowed to keep all this money. It had been estimated that £166 million of capital investment would be required to meet the WHQS within five years, with the Council having around £49 million, which was a shortfall of £116 million. Dee Housing would have all the £166 million available to meet WHQS in full in the first five years after transfer, and they also

had additional resources to spend on new and/or service improvements. Business plans for both the Council and Dee Housing assumed that the £5.2 million major repair allowance would continue to be paid by WAG each year and rents for both would continue to be set in line with WAG rental policy. If tenants voted for transfer the Government would clear the Council housing debt of approximately £33 million. All eligible costs of the consultation would be met by WAG.

Details were then given, as referred to in the handout, of the consultation process which had been undertaken with tenants, and how the alternative landlord model was being developed. Reference was made to the 15 voluntary Board Members consisting of 5 from tenants, 5 elected Members and 5 independent Members. County-wide elections had been held for the shadow tenant Board Members and resulted in 9 candidates and 5 had been elected, with the Council selecting its 5 nominees from the various political groups. Adverts had been placed in local and specialist press for independents and there had been a good response. The name for the proposed RSL of Dee Housing had been selected after consultation with tenants. Reference was then made to what issues would transfer to Dee Housing in the event of the 'yes' vote in the ballot, and what would stay with the Council in the event of this happening. It was noted that with regard to the latter it would retain their strategic housing role, responsibility for homelessness, housing register and nominations, accommodation services including the warden service, private sector housing renewal and enforcement, housing benefit and welfare rights service. Reference was then made by the officers from Flintshire with regard to the comparison of tenants' rights in the event of a transfer. If they voted for transfer they would have an assured Tenancy Agreement, currently being developed, which could not be changed other than for rents and service charges without the specific, personal agreement of the tenant. The Council had agreed that key rights would be protected in this new agreement and be very similar to the rights tenants had now, with the Council having the legal right to ensure that these rights were so preserved. Transferring tenants would have a preserved right to buy on the same terms as they could now and no tenant would have to move home as a result of a transfer.

Details were then given on the consultation ballot programme, in particular how the ballot would be run, and the timetable, and it was noted that the ballot was intended to be held in the Autumn/Winter 2011.

Numerous points and questions were raised by Members during the presentation, particularly by Councillors R.K. Jones and T. Renshaw. These particularly related to what assets would be transferred and whether this would include the current green spaces maintained as part of the housing function, the high cost of maintenance of the high rise flats and maisonettes in comparison with conventional Council housing, the rights of housing staff which would be transferred, whether the tenants would have full details of all the implications prior to a ballot, the role of the elected Member in Flintshire on housing issues and in looking after tenants and the position in relation to any new build for social

housing by an RSL. In response, the officers indicated that Flintshire could decide to include all or just some of their housing stock in any transfer (therefore only those tenants would vote). The same would apply in relation to any green areas but this would have to be balanced against maintenance costs, but the Council could include a legally binding covenant in relation to what any land transferred could be utilised for and in the event of an agreed alternative development to receive financial recognition. Staff in the Housing Department were required to take a neutral stance during the process and the RSL Board would be subject to WAG guidelines and could be replaced. In relation to new build, the RSL would have to concentrate on meeting the WHQS in the initial five years. In responding to numerous issues raised by Members, Mr. Lovelace in particular gave examples of his knowledge and experience in the housing field for over 30 years, and also being involved with other housing stock transfers. Details were also given to the meeting regarding the rights of Flintshire County Council in relation to the nomination of tenants to the RSL.

The Chairman thanked Mr. Lovelace and Mr. Evans for attending the meeting, making the presentation on what was a complex issue and responding to the many issues raised.

149. POLICING MATTERS

The Clerk advised the meeting that it had been the intention of PC Jenny Salisbury to attend this meeting for a short update, but he had been informed prior to the meeting commencing that she had been called away on an incident. During the Housing Ballot presentation a colleague Police Officer had come to the venue and spoken to the Clerk briefly. He had confirmed that the Community Officer would not be able to attend due to being called away from the area. He had however indicated that the young boy injured in the traffic accident in the vicinity of The Blossoms, High Street, was still unconscious in hospital and that the anti-social behaviour initiative referred to at a previous meeting was still on-going. It was agreed that the Clerk should obtain address details of the injured boy, a pupil of Ysgol Merllyn, and send a letter of sympathy to the parents, and that PC. Salisbury be requested to arrange for an update on the anti-social behaviour initiative for report to the next Council meeting.

150. CHAIRMAN'S COMMUNICATIONS

The Chairman reported that Bagillt had been successful in the ballot organised by One Voice Wales for Town and Community Councils in the North Wales Region, for those wishing to attend a Royal Garden Party. Accordingly, he and his wife would be attending the event being organised for 12th July 2011.

151. REPORTS BY REPRESENTATIVES

a. One Voice Wales Wrexham/Flintshire Area Committee

The meeting noted the information previously circulated by the Clerk, who had attended the last meeting held on 14th March 2011 at County Hall, Mold. The principal item had been an address by the Rural Housing Enabler for Wrexham and Flintshire in relation to the issue of affordable housing. Reference had particularly been made in relation to this meeting the needs of local people and helping to maintain the viability of local services and amenities and the registers to assist people who could not buy on the open market. The meeting also had updates in relation to the latest NEC meeting and the training of Councillors.

b. Flintshire County Forum

This meeting had been held on Connah's Quay on the 16th March 2011 and had been attended by Councillor R.K. Jones and the Clerk, and a note of the proceedings had been previously circulated for the information of Members. In relation to the issue of regeneration, which had been raised by Councillor R.K. Jones at the Forum, the appropriate Officer from Flintshire County Council had subsequently agreed to attend a meeting of this Council, and as he was available for the next meeting, to be held on 13th May 2011, it was agreed he should be accordingly invited.

At the Forum there had been numerous updates from the County Council in relation to play area improvements, review of public toilets, review of car parking following on from the civil parking enforcement, to be applied for by the Council, an update in relation to the Street Scene review, the budget for the new financial year, the leisure strategy, broadband in relation to poor reception areas, winter maintenance and the Housing Ballot.

c. Society of Local Council Clerks – Joint Branch Conference

The Clerk had attended this Conference, held on 18th March 2011 at Venue Cymru, Llandudno, and details of the issues covered had been previously circulated for the information of Members. There had been an inter-active morning session on Time Management, which had focussed on the needs of part-time Clerks, followed by a presentation on the Localism Bill, with particular reference to how it could impact in Wales, and a presentation on empowering girls through play design. In the afternoon there had been an address on devolution of services, which had included the Chief Executive of One Voice Wales. Particular reference had been made to the different attitude now in many Unitary Authorities in relation to services being passed to Local Councils, and many were now only too anxious, often as short notice, because of the reduction in Government

funding. A partnership was the way forward for those Councils who were able to consider taking on services with appropriate information, costing and finance and there was a need for a Council competency questionnaire to cover community support (increase on precept and local tax bill), experience of monitoring of management services or supervising contractors and skills of staff. Following this there had been a short talk on the Big Society Initiative with particular reference from the experience of those attending on community initiatives through volunteers in the area and the conference had been concluded with an open forum dealing with issues raised by those attending and seeking advice on a variety of Local Council topics.

The Clerk indicated that it had been a worthwhile event and had been attended by more than 40 delegates, including some Councillors.

d. Planning Focus Group for Town and Community Councils

This meeting, held on 29th March 2011 at County Hall, Mold, had been attended by Councillor R.K. Jones and the Clerk, and a note of the issues covered had been previously circulated for the information of Members. There had been an update on planning services with particular reference to a review, due to the recession and spending reductions, performance indicators, changes in development management, a Welsh Assembly Government review of planning application system, a Section 106 audit and the need for clarity of advertisement control. In relation to enforcement, County Councillors were now receiving quarterly updates for the Electoral Division in relation to reporting, policy and work programme, and it was agreed that this could also be made available to Town and Community Councils.

There then followed an update in relation to the Unitary Development Plan (UDP) and the consequences of Flintshire Members resolving to make further changes. The current consultation details had been reported, with all further changes objected to by developers and it was explained that the adoption process depended on the objector's approach to pursuing a legal challenge. Legal opinion would be sought following which Flintshire could publish Notice of Adoption and await the six week legal challenge and, if there were none, adoption could take place by July.

Reference was also made to public speaking at Planning Committees and to that of third parties in particular, such as the opportunity for a representative of Town and Community Councils. In relation to enforcement, there had been an offer to attend Town and Community Council meetings on this issue and to the way in which the team now worked, which had improved performance. On the matter of minerals and shared waste services, it was noted that Flintshire were the

lead Authority for North Wales, and how it worked was explained and that Unitary Authorities were getting together to share expertise to ensure better value for scarce resources.

e. Bagillt Heritage Society

In the absence of Councillor B.T. Doleman, the Chairman showed an example of the blue plaque which would be used in connection with the Heritage Trail. Formal permission had now been received from the Housing Association and Planning Authority, and it was expected that the plaque to go on the front of Foresters Hall would be erected within the next month. In relation to the siting of the lectern at the car park, contact would now be made with the appropriate Officer at Halkyn Depot, and the Clerk advised that he would inform Councillor B.T. Doleman accordingly.

152. PLANNING

a. Applications

No.	Location	Detail
048227	Green waste composting Greenfield Business Park	Continuation of existing operation
048372	Gadlys Farm, application – demolition Gadlys Lane and byres	Listed Building of existing stables
048447	Land at the side of storey development Mayfair House, High St.	Erection of three (in retrospect)

RESOLVED :

1. That in relation to application 048227, it be supported.
2. That in relation to application 048372, the matter be left to the Planning Authority to determined.
3. That in relation to application 048447, the proposal be objected to and that the Planning Authority be advised that the Council are of the view the mistake in the original development should be rectified, if necessary by demolition of the offending property.

b. Roadrunner Waste Limited – Dee Bank Industrial Estate, Bagillt

The meeting considered a letter from Flintshire County Council, following prior representations made by this Authority, regarding the delay in rectifying the planning situation in relation to this company. The revised planning applications were expected shortly from the applicant's agent, both for the satellite site and the extension to the existing operations. The intention was that the applicant would revise the previous ones to take into account views and comments raised during the consultations where appropriate and possible and in order to regularise the development and operation on site. Until the revised planning applications were submitted it was considered that there would be nothing more to report to the Community Council. Whilst the appropriate Officer could not attend the May meeting, she was happy to attend the one to be held in June to address any concerns the Community Council may have with regard to the operations of Roadrunner Waste Limited, should she be available. It was also pointed out that the Council did actively monitor the site.

RESOLVED :

1. That the information received from the Planning Authority be noted and that the revised planning applications be awaited.
2. That the appropriate Officer at Flintshire be requested to attend the meeting of the Council to be held on 10th June 2011, subject to the position of the revised planning applications in relation to receipt and the date for the opportunity to respond.

c. Dollar Park, Holywell Road

Councillor M.A. Reece made reference to e-mails he had received from a concerned local resident regarding developments being undertaken at this site, contrary to the Inquiry decision and without prior approval of the Planning Authority. The Clerk indicated that these had in turn been e-mailed to Members of the West Ward for their information.

153. CLERK'S SALARY

The Clerk indicated that he was currently employed for 15 paid hours per week on Scale LC1 (SCP 25) and he was requesting a slight reduction in the number of hours to 14.5 per week. The reasons for requesting the reduction and the savings which would accrue to the Council in the financial year were reported.

RESOLVED :

That the request of the Clerk be approved and that with effect from 1st April 2011 the paid hours per week be reduced to 14.5, with a resultant reduction in the annual salary to £8,433, with the proviso that the notional numbers of hours for the post remain at 15 per week.

154. ACCOUNTS FOR PAYMENT

That the following accounts be paid :-

Name	£	Cheque No.	Expenditure Powers
One Voice Wales	442.00	101394	Loc.Govt.Act 1972 (S.111)
The Ramblers	45.00	101397	Loc.Govt.Act 1972 (S.111)
Mr. G. Roberts	833.80	101398	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	162.20	101399	Loc.Govt.Act 1972 (S.112)
AON Ltd.	862.04	101400	Loc.Govt.Act 1972 (S.111)

155. BAGILLT BRANCH LIBRARY

Members noted that, following contact made by Councillor R.K. Jones before the commencement of the recent Flintshire County Forum, a meeting had been agreed with appropriate Flintshire Officers on Monday 18th April 2011, to discuss issues in relation to Bagillt Branch Library. The Council will be represented at this meeting by Councillor R.K. Jones, as Vice-Chairman, and the Clerk.

Reference was made by the Chairman to the recent demonstration by both adults and children at the Library which unfortunately had not received appropriate press coverage due to them being late in attendance. Councillor M.A. Reece indicated that he had assisted in the organisation. It was noted that the date for the proposed closure of the Library, which had been set for 15th April 2011, had been delayed, and a new date was awaited. Councillor R.K. Jones indicated that the purpose of the meeting to be held later in the month would be to obtain further information in relation to costing, as well as the intentions of the County Council in relation to its future once it ceased to be used as a Library. Previously there had been comments regarding the possibility of the involvement of a third party and potential Welsh Assembly Government funding. Councillor J. Williams referred to the inappropriate replacement mobile service being offered. Councillor R.K. Jones advised that he would also be raising this issue at the meeting, including what it was intended to cost, as well as referring to the funding recently announced for the library service in Flintshire, with particular reference to Buckley, to see if that had released any monies which could be utilised elsewhere. It was stressed that the meeting was purely of an exploratory nature. The meeting would be subject to a full report when the Council next met on 13th May 2011.

RESOLVED :

That the report be noted.

156. UPDATE ON FINANCIAL ASSISTANCE TO LOCAL ORGANISATIONS

The meeting considered a report by the Clerk, copies of which had been previously circulated to Members.

a. Bagillt Bowling Club

The Clerk reminded Members that they had agreed to put £2,600 in the budget for this financial year to cover the cost of green maintenance, by using a contractor as the membership of the Club were no longer physically able to do so, and no assistance was forthcoming from the County Council. To enable the Council to set its level of assistance, the Clerk had raised the point of VAT with the Bowling Club Secretary in February, as there had been no mention of this when the figure from the contractor had been received. It was subsequently confirmed that VAT in the sum of £520 was not included and confirmation had now been received from the Bowling Club that they would meet the amount needed to cover this element by undertaking local fund raising in the Village.

b. Bagillt Playgroup and Toddlers

The Clerk advised that the Group had thanked the Council for their financial assistance and indicated that with funds at an all-time low they had taken the decision to close the Playgroup two days a week from September to December to save on costs to enable it to remain open. They would be making an application to the Council for the next round of donations in October 2011. If the budget allowed the Council to provide any extra assistance beforehand, this would be gratefully appreciated and assist in the short-term future of the Playgroup.

RESOLVED :

1. That in relation to the Bagillt Bowling Club, the position regarding the additional funding to cover the cost of the VAT being raised by the Club be noted, and that payment of the agreed assistance to the Club, by way of four equal instalments in May, July, September and November, subject to them satisfying that the contractor has undertaken the agreed works to a necessary standard, be noted and approved accordingly.
2. That in relation to Bagillt Playgroup and Toddlers, the position be noted.

157. ANNUAL RISK ASSESSMENT 2011/12

The meeting considered a report by 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.

RESOLVED :

1. That consideration of the report by the Responsible Financial Officer be accepted as the formal Risk Assessment by the Council for 2011/12.
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.

158. ACCOUNTS 2010/11

The meeting considered a report prepared by the Responsible Financial Officer, copies of which had been previously circulated to Members. It was pointed out that on the second page there was the end of the fourth quarter Bank reconciliation as of 31st March 2011, and the ledger of accounts, invoices and Bank statements, were available for Members to peruse at the meeting. In accordance with the guidelines, changed last year, formal approval of the accounts for the last financial year would await the submission of the Annual Return, once this has been received from the external auditor.

RESOLVED :

That the accounts for 2010/11 be noted as circulated and signed by the Chairman and Responsible Financial Officer, who would also sign the accounts ledger.

159. BAGILLT FORESHORE

Councillor M.A. Reece indicated that he had recently visited the Foreshore, in company with the Chairman of the County Council and appropriate Officer, following commencement of work on the path. Reference was also made to the seemingly inappropriate chain sawing of trees, which was known to the Countryside Ranger.

Councillor R.K. Jones referred to an article in the Evening Leader on 31st March 2011, referring to Head Ranger, Mike Taylor, and Mr. R. Moyden on behalf of the Friends of Bagillt Foreshore, when it had been indicated that they had received a grant from Communities First, which would now enable the Feasibility Study to proceed.

RESOLVED :

That the reports be noted.

160. NATIONAL TRAINING PROGRAMME FOR COMMUNITY AND TOWN COUNCILS IN WALES

The meeting considered information received from One Voice Wales (OVW), concerning training courses for Community and Town Councils, some of which were local to the area. In addition, as the Council had an annual budget income of less than £40,000, it was eligible to claim 50% of the cost of a training session up to a maximum of £50 for this financial year, due to a continuing bursary from WAG administered by OVW.

RESOLVED :

That the National Training Programme for Councillors be noted, and if any Member wished to take advantage, they contact the Clerk accordingly.

161. CHANGE OF OUT OF OFFICE TELEPHONE NUMBER FOR NORTH WALES GP SERVICE

It was noted that the Betsi Cadwallader University Health Board had notified the change of the telephone number for the North Wales GP Out of Office Service with effect from 1st April 2011, and that copies of this notice had also been displayed on the Council Notice Boards.

162. FIELDS IN TRUST QUEEN ELIZABETH II FIELDS CHALLENGE

The meeting considered a letter received from Flintshire County Council, copies of which had been circulated at the meeting. It indicated the authority had been invited to participate in the programme by Fields in Trust, the operating name used by the National Playingfields Association. The programme was to mark the Queen's Diamond Jubilee and the London 2012 Olympics. It was a new initiative to identify and then protect 2012 recreation grounds across the United Kingdom, and these grounds would then carry a designation as 'Queen Elizabeth II Field'. The aim was to create a sense of public engagement around both the Diamond Jubilee and the Olympics, and in order to achieve this it was hoped that each Local Authority would be prepared to support the programme by identifying one or more of the recreation grounds within the County which they would be willing to see protected.

The purpose of writing to this Council was to advise of the above and to invite the nomination of a recreation ground from within the Community to be considered for this programme.

RESOLVED :

That if any Member wished to nominate a recreation ground they contact the Clerk and, in the event of there being more than one, the decision to nominate be left to the Chairman and Vice-Chairman.

163. MEMBERS' ITEMS

a. Riverbank Playingfield

Councillor M.A. Reece referred to the planting of bulbs, carried out by a local resident, following their supply by Mike Taylor of the Countryside Services. Unfortunately, when the playingfield was having the grass cut, either by the County Council or the contractor in its employ, the operator of the machine cut down the swathes of the daffodils. Councillor Reece had complained to Flintshire County Council about this form of vandalism and requested support from this Authority accordingly.

RESOLVED :

That the Clerk make appropriate representation in support of the complaint made by Councillor M.A. Reece regarding this issue.

b. Foreshore Gates

In the absence of Councillor C.R. Williams, who had to leave the meeting early, Councillor M.A. Reece referred to the issue of padlocks on the gate to the Foreshore being removed. It was noted that this issue had been made known to Mike Taylor of the Countryside Services.

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

Date of Council Meeting	Friday 11th March 2011
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Member	Item	Minute No. Refers
There were no declarations of personal interest		

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Chairman