

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Annual meeting of the BAGILLT COMMUNITY COUNCIL held in YSGOL MERLLYN, Bagillt, on Wednesday 8th May 2013.

PRESENT : Councillor B.T. Doleman (Chairman)

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

APOLOGIES : Councillors Mrs. N.M. Jones and S.J. Moore.

IN ATTENDANCE : Mr. G. Roberts (Clerk) and PCSO Harvey (minute No. 6)

1. ELECTION OF CHAIRMAN 2013/14

RESOLVED :

That Councillor M.A. Reece be elected Chairman of the Community Council for the ensuing municipal year.

(Councillor M.A. Reece in the Chair)

Councillor M.A. Reece made the Declaration of Acceptance of Office and was invested with the Chain of Office by Councillor B.T. Doleman, and thanked Members for electing him as Chairman. The Chairman presented Councillor B.T. Doleman with a past Chairman's Badge in recognition of his year as Chairman for 2012/13, and congratulated him on his year of office.

Councillor B.T. Doleman thanked all Members and the Clerk for the assistance given to him during the past municipal year.

2. APOINTMENT OF VICE-CHAIRMAN 2013/14

RESOLVED :

That Councillor C.R. Williams be appointed Vice-Chairman of the Community Council for the ensuing municipal year.

3. CHAIRMAN'S ALLOWANCE 2013/14

RESOLVED :

That in accordance with the Local Government Act 1972 (Section 5) the Chairman's allowance be fixed at £825 for the 2013/14 municipal year and paid to the Chairman accordingly (cheque No. 101552).

4. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

The Council considered the appointment of representatives on Outside Bodies, the details of last year's appointments being included on the agenda.

RESOLVED :

That the undermentioned Members be appointed as the Council's representatives on the Outside Bodies indicated below:-

1. Local Organisations

- a. Bagillt Community Association**
Councillors R.K. Jones and C.P. Owens
- b. Bagillt Heritage Society**
Councillor R.K. Jones

2. Other Organisations

- a. One Voice Wales/Wrexham-Flintshire Area Committee**
Chairman with Vice-Chairman as substitute
- b. Flintshire County Forum**
Chairman with Vice-Chairman as substitute
- c. Collaboration with Flintshire Access Forum**
Councillor B.T. Doleman

5. ATTENDANCE RECORD

In accordance with the decision made at the April meeting, a list had been previously circulated showing the attendance record for each Member of the Council for the 2012/13 Municipal year. As the April Council meeting had also changed the scheduled day for future Council meetings it also included the dates for the remainder of 2013.

RESOLVED :

That the report be noted.

6. POLICING MATTERS

PCSO Harvey was in attendance and indicated that his colleague, PC Gray, had submitted his apologies due to his current shift working pattern. Reference was

made by Councillor A. Griffiths to concerns regarding particular vehicles using Merllyn Lane, and the Officer indicated he was aware of the problem and would endeavour to make contact with the family concerned. On the issue of speeding traffic, reference was made by Councillor C.R. Williams, which the Officer noted, and also indicated that he was requesting training in the use of a mobile speed recording machine so that he could also undertake this aspect of work.

Reference was made by Councillor R.K. Jones to the problems being caused by cold callers at particular households with vulnerable people. In response PCSO Harvey advised that he would make contact with colleagues in Neighbourhood Watch concerning this problem. Councillor J. Williams also made reference to a certain mobile food retailer in his area and for a hygiene aspect to be properly controlled. Councillor Mrs. D.J. Williams referred to the continuing problem of particular vehicles, such as taxis, using Tyddyn Mesham as a short cut and was advised by the Officer that he did spend some time checking on this situation whilst in the area. If the Member could provide him with particular registrations on vehicles then he would speak to the firms concerned. Councillor R.K. Jones advised Members and the Officer that work would be starting on Bryntirion Road on 15th May 2013, which would restrict traffic movement for a couple of weeks and that this could, of necessity, exacerbate the use of Tyddyn Mesham, which was duly noted.

Councillor R.K. Jones made reference to the enforcement initiative being undertaken in the County area by targeting areas which would involve Police Officers, Police Community Support Officers and Flintshire Officers.

The Chairman thanked PCSO Harvey for attending the meeting.

7. MINUTES

The following comments were made on the minutes of the Ordinary meeting of the Council held on 11th April 2013.

a. Minute No. 152(d) – HMRC/RTI PAYE

The Clerk advised the meeting that the free software available from HMRC had been successfully downloaded onto his computer and the first monthly submission onto the RTI system had been duly made last month.

b. Minute No. 157 – Community Review

The Clerk made reference to information he had circulated at the meeting from Flintshire County Council, which was formally commencing the Community Review for the County. An area meeting on the procedure was to be held in Holywell on the 28th May 2013. It was agreed that the Chairman and Clerk should represent the Council at this meeting and

report to the June Council meeting, when consideration would be given to the questionnaire circulated at the meeting from Flintshire County Council with a view to a formal submission on behalf of this Authority.

RESOLVED :

That the minutes of the Ordinary meeting of the Council held on 11th April 2013 be confirmed as a correct record and signed by the Chairman.

8. CHAIRMAN'S COMMUNICATIONS

1. The Chairman indicated that he would be attending the Flint Town Council Civic Service, to be held on 7th July 2013.
2. The Chairman advised Members that a Post Office facility would be returning to the centre of the Village, to be located in the McColl's Convenience Store with effect from August.
3. The Chairman also drew Members' attention to the work being undertaken to the vacant commercial premises opposite the car park in the High Street, with a view to it being re-opened as a commercial establishment.

9. PLANNING APPLICATIONS

No.	Location	Detail
050602	Access track to Twll y Llwynog	Laying of field drainage to mains and highway

As Local Member, Councillor T. Renshaw, indicated that this work would improve the area.

RESOLVED :

That the application be supported.

10. ACCOUNTS FOR PAYMENT

RESOLVED :

That the following accounts be paid:-

Name	£	Cheque No.	Expenditure Powers
Clr. C.R. Williams	30.15	101544	Loc.Govt.Act 1972 (S.112)
JDH Business Services Ltd.	99.84	101545	Loc.Govt.Finance Act 1982
Bagillt Bowling Club	480.00	101546	Loc.Govt.(MP Act 1976)(S.19)
Zurich Municipal	561.37	101547	Loc.Govt.Act 1972 (S.111)
Delyn Press	100.00	101548	Loc.Govt.Act 1972 (S.111)
Mr. G. Roberts	842.20	101553	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	149.12	101550	Loc.Govt.Act 1972 (S.112)
Huws Gray Ltd.	45.22	101551	Parish Councils Act 1957

11. REPORT BY REPRESENTATIVES

Standards Conference

Councillor C.R. Williams reported on his attendance at the Conference, which was held on Friday 19th April 2013 at Llandudno. In particular, he indicated that it had been an excellent experience, and he thanked the Council for the opportunity of being able to attend. There had been a choice of workshops to attend, and he reported on issues concerning Code of Conduct and the penalties which could arise from breaches by Members, such as suspension and disqualification. There had also been a very useful discussion in relation to Declaration of Interests, principally the role of remembering doing so. In this aspect he referred to the role of the Clerk in advising Members and, if he were unable to clarify the issue, there was legal advice available from the Flintshire Monitoring Officer and his legal team. Councillor T. Renshaw expressed the view that if a Member was uncertain then it was always better to declare an interest and fill in the paperwork available from the Clerk, which would then be recorded in the minutes.

12. REVIEW OF INTERNAL CONTROLS 2013/14

The meeting considered a report of the Clerk, which had been prepared in consultation with Councillors A. Griffiths and B.T. Doleman, who were prepared to certify that the Internal Controls listed were in place and being adhered to by the Council. The documentation followed the format agreed in previous years, suitably amended to take account of any changes.

RESOLVED :

That the document as circulated, be constituted as the Review of Internal Controls by the Council for 2013/14, following certification by Councillors A. Griffiths and B.T. Doleman, that the Internal Controls, as listed, were in place and being adhered to by the Council.

13. AUDIT OF ACCOUNTS 2012/13

a. Internal Audit

The meeting considered the Report and Action Plan of the Internal Auditor, JDH Business Services Limited, copies of which had been previously circulated. The Auditor had confirmed that, on the basis of the audit work carried out, the Council's system of internal controls was in place, adequate for the purpose intended and effective, subject to the recommendations reported in the Action Plan.

In relation to the Action Plan reference had been made to updating the Risk Assessment to include Disaster Recovery and Business Continuity Risk Management. The Clerk briefly indicated that there would be a discussion on this subject at the next meeting of the Clwyd Branch of The Society of Local Council Clerks, as the same internal auditor covered many Local Councils in this area who would receive the same notification. In particular there could be implications for those Clerks working from home. He would then report back to the Council, probably to the July meeting, with a suggested amendment for the current Risk Assessment. The second issue raised in the Action Plan concerned the Community Caretaker arrangement with Flintshire County Council, with the Internal Auditor suggesting that consideration should be given to establishing a Service Level Agreement with the County Council to define roles, responsibilities and performance requirements, so as to help ensure optimal value for money was achieved by the Council expenditure. The Clerk indicated that this had probably arisen due to the fact that, having regard to the comments made in the Action Plan for the previous year in relation to Service Level Agreements, he had forwarded information on this occasion to the auditor concerning the revision the Council had recently undertaken with Flintshire County Council in relation to the Community Caretaker arrangement.

In relation to the follow-ups regarding the 2011/12 audit recommendations, it was noted that the auditor had indicated the requested change to Financial Regulations had been implemented and that in relation to Service Level Agreements, there were currently none in place, but the

need to provide copies to the auditor for review in the future had been noted by the Council.

RESOLVED :

1. That the satisfactory report of the Internal Auditor for 2012/13, be noted.
2. That in relation to the updating of the Risk Assessment, the action proposed by the Clerk be noted with a view to a report being made to the July Council meeting on identifying Disaster Recovery and Business Continuity Risks.
3. That the Clerk make enquiries with Flintshire County Council in relation to establishing a Service Level Agreement to define roles, responsibilities and performance requirements in relation to the Community Caretaker arrangement.

b. External

The meeting considered copies of the Accounting Statement in Section 1 of the Annual Return and the Annual Governing Statement in Section 2. A copy of Section 4 relating to the completion of the Internal Audit on the document had also been previously circulated for Members' information.

RESOLVED :

1. That the Accounting Statement in Section 1 of the Return, be approved, in draft, together with the Annual Governing Statement in Section 2, and that the Chairman and Clerk be authorised to sign the Council confirmation prior to audit in the Annual Return.
2. That it be noted that the Public Notices of Audit had been duly displayed on the Council Notice Boards for the period required by the External Auditor.

14. WEBSITE DEVELOPMENT

The Clerk reported that, further to discussion at the last Council meeting, Flintshire County Council had confirmed that the translation of website pages to Welsh would qualify for the funding available of up to £500 for 2013/14. The Clerk reported to the meeting on contact made with the Flintshire Local Voluntary Council, who had provided details of the person carrying out their translation services, including for their website. The charge of £50 per thousand words was felt to be very reasonable and the Clerk and Councillor C.P. Owens recommended acceptance.

Members were reminded by the Clerk of the current arrangement they had with IT Sector concerning pre-paid time for maintenance work on the website. Councillor C.P. Owens indicated that there were complications within that Company which may preclude them from continuing this arrangement. On a personal level, he was hopeful that he could make arrangements for their coding information which would enable him to update the website, although it would need to be within the ambit of his position with the Council as a Member should this arise. The Council needed to protect its information held by this Company and clarification was also required for the future.

RESOLVED :

1. That the quotation from Sian Jones, as reported to the meeting for translating information held on the Council website into Welsh be agreed and that the Clerk and Councillor C.P. Owens agree the relevant information accordingly.
2. That the Clerk endeavour to make contact with IT Sector concerning the future of the current arrangement they held with the Council concerning the website.

15. VACANCY – WEST WARD

The Clerk reported that on the 18th April 2013 a letter had been received from Councillor T.M. Withington resigning from membership of the Council, with immediate effect, as, in the past few months, he had found it difficult to give the Council the commitment he felt was required. The former Member also wished the Council every success in the future. On behalf of the Council he had been thanked for his service for the past five years.

The meeting then considered a report by the Clerk on the vacancy procedure, copies of which had been previously circulated. In relation to the election procedure, the Council was required to give public notice in the required format in the Ward which would allow 10 electors from the Ward to request an election to fill this vacancy by writing to the Returning Officer at Flintshire County Council within the time period. If such a request was received within the time period then the Returning Officer would commence the election procedure and advise this Authority on the timetable. The Community Council would be responsible for reimbursing any election costs incurred by Flintshire County Council whether it is for a contested or uncontested election.

If there was no request to fill the vacancy by election Flintshire County Council would advise this Authority accordingly and that they could now fill it by co-option. There was a change in the procedure in relation to co-option in that the Council were now required to give public notice of any vacancy to be filled this way and to request expressions of interest from those qualified to stand.

RESOLVED :

1. That the resignation received from Councillor T.M. Withington be duly noted.
2. That the procedure for filling the vacancy on the West Ward, as outlined by the Clerk, be noted, and that a report be made to the next meeting on whether it would be filled by election or whether the changed co-option procedure would commence.

16. COMMUNITY CARETAKER

In accordance with the decision made at the last meeting of the Council, the Clerk reported on duties undertaken in the Village under the Community Caretaker arrangement with Flintshire County Council. Whilst it was intended that the usual report would only cover one month, this particular covered both March and April.

It was noted that as far as March was concerned, there had been removal of ivy from the rear of the community room at Trem Afon, Boot End, which had not been cleared for years, and also the removing of rubbish from the rear of the sheds. The Council's bus shelters and notice boards had been cleaned, as well as the clearance of leaves from the highway by the Community Centre. There had been a limited amount of litter picking in specified areas, as reported.

In relation to April, there had been a clearing of rubbish from properties in Highfield which due its large scale would take a number of visits to finish. In addition, there had been excavation for concrete hardstanding for a bench then mixing and laying concrete, which was located in the High Street. Councillor Mrs. D.J. Williams enquired as to the frequency of litter picking by the Streetscene service and was advised accordingly by Councillor R.K. Jones.

The Chairman referred to a conversation between himself and the Booking Secretary at the Community Centre regarding the possible use of the Community Caretaker to assist with drainage problems at this building, which currently meant that the toilets were out of commission. It appeared that, whilst the tank had been emptied, the pump had ceased to function and that it had apparently not been serviced in the many years of use. In relation to the Community Caretaker, Councillor R.K. Jones indicated that rodding drains was not an issue which he felt would be covered under the new arrangements agreed with the Housing Department at the County Council. With regard to the broken pump and cost of replacement, Councillor J. Williams made reference to when it was originally

installed and that he would contact the person who had done so on a previous occasion to enquire if they could once again assist.

RESOLVED :

1. That the work undertaken under the Community Caretaker arrangement in the Village during March and April 2013, be noted.
2. That the Community Centre Secretary be advised that it was not appropriate for the Community Caretaker to assist in relation to drain clearing.

17. DOG WATCH SCHEME

Members had previously been circulated with a copy of a Briefing Note from Flintshire County Council concerning the Dog Watch Scheme. It was noted that the County Council's ongoing Enforcement Campaign against dog fouling, with the Dog Watch Scheme was part of the re-education programme, and that it was a community based initiative established upon the enthusiasm of local Flintshire residents whose communities were experiencing persistent problems on this issue.

Councillor R.K. Jones made reference to the enforcement issue of this aspect and to the role of community groups. Councillor A. Griffiths indicated that dog fouling was a real problem on the Foreshore for people wishing to use the Coastal Footpath/Cycle Way, and that dog owners seemed reluctant to use the dog bins which were available. Councillor C.R. Williams also expressed disappointment that dog owners seemed reluctant to use the bins that were made available.

RESOLVED :

That the report be noted.

18. TEMPORARY TRAFFIC ORDERS

The meeting noted the information contained on Temporary Traffic Orders received from Flintshire County Council, copies of which had been previously circulated. This related to work intended in Bagillt Road and Sandy Lane.

19. POWER OF WELLBEING – SPENDING LIMITATION

The Clerk reported that at a SLCC training event in April a speaker from the Welsh Government had made the surprise announcement that the Power of Wellbeing Expenditure in Wales would be limited to the Section 137 limit in the Local Government Act 1972. This would restrict the amount that could be spent

to the current limit. This has been as a result of advice from their Legal Team and came as a surprise to Delegates, who voiced their opposition to this unexpected restriction. The SLCC would also be seeking the view from their National Legal Advisor on this matter. The maximum expenditure that can be incurred under Section 137 for the financial year 2013/14 would be £6.98 per elector.

RESOLVED :

That the information be noted.

20. MEMBERS' ITEMS

a. Drainage Problem – High Street

Councillor T. Renshaw advised that there was a problem concerning foul sewerage entering the surface water drainage system at the rear of McColl's Convenience Store in the High Street.

RESOLVED :

That the matter be brought to the attention of Flintshire County Council for action.

b. Pot Holes

Reference was made by Councillor C.R. Williams to a recent press article concerning expenditure by the County Council on the resurfacing their car park, when there were many areas within the County which required urgent attention due to pot holes on the highway. Councillor R.K. Jones indicated the reasons why this action had been taken by the County Council, which concerned particular staff needs, and that in relation to pot holes, if there was a particular problem then it should be brought to the attention of the Streetscene Area Supervisor, who would arrange for the matter to receive attention. Councillor T. Renshaw indicated that workplace regulations covered both the needs of staff and visitors to premises and were more onerous than those under the Highways Act, thereby requiring a particular response from employers.

c. Compost

Councillor R.K. Jones advised the meeting that free compost was available at various Flintshire sites, including the one at Greenfield.

d. Japanese Knotweed

Councillor C.P. Owens advised the meeting that Japanese Knotweed was once again becoming a problem in areas previously identified, such as, where he lived, along with the by-pass and at the rear of McColl's Convenience Store in the High Street.

RESOLVED :

That the matter once again be brought to the attention of Flintshire County Council for action.

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

Date of Council Meeting	Friday 8th May 2013
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Member	Item	Minute No. Refers
There were no declarations of personal interest		

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Chairman