

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in BAGILLT COMMUNITY LIBRARY on Wednesday 13TH January 2016.

PRESENT : Councillor K. Rush (Vice Chairman in the Chair)

COUNCILLORS : R. Davies, B.T. Doleman, A. Griffiths, G. Hotchkiss, R.K. Jones, Mrs. S.L. Jones, M.A. Reece and C.R. Williams.

APOLOGIES : Councillors C.P. Owens, T. Renshaw, C. Williams, Mrs. D.J. Williams and J. Williams.

IN ATTENDANCE : Mr. G. Roberts (Clerk) and Mr. N. Hickie, Flintshire County Council (minute Nos. 103 and 111).

101. CHAIRMAN'S ANNOUNCEMENT

The Chairman welcomed Members of the Council, and others who were in attendance, to the first meeting in the New Year and regarding, ill health problems suffered by Councillor C.P. Owens, T. Renshaw and J. Williams, wished them a speedy recovery on behalf of the Council.

102. POLICING

The Clerk advised that PCSO Hulse was due to attend this evening but unfortunately had to apologise due to his wife going into hospital for surgery. The Clerk reminded Members that during the Recess they had received a copy of the Police Neighbourhood meetings to be held at the Community Library from January to July.

The Council were being requested to appoint a representative to attend a North Flintshire Police Consultation meeting, to be held on 8th February 2016 at Deeside Police Station and Councillor A. Griffiths indicated that he would be prepared to attend

In addition, the Clerk read out to the meeting an e-mail received from the OWL messaging service, indicating that North Wales Police were looking for local volunteers to help deter speeding motorists across the region. Full training would be given to volunteers in the scheme of known hot-spots within their own communities who would use hand-held speed guns to capture the speed of on-coming vehicles. It was agreed that the Clerk forward the e-mail to each Member of the Council and they could decide on an individual bases whether they wished to be involved with this initiative.

103. STREETSCENE SUPERVISOR

The Chairman welcomed Mr. Neil Hickie, Bagillt Area Supervisor for Streetscene, to the meeting, to give his quarterly update and respond to any issues raised by Members.

Mr. Hickie indicated that, since the October meeting, the lighting issues which had been raised had been addressed, apart from the bollard by the by-pass, with the work being in hand to complete the repair. He made reference to the drainage problems, which were on-going at Top Hill on the road from the Care Home, and to the investigations that had been made with another Council department concerning land they owned. Councillor C.R. Williams confirmed that the drainage problems were bad for residents, particularly at the bottom of the hill, and that action was needed to address the issue.

Councillor C.R. Williams also raised a concern regarding the amount of litter left after the recycling bins had been emptied, both in terms of paper and plastic products, and felt that they should endeavour to clean up after emptying and before leaving the area. In addition, this problem was exacerbated when there were high winds, due to the type of bin used for plastic containers. Councillor B.T. Doleman supported the comments made by the Member, particularly having regard to the mess that was sometimes left behind after the bins had been emptied. In response, Councillor R.K. Jones indicated that each vehicle had a Chargehand and it was that person's responsibility to ensure that this did not occur. Councillor G. Hotchkiss indicated that some of the refuse collectors also have a habit of throwing both the bins and the plastic bags over garden walls and hedges, which led to both plants being damaged and the containers being blown away.

With the consent of the Chairman, the Vicar raised an issue regarding the access to the Church, where it met the highway, and he produced a plan which indicated the land owned by the Church. In response, Mr. Hickie indicated that he would check with the County Council records to see if the land was within the ownership of Flintshire, and advise him accordingly.

Councillor A. Griffiths made reference to the work which had been undertaken in Merllyn Lane by a Utility contractor, and to the fact that their machinery seemed to have damaged some of the highway surface, beyond the trench which had been dug and filled in, and in addition there was still some pipework left. In response, the Officer indicated that they had a certain amount of time within which to complete any repairs and that he would inspect the area and contact the Utility concerned as necessary.

Reference was made by Mr. Hickie to the zero tolerance litter enforcement being introduced by Flintshire throughout their area, with effect from 1st January 2016. He

circulated some posters at the meeting, which were being distributed to local businesses, advising that people who dropped litter should expect to be punished, and the Clerk indicated that he would ensure a copy was also placed in each of the Council Notice Boards. In relation to business premises, Councillor B.T. Doleman enquired if the prior practice of the owner being responsible for a defined area outside the premises still applied, and was advised by the Officer that he was unsure on this aspect. Councillor C.R. Williams enquired as to how the enforcement worked and was advised accordingly.

Councillor A. Griffiths referred to the problem of dog fouling and the situation he was facing in relation to his own premises, and to the inadequate response he had received from Flintshire when he had used the number advertised in the local press, following an article by the Chief Officer. In response, both the Officer and Councillor R.K. Jones suggested he contact the Enforcement Team, and advised him of the person responsible for this work. It would appear that, rather than information in relation to where and when an offence was happening and details of the animal and owner, they were after photographic evidence and, in response to this, Mr. Hickie indicated how complaints could be pursued to Court and the need for a witness and/or evidence, if a prosecution were to be successful.

The Chairman thanked Mr. Hickie for attending and responding to the number of issues raised by Members and noted that he would be remaining in the meeting until the Church Graveyard extension item had been considered.

104. MINUTES

The following comments were made on the minutes of the Ordinary meeting of the Council held on 11TH November 2015.

a. Minute No. 96 – Raised Beds

Councillor M.A. Reece indicated that, after contacting the Streetscene Supervisor for the area, plants would be made available for the raised bed containers.

RESOLVED :

That the minutes of the Ordinary meeting of the Council, held on 11th November 2015 be confirmed as a correct record and signed by the Chairman.

105. PLANNING APPLICATONS

a. Recess Period

It was noted that no applications had been determined, using all Members in the appropriate Ward during the Recess.

b. Applications

App. No.	Location	Detail
054754	Carline, Bryntirion Road	Erection of detached bungalow

RESOLVED :

That application No. 054754 be supported, subject to the Planning Authority being satisfied in relation to highway safety and background development.

106. ACCOUNTS FOR PAYMENT

a. Recess

RESOLVED :

That the action of the Chairman and Vice Chairman in approving the undermentioned accounts during the recess, be endorsed.

Name	£	Cheque No.	Expenditure Powers
Flintshire County Council	2,320.00	101775	Loc.Govt.(MP)Act 1976(S.19)
Delyn Press	18.00	101776	Loc.Govt.Act 1972 (S.111)
The Gatemaker	560.00	101777	Parish Councils Act 1957
Clr. C.P. Owens	40.00	101778	Loc.Govt.(MP)Act 1976(S.19)

b. For Payment

RESOLVED :

That the undermentioned accounts be paid.

Name	£	Cheque No.	Expenditure Powers
Zurich Insurance	369.88	101779	Loc.Govt.(MP)Act 1976(S.19)
NAMWALC	15.00	101780	Loc.Govt.Act 1972 (S.111)
Soc.of Local Council Clerks	131.00	101781	Loc.Govt.Act 1972 (S.112)
Mr. G. Roberts	836.13	101782	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	144.46	101783	Loc.Govt.Act 1972 (S.112)

107. ESTIMATES OF INCOME AND EXPENDITURE

The meeting considered a report of the Clerk and Responsible Financial Officer, on Estimates for 2016/17, with an Appendix containing expenditure and income items that had been prepared in consultation with the Chairman and Vice Chairman, copies of which had been previously circulated. As well as suggested levels of expenditure for the next financial year, details were included in relation to probable/actual income and expenditure for 2015/16. Members were reminded of the discussions and decisions made at the November meeting, as well as other factors taken into account in preparing the schedule in consultation with the Chairman and Vice Chairman.

The report indicated the projected increase in the precept if the proposals, as submitted, were approved. With regard to factors taken into account, it had been assumed the Council would wish to continue with the practice brought into force two years ago concerning the Chairman's fund, and of the assumptions which had taken place regarding the allocation of a budget sum for the Clerk position, given that a new person was to be appointed due to the present post holder retiring in May. The report indicated that, without commitment, certain assumptions had been made regarding the level of salary/expenses to be offered and that a best estimate provision had also been included for the introduction of employer pension contributions, should the new person wish to opt in under the auto-enrolment change of legislation.

The decisions taken at the November meeting in relation to, once again, supporting Bowling Green maintenance, Community Centre, Community Library, Play Schemes and Play Area Improvement, had been included. In addition, sums had been included in relation to Raised Beds, War Memorial, Urdd Eisteddfod Flint 2016 and Parish Church Graveyard Extension.

RESOLVED :

1. That a precept of £41,920 be made on Flintshire County Council for 2016/17, which equated to a Band D charge of £28.70, an increase of £1.81 or 6.73% on the last financial year.
2. That the amounts indicated in the previously circulated expenditure heads for estimate purposes for 2016/17, be approved as circulated.
3. That the level of funding agreed at the November meeting be formally included in the budget for the next financial year to enable maintenance of the Bowling Green at the Bagillt Bowling Club.
4. That in relation to the Community Centre, Bagillt Community Association be advised that the Council would once again be making the appropriate provision to continue the financial assistance, subject to the previously agreed

criteria concerning accounts and to be advised when meetings were to be held.

5. That the continuation of the Play Schemes programme, as considered at the November meeting, be endorsed, with the level as provided for in the budget to enable a basic scheme, even if Flintshire County Council were unable to make any funding available. Also, that the same apply with regard to improvement of a play area in the next financial year, to the level provided for in the budget, subject to Flintshire County Council being able to offer some form of match funding.
6. That in relation to the provision to assist the Community Library, the Council will once again be taking responsibility in the next financial year for meeting the insurance and electricity costs.

108. LOCAL GOVERNMENT INVESTMENTS 2016/17

The meeting considered a report of the Responsible Financial Officer on Local Government Investments, copies of which had been previously circulated to Members. The appendage to the report advised that all excess funds were to be held in the Business Money Manager account.

RESOLVED :

That the Annual Investment Strategy for Bagillt Community Council, as prepared by the Responsible Financial Officer, and circulated as an appendix to the report, be adopted for meeting the requirements for this Authority for 2016/17.

109. FINANCIAL INFORMATION

The meeting noted the Budget Monitoring Report and Bank Reconciliation statement for the third quarter to 31st December 2015, copies of which had been previously circulated to Members.

110. BAGILLT FORESHORE

The Clerk reported that the Ranger who had attended the November meeting advised that he had declined the offer to carve trees at Bettisfield, as they were considered of more value alive and acting as a screen. He had however offered to work with the requestor to see if some other form of working together in the future was possible.

111. BAGILLT PARISH CHURCH – GRAVEYARD EXTENSION

The Vicar circulated a letter at the meeting advising that the Church had only just managed to pay the quota to the Diocese, as it had to replace the old leaking oil tank

with a new one and protect it from vandalism. Luckily, insurance and local skills and a kind benefactor enabled this to be completed in December. The current graveyard was full, but the Church PCC owned the land to the south, as far as the footpath. It had been bought by the Church in 1933 and they wanted to clear the land and landscape it and improve the boundaries, with the support of the Community Council, and then the Church in Wales would allow further use of the extension for burials. A plan had been prepared for 2016, with the help of local people, which set out how they could improve the land this year to enable it for future burials. Additional income from burials would enable the Church to remain open and hopefully thrive and serve the community. They were seeking financial assistance in 2016 to enable tree felling, wood removal and chipping, plant hire and stump removal and ground clearance, but mainly for hire of plant, fuel and chainsaws, which was anticipated to cost in the region of £620. The intention was that manpower would be voluntary from local people and unpaid. The Clerk reminded the meeting that earlier on they had agreed the budget for 2016/17 and that this included a notional sum of £500 towards such expenditure and any additional could be provided out of balances.

The Vicar then went on to make reference to the site visit held in December 2015, which included representatives of the County Council, to enable access to the graveyard across County Council land so that the works of clearance could be undertaken. Councillor R.K. Jones indicated that both Streetscene and Leisure Services were agreeable to such access arrangements and suggested that the Vicar should now arrange for a formal request to that Authority for the necessary permission. There would however be a necessity to ensure that such works on the extension site would not involve disturbing any protected wildlife and this should be checked accordingly and, in addition they would need to ensure that there were appropriate safety precautions, which might require some temporary fencing. They also needed to ensure that the work was done when it was much drier than at present to avoid unnecessary mud being formed.

RESOLVED :

1. That in relation to the request for financial assistance for the items identified in the graveyard plan circulated at the meeting, that the request, which was expected to cost in the region of £620, be approved, and confirmed in writing to the Vicar accordingly.
2. That the report in relation to the progress on access arrangements, be noted.

112. WAR MEMORIAL, HIGH STREET

The Clerk advised that during the recess he had received legal documentation from Flintshire County Council in relation to a draft Lease and Community Benefit Agreement, in respect of the War Memorial site, and also a copy of Land Registry entry showing ownership of the area, to be seemingly invested in the County

Council. There had always been a query regarding ownership of the area which incorporated the War Memorial, and a copy of the Land Registration document was given to Councillor R.K. Jones, who indicated that he wished to check this point with the County Council, as it could assist in matters relating to future work.

In relation to the suggestion made at the last meeting regarding a wreath holder, the Clerk advised that the Gatemaker had forwarded a plan and estimate that would cost £385, but in view of the ownership of the area issue this should perhaps be put on hold until Councillor R.K. Jones reports back to the next meeting. Councillor B.T. Doleman indicated that he also wished to get the views of the Royal British Legion in relation to this issue. A view was expressed by Councillor M.A. Reece that either the Community Council or the Heritage Society should pursue the matter of grant aid to enable improvement of the Memorial, as had been carried out at Flint and Northop, although from different funding resources.

RESOLVED :

That the report in relation to the CAT and wreath holder, be noted, and that with the latter being put on hold until the ownership issue, as referred to in the meeting had been clarified by Councillor R.K. Jones with the County Council.

113. RECESS PERIOD

The meeting noted the actions of the Chairman and Vice Chairman during the recess in relation Accounts for Payment, Estimates of Income and Expenditure and public bench repair.

114. HIGH STREET – TRAFFIC CALMING

The Clerk reminded Members that during the recess he had received and circulated to Members a copy of the response from Flintshire County Council in relation to the Traffic Calming Scheme. Following the decisions of the November meeting, three Freedom of Information requests were made to the County Council, North Wales Police and Welsh Government, in consultation with Councillor T. Renshaw. The Clerk further advised that he had received responses from the Police in relation to traffic statistics and the Welsh Government regarding the criteria used in relation to the application made by the County Council. There was, to date, however no response from the County Council, and the Clerk suggested that in view of the absence of Councillor T. Renshaw consideration of the responses should be deferred to the next meeting.

RESOLVED :

That the report by the Clerk be noted and that consideration of the Freedom of Information responses be deferred to the next meeting to enable Councillor T. Renshaw to comment accordingly.

115. CLERK POSITON

The Clerk advised the meeting that the time was now opportune for consideration to be given regarding the process of filling his post when he retired in May, and to this end commented on a possible timetable to ensure a smooth transition. He had prepared notes on both the terms and conditions for filling the post, timetable on advertising and interview arrangements, and shared these with the Vice Chairman. He felt that there would be merit in a small group of Members being appointed to consider this information in detail, with a view to reporting to the February Council meeting for approval so that a notice regarding the vacancy could be circulated shortly afterwards. He commented on suggestions for advertising the vacancy and advised that there was already a Clerk vacancy advertised for a Community Council in Flintshire and a further one was expected shortly.

RESOLVED :

That the recommendation of the Clerk be approved and that a small Working Group, consisting of the Chairman, Vice Chairman, Councillors B.T. Doleman and M.A. Reece, in consultation with the Clerk, consider the issues referred to and report the February meeting of the Council for approval.

116. CODE OF CONDUCT – TRAINING FOR LOCAL COUNCILS

The Clerk advised that the County Council were offering a free training evening on the Code of Conduct on Tuesday 26th January 2016 at the Community Centre, Cymae, for Members and Clerks of Town and Community Councils hosted by the Monitoring Officer.

RESOLVED :

That the offer be noted.

117. PUBLIC BENCH - REPAIR

The Clerk referred to the report made to the last meeting by Councillor M.A. Reece (minute No. 97), and that during the recess the Chairman and Vice Chairman had approved an estimate of £375 - £400 from the Gatemaker to replace the existing rotten wooden slats with metal, to be galvanised and painted with a metal strut in the middle to prevent sag.

RESOLVED :

That the report be noted and that the action of the Chairman and Vice Chairman be endorsed.

118. DRAFT LOCAL GOVERNMENT (WALES) BILL

The meeting considered a report prepared by the Clerk on the Draft Local Government (Wales) Bill, which advised that the Welsh Government had published the Bill and currently had a consultation, which was due to close on 15th February 2016. The purpose of the Bill was to establish new Counties by the merger of exiting County and County Boroughs, and new and reformed legislative framework for Local Government Democracy, accountability, performance and finance and a statutory public service staff commission. It also contained some provisions specific to Community Councils.

Whilst the report gave a general overview of the Draft Bill, the position specific to Community Councils related to the general power of competence and a review of Community Council arrangements. In relation to the former, chapter 2 sets out what requirements Community Councils must meet and pass in order to be considered competent and these related to democracy with at least two thirds of Councils having been elected, capability, with the Council employing a Clerk with the relevant professional qualification and a governance with the Council having received an unqualified auditor's opinion in respect of its accounts for two consecutive years. A Community Council would be required to assess and resolve whether they had competence at each annual meeting held in the year of an ordinary election. A general power of competence would give a qualifying Local Authority the same power to act as an individual generally has. It was a power of first resort which meant that a qualifying Local Authority did not need to rely on specific powers in legislation to do something, so long as what they intended to do was not otherwise illegal.

In relation to Part 6, the Local Democracy and Boundary Commission for Wales was to undertake a review of Community Council arrangements, that is, a review of the communities within the new counties to be established under the Draft Bill by April 2020, for the purpose of recommending changes to the Community Councils and their elect oral arrangements. There was a duty placed on County Councils to consider the training needs of Community Councils and to make arrangements to meet those. It also placed a duty on Community Councillors to complete compulsory training identified by the County Councils and set out how breaches of this duty were to be dealt with. Community Council elections will be fixed at every five years from 2023 (in line with changes made by the Draft Bill in relation to County Council elections), and make related changes to provision about Community Councillors term of office.

RESOLVED :

That the Welsh Government consultation document be noted.

119. INTERNAL AUDIT – RENEWAL OF ARRANGEMENTS

The meeting considered a report of the Clerk on Internal Audit Renewal of Arrangement, copies of which had been previously circulated. It reminded Members that they were advised this time last year the need to review its arrangement with Internal Audit on an annual basis due to the change in External Audit requirements and that this would be an issue when the 2015/16 audit was carried out. This had been agreed accordingly, including continuing with JDH Business Services Ltd Included with the report was a letter received from JDH Business Services Ltd, a revised letter of engagement, which now included the notified audit plan for 2015/16 from JDH Business Services Ltd, a list showing the annual review of the effectiveness of internal audit and a checklist provided by the Internal Auditor, which the Clerk would need to complete and comply with after the end of financial year and prior to taking in the necessary documents for audit.

RESOLVED :

That as the Council has undertaken its annual review of internal audit arrangements which sets out the responsibility of both parties in the letter of engagement, it be approved and signed by the Vice Chairman (as the Chairman was absent for the meeting) and the Clerk and forwarded to the Company, which agrees to JDH Businesses Services Ltd. undertaking the internal audit of the Council's accounts for 2015/16.

IN ACCORDANCE WITH BAGILLT COMMUNITY COUNCIL'S CODE OF CONDUCT

Date of Council Meeting	Wednesday 13th January 2016
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Member	Item	Minute No. Refers
There were no Declarations of personal interest		

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Chairman