

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in BAGILLT COMMUNITY LIBRARY on Wednesday 12th October 2016.

PRESENT: Councillor K. Rush (Chairman)

COUNCILLORS: R. Davies, B. T. Doleman, A. Griffiths, G. Hotchkiss, Mrs. S.L. Jones, C.P. Owens, M.A. Reece, T. Renshaw.

APOLOGIES: Councillors R. K. Jones, C. R. Williams and J. Williams.

IN ATTENDANCE: Mrs. L. Wood (Clerk), Mr. Neil Hickie (Streetscene Supervisor).

61. PLANNING APPLICATION

This item was brought forward to the start of the meeting by the Chairman due to Members of the Public in attendance.

App. No.	Location	Detail
055188	Former British Legion Site, Gadlys Lane	Amendment to Residential Development

The Chairman reported that an amended Planning Application had been received from Flintshire Council County.

Members of the Public attended who were 'against' the Planning Application. The Chairman asked for a spokesperson.

The spokesperson said the amended plans made no difference to the views of the local's residents, they were still totally against the development. They also commented on the short consultation period.

Drainage is a major problem, many of the existing properties have been flooded. The spokesperson stated the builders are using his own drains, which is not acceptable and his property has flooded eight times. In the 26 years he has lived at this property, he has never come across this problem.

Local residents still say the local authority should not have granted permission for this development and want these new houses to be knocked down. These properties are 7 metres too close as stated in their own guidelines.

Councillor T. Renshaw also shared concerns about the short consultation period that was given from Flintshire County Council.

Councillor T. Renshaw said Flintshire County Council has a problem with this development as previously stated there must be 22 metre between properties on a level plain and as it rises this increases. The suggestion of putting fences and trees is not acceptable. Also the suggestion to put in obscure glass in the new properties does not rectify the privacy issue, as the new properties kitchen windows, which will not be obscure glazing, would be looking directly into the bedrooms of the existing properties. A Planning Inspector would not approve this as this breaches all privacy, you cannot object to developments spoiling your view but you can object on grounds of privacy. Flintshire County Council gave Planning Consent and this needs to be removed, Bagillt Community Council cannot demand these properties are to be taken down and Councillor Renshaw believes that only a Planning Inspector can do this.

Councillor T. Renshaw suggested the developers could remove all rear windows and use glass bricks to provide light into the properties. If obscure glass windows are put in, in time the new occupiers could replace these with clear glass. These new properties are, by the height, very overpowering and breach all privacy for the local residents.

Councillor T. Renshaw concluded by saying these issues need to be overcome by Flintshire County Council and the Developer. Bagillt Community Council can provide guidance and offer help to the local residents but cannot make decisions regarding Planning Applications.

Councillor C. P. Owens believes Flintshire County Council would have the power to take these properties down. Councillor C. P. Owens does not feel replacing windows with glass bricks would resolve the issue as the properties are too close. Councillor C. P. Owens advised that local residents obtain legal advice.

Councillor M. A. Reece said the builders has not followed plans and agrees that this development is major problem.

The spokesperson added that he had attempted to speak directly to the developer but they refused to talk to him. The Chairman confirmed the suggestion to seek Legal Advice was the way forward.

Councillor M. A. Reece was unable to comment due to being a member of the Flintshire County Council Planning Committee and abstained from voting.

RESOLVED: The Council unanimously agreed to reject the amended Planning Application and the Clerk will write to the Planning Officer at Flintshire County Council and put forward the comments made by the Council.

NOTE: Councillor M. A. Reece declared a personal interest in this item and whilst staying in the meeting, Councillor. M. A. Reece did not vote thereon.

App. No.	Location	Detail
055423	Field to South of Old London Road Bagillt, CH6 6BP	Erection of agricultural building, private stables for livery use, formation of manage and access track

Councillor R. Davies said there is no existing access for which planning permission was granted as stated in this application and would request the Council ask for evidence of planning permission, if this was granted. Councillor Davies walks the area almost daily and it appears works have started at this site.

RESOLVED: The Clerk will write to the Planning Officer at Flintshire County Council to ask for information regarding the access.

62. STREETSCENE BAGILLT

The Chairman welcomed Mr. Neil Hickie, Streetscene Supervisor to the meeting.

Mr. Hickie updated the Council on the Flooding / Drainage issues. These issues are still under investigation. Currently the slow lane on the bypass is closed to the rear of Reece's Terrace for investigations and on Monday, the two fast lanes will be closed for further investigations.

Mr. Hickie said they still need to connect the link between the Bagillt By pass and Coal Merchants, this is proving difficult with the utilities that are crossing.

A new flap will be put in the Bagillt dock as it is currently making a highways drainage system tidal which should not happen.

Mr. Hickie will report back to Council.

Councillor G. Hotchkiss reported the drainage issues in Upper Riverbank and the grid near property number 4 has never functioned which causes flooding. Councillor G. Hotchkiss also reported sewerage issues in Upper Riverbank.

Mr. Hickie explained as part of the ongoing investigations Metro Rod have been inspecting the area and the man hole in the Upper Riverbank is the responsibility of Welsh Water who have been informed. Mr. Hickie will look into this again.

Councillor M. A. Reece asked about the sewerage problems. Mr. Hickie said Welsh Water were informed of problem area near the Boot & Ship Public House. Mr. Hickie

reported he had met Welsh Water at the skip site and Welsh Water will be doing a clean-up of the area.

Councillor. C. P. Owens reported a blocked grid near Poplar's Terrace. Mr. Hickie will investigate this.

The Chairman reported a issue with litter between Foel Gron and Merllyn Lane. The main issue is used gas cylinders being left and school children use this pathway. Mr. Hickie will arrange for this to be dealt with.

The Chairman thanked Mr. Hickie for attending the meeting.

63. MINUTES

The following comments were made on the Ordinary meeting of the Council held on 14th September, 2016.

a. Minute No. 48 – Planning Applications

Councillor T. Renshaw informed the Clerk that the minutes should have stated: Councillor T. Renshaw explained the Unitary Development Plans (UDP) advisory notes state that there must be at least 22 metres between properties on a level plain.

RESOLVED: That the minutes of the Ordinary meeting of the Council held on 14th September be confirmed as a correct record and signed by the Chairman subject to the amendment referred to above

64. ACCOUNTS FOR PAYMENT

Name	£	Voucher No	Expenditure Powers
Mrs. L. Wood - October	664.51	45	Loc.Govt.Act 1972 (S.112)
HM Revenues & Customs - October	125.60	46	Loc.Govt.Act 1972 (S.112)
Clwyd Pension Fund - - October	118.86	47	Loc.Govt.Act 1972 (S.112)
Cllr. C. P. Owens - July	49.01	48	Loc.Govt.(MP) Act 1976 (S19)
Thomas Fattorini Ltd.	471.84	49	Loc.Govt.Act 1972 (S.111)
Dwr Cymru Welsh Water	146.10	50	Loc.Govt.(MP)Act 1976(S.19)
North & Mid Wales Assoc. Of Local Councils	16.00	51	Loc.Govt.Act 1972 (S.111)
One Voice Wales	45.00	52	Loc.Govt.Act 1972 (S.111)

Ebuyer	61.97	53	Loc.Govt.Act 1972 (S.111)
Ebuyer	60.99	54	Loc.Govt.Act 1972 (S.111)
Delyn Press	203.25	55	Loc.Govt.Act 1972 (S.111)
Flintshire C.C	2840.00	56	Loc.Govt.(MP)Act 1976(S.19)

Councillor C. P. Owens asked as the Council are moving to Electronic Banking, could the Council consider paying the Community Library Electricity invoice direct as opposed to reimbursing Councillor C. P. Owens. This would benefit the Council as they could re-claim the VAT.

RESOLVED: That the above mentioned accounts be paid and it was approved to make direct payments for the Community Library Electricity from next month. The Clerk will make the necessary arrangements.

65. FINANCIAL REGULATIONS

The Clerk asked for the Councils approval to adopt the updated Financial Regulations based on the latest NALC and OVW format. These have been updated in order to facilitate Electronic Banking.

RESOLVED: That the updated Financial Regulations be noted as circulated and approved.

66. APPLICATIONS FOR FINAICIAL ASSISTANCE

The Council considered a report by the Clerk on applications for financial assistance, copies of which had been previously circulated to Members. All applications were required to have up to date financial information, apart from, agreed organisations.

RESOLVED:

1. That in accordance with Section 2 of the Local Government Act 2000, the following donations be agreed for this financial year:

<i>Name</i>	<i>£</i>	<i>Voucher No</i>
New Brighton Chapel Action Group	164.99	57
Bagillt Heritage Society	500.00	58
Friends of Bagillt Foreshore Community Group	500.00	59
Ysgol Glan Aber	300.00	60

2. It was agreed that the donation to Ysgol Merllyn is deferred until November Meeting as the information required was not received in time for consideration at the Meeting.

3. That in relation to the application from Shelter Cymru, no donation be made.

Councillor M. A. Reece did not vote on the decisions made for Bagillt Heritage Society or the Friends of Bagillt Foreshore Community Group.

NOTE: Councillor B. T. Doleman declared a personal interest in the application from Bagillt Heritage Society and whilst staying in the meeting, Councillor. B. T. Doleman did not vote thereon.

67. FINANCIAL INFORMATION

The Council considered the Budget Monitoring report and Bank reconciliation statement for the second quarter to 30th September 2016, copies of which had been previously circulated to Members.

RESOLVED: That the financial information be noted as circulated and approved.

68. HIGH STREET – TRAFFIC CALMING

The Clerk reported a reply had been received from Ken Skates, Cabinet Secretary for Economy and Infrastructure stating he would be writing to Flintshire County Council and will update the Council in due course.

RESOLVED: That this letter be noted.

69. BY-PASS CROSSING

Councillor M. A. Reece informed the Council that Flintshire County Council has offered assistance regarding the telephone application part of the Communities Coastal Fund Grant.

RESOLVED: Councillor M. A. Reece and the Clerk will meet with Flintshire Officers on Friday to discuss this matter.

70. WAR MEMORIAL – COMMUNITY ASSET TRANSFER

The Council discussed an email received from Mrs. S. Hollins, Flintshire Legal Officer which explained the Council are requested to enter into an Agreement to Lease which will legally formalise that Flintshire County Council will carry the works first but on completion of the works then the Community Council will be legally bound to enter into the lease.

Both Councillor. B. T. Doleman and Councillor T. Renshaw said the Council are not against taking on the lease but not until the lights which Flintshire County Council broke are repaired.

The Chairman asked as Remembrance Sunday which will be held on Sunday 13th November at 12 noon at the War Memorial, has anyone organised a cover for the Priest in case of bad weather. Cllr. Doleman will be organising this. The Chairman offered his help if needed.

RESOLVED: The Council agreed that the Clerk should write to the Flintshire Legal Officer stating the Council will not enter into an agreement or sign the lease until the repair works to the lighting unit has been repaired by Flintshire County Council.

71. COMMUNITY TRANSPORT

The Council discussed an email from Ms. J. Pritchard, Flintshire Regional Travel Plan Co-ordinator which asked the Council to consider that bus companies can change or withdraw bus services by giving 8 weeks notice and this would make the development of Community Transport service particularly tricky if it is not known what demand exists within the community.

Councillor T. Renshaw proposed as no routes are effected in Bagillt and the fact that David Lloyd who runs the commercial route has no plans to withdraw, we should, until such time as routes are effected put this scheme on hold and if and when a service is withdrawn, 8 weeks is sufficient time for the Council to set up community meetings.

RESOLVED: The Council supported the proposal and the Clerk will respond to Ms. J. Pritchard, Regional Travel Plan Co-ordinator.

72. RIVERBANK BUS SHELTER

Councillor. M. A. Reece reported an email regarding the Council Bus Shelter he had received from one of the owners of the land on which the Bus Shelter is situated which is subject to a tenancy agreement between them and the Community Council. The Shelter is causing some issues for the owner and the concern is the owner may invoke the terms permitted in the tenancy agreement which could result in the Shelter being taken down. The owner paid Flintshire County Council £100 to apply for a drop kerb but apparently this was paid to the wrong department and the owner is seeking a refund from County. The owner also enquired about a Council Tax reduction.

Councillor. B. T. Doleman agreed the owner has the right to require the Shelter being taken down subject to the tenancy agreement conditions but they cannot move the actual bus stop. The Chairman agreed with this but said having no bus shelter would be to the detriment of the local people as they would have nowhere to shelter in bad weather. Both Councillors M. A. Reece and S. L. Jones agreed there was nowhere else the bus shelter could go.

Councillor T. Renshaw said he bought the house with full knowledge that the bus shelter was on his property. If the owner wants the shelter taking down, he would need to serve notice on the Community Council. Councillor T. Renshaw offered to accompany the resident to Flintshire County Council should he wish regarding the issue of £100 being transferred to the correct department.

RESOLVED: The Clerk will reply to the owner advising the information they are requesting should be referred to Flintshire County Council and regarding the Council Tax query, the owner should contact the North Wales Valuation Tribunal.

73. WINTER MAINTENANCE ARRANGEMENTS 2016/17

The Council considered the e-mail from Mr. S. Jones, Chief Officer (Streetscene and Transportation).

Councillor A. Griffiths reported that the Salt Bin situated at the top of Merllyn Lane is currently upside down in the road, therefore needs re-situating and also re-filling.

RESOLVED: The Clerk will report this issue to Flintshire Streetscene.

74. THE 2018 REVIEW OF PARLIMENTARY CONSTITUNCIES IN WALES INITIAL PROPOSALS

The meeting considered the letter from the Boundary Commission for Wales. It suggested we defer this matter to give time for Members to consider their response as the deadline for comments is not until 5th December.

RESOLVED: The Clerk will agenda this item for the November meeting.

75. WELSH GOVERNMENT CONSULTATION

The meeting considered the email from National Assembly for Wales regarding Land Transaction Tax and Anti-avoidance of Devolved Taxes (Wales) Bill.

Councillor T. Renshaw raised that approx. 18 months ago, there was a query which came to Bagillt and Flint Councils regarding ownership of Land at the Nant. To date, Councillor. T. Renshaw is unaware if this is resolved. If it was under Bagillt then this matter maybe relevant.

RESOLVED: Councillor Renshaw will investigate this matter with Flint Town Council.

76. CLERK ITEMS

The Clerk shared an invite with Members from Flintshire County Council to attend Flintshire Local Development Plan – Strategic Growth and Spatial Options Workshop and advised up to two Members could attend.

RESOLVED: Councillor M. A. Reece and T. Renshaw will attend and report back to the Council.

77. MEMBERS ITEMS

Councillor. C. P Owens reported that he had been told that the Café, Gadlys Lane has been converted into two upstairs flats and to his knowledge the cafe has only ever had permission as a commercial premises. Councillor C. P. Owens does not re-call plans ever being presented to the Council

Councillor. S. L. Jones reported the Victoria Road footpath that runs across Walwen Playing field is damaged and needs repair. When the play area was upgraded, the footpath was damaged and repaired but is now damaged again.

RESOLVED: The Clerk will write to the appropriate Flintshire County Council departments regarding both of these matters.

ACCORDANCE WITH BAGILLT COMMUNITY COUNCIL'S CODE OF CONDUCT

Date of Council Meeting	Wednesday 12th October 2016
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Member	Item	Minute No. Refers
Councillor M. A. Reece	61	Planning Application 055188
Councillor B. T. Doleman	66	Applications for Financial Assistance

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Chairman