

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in BAGILLT COMMUNITY LIBRARY on Wednesday 14TH October 2015.

PRESENT : Councillor Mrs. D.J. Williams (Chairman)

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

IN ATTENDANCE : Mr. G. Roberts (Clerk) and Messrs. N. Hickie and D. Jones, Flintshire County Council (minute No. 64).

61. DECLARATIONS OF INTEREST

The Clerk read out to the meeting a copy of an e-mail sent to Councillor M.A. Reece from the Monitoring Officer at Flintshire County Council concerning his paid membership of the Friends of the Bagillt Foreshore, and the consideration to be given later in the meeting to their applications for financial assistance. Whilst this ordinarily would give the Member a personal and prejudicial interest, there was an exemption in the Code that made it personal only, which applied to Community Councils providing no more than £500 was being granted in respect of an application. There was a need only to declare a personal interest by reason of membership and say that, under paragraph 12(2)(c) of the Code, it was personal only and then the Member was able to participate fully, that is speak and vote, if he or she choose to do so. Councillors M.A. Reece and B.T. Doleman indicating they would be following this advice in respect of this organisation.

62. PUBLIC INQUIRY ITEM

There were two members of the public present, the Vicar of Bagillt, Reverend John Geary, who would be speaking later on the item concerning the Church graveyard, and Councillor D. Cox, who was attending merely to observe proceedings.

63. POLICING

The Clerk advised that PCSO Tom Hulse had forwarded his apologies as he was unable to attend this meeting. If however Members had any issues they wished to raise and this was passed on to him by the Clerk then he would look into them.

Councillor C. Williams referred to the electronic OWL Information System, which involved the Police circulating requests for information to designated organisations and people, and indicated that he would also like to be included. In response, the Clerk indicated that he regularly received the OWL messages and if any were of local concern he made sure they were passed onto the relevant Members so that

they could be informed, and also may be in a position to assist the Police. He would pass the request from the Member on to the OWL administrator.

Councillor A. Griffiths expressed concern that for some time now he had seen no evidence of any Police or PCSO presence in the Village, other than an occasional vehicle travelling through, and made reference to the problems which were occurring regarding gangs of youths hanging round the Library area and also in relation to the School.

64. STREETSCENE, BAGILLT

The Chairman welcomed Messrs. N. Hickie and D. Jones to the meeting to give an update in relation to Streetscene issues, and also to introduce the latter.

Mr. Jones advised that he was the Operations North and Street Lighting Manager, which was one of the three areas within which the Streetscene operation was divided. Mr. Hickie made reference to an issue which had been raised at the last meeting relating to the need for a lighting repair at the Cenotaph, and upon which his colleague commented by indicating that the cabling was too shallow and needed to be twice as deep as at present, which was the recommended depth by Scottish Power. In response, Councillor B.T. Doleman indicated that the lighting unit which had been damaged, and still requiring repair, was on at the surface and had received damage when the area was being rotovated. The Clerk made reference to the Community Asset Transfer process, which included this area, and that two issues upon which this Council were awaiting clarification upon before they would proceed was for the County Council to repair the damaged unit and to advise in relation to the electricity usage at the site.

Councillor G. Hotchkiss made reference to the problem he had previously reported regarding lighting at the Boot End, and, whilst there had been some repairs undertaken, there was still a number of units out. In response, Mr. Jones indicated that he had visited this area prior to the meeting and had made a note of the lights in question, which made the junction dark, and also that the roundabout lights were not functioning. In relation to lighting, Councillor R.K. Jones made reference to the budget savings to be undertaken by the County Council and that in relation to saving expenditure by reducing the number of lighting columns in use, Bagillt was not in the first phase but would be effected when the second phase came into being.

Councillor A. Griffiths referred to previous discussions in relation to the continuing problem of Himalayan Balsam and Japanese Knotweed, and for the need for it to be kept under control. In response, Mr. Hickie advised that Flintshire was now embarking on a three year programme of eradication which involved spraying and also removing the seed heads, and was aware of the problem areas previously indicated by the Community Council.

The Chairman made reference to the damaged barrier, which had been brought to the attention of the County Council many months ago, and was advised by Councillor R.K. Jones that it was the view of the Highways Engineer that it needed to be replaced by a different system. This was an issue that would be raised with the Head of Service on his return from holiday.

In relation to Bryntirion Road, in the narrower sections, reference was made by Councillor R.K. Jones to the damage being caused to the kerb edging by heavy lorries and, in response, Mr. Hickie indicated that he was aware of the problem and would be taking action. Councillor T. Renshaw indicated that the lighting unit on the 'keep left' sign at the Blossoms junction was not functioning, which was noted by the Officer.

The Chairman thanked the two Officers for attending and responding to the issues raised by Members. It was noted that Mr. Hickie would next attend at the January 2016 meeting.

65. MINUTES

The following comments were made on the minutes of the Ordinary meeting of the Council held on 9th September 2015.

a. Minute No. 50 – Traffic Calming – High Street

In response to Councillor T. Renshaw, the Clerk advised that he had received no reply from the Head of Streetscene and Transportation in relation to the issues raised at the last meeting of the Council. He had made contact with the Community Centre booking secretary and, whilst it was normally in use in the evening from Monday to Thursday, she had indicated that it should be possible to make a Wednesday evening available. Whilst it was noted that there had been some visits to businesses in the High Street by a County Officer, it was agreed that a reminder be sent to the Chief Officer for a response in relation to the request for a public meeting and the full details in relation to the accident statistics.

66. CHAIRMAN'S COMMUNICATIONS

1. In relation to Civic Services, the Chairman indicated that she had attended the one for Saltney Town Council on 11th October 2015, but was unfortunately unable to attend those being held at Holywell on 25th October and Leeswood on 1st November 2015.
2. The Chairman made reference to her attendance at the Proclamation Ceremony on 3rd October 2015 in Flint for the Urdd Eisteddfod, which was to be held in the town on 2016. It had been an excellent occasion and had been well attended.

67. PLANNING APPLICATIONS

App. No.	Location	Detail
054256	Land adj. Cambrian Works Station Road	Change of use to vehicle parking area.

RESOLVED :

That the application be supported.

68. ACCOUNTS FOR PAYMENT

RESOLVED :

That the following accounts be paid :-

Name	£	Cheque No.	Expenditure Powers
Dwr Cymru Cyf	810.34	101752	Loc.Govt.(MP)Act 1976(S19)
M.Y.Leddy	50.00	101753	Parish Councils(MP)Act 1970 (S214)
Clr.C.P.Owens	46.18.	101754	Loc.Govt.(MP)Act 1976(S19)
Delyn Press	166.00	101755	Loc.Govt.Act 1972 (S.112)
Mr. G. Roberts	839.95	101756	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	144.46	101758	Loc.Govt.Act 1972 (S.112)

69. APPLICATIONS FOR FINANCIAL ASSISTANCE

The meeting 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. At the Estimates meeting in January 2015, a sum of £1,800 was allocated to this expenditure, which had supplemented by a carry-over of £500 from the previous financial year to assist with the Pithead Memorial project being arranged by the Friends of the Bagillt Foreshore. In addition to the six applications included in the report, the Chairman had agreed to also include a late application from Ysgol Glan Aber, and also that it was her wish that the one from the Save Bagillt Library Group should be considered for assistance out of the Chairman's Fund.

The Clerk reminded Members that at the meeting held in February 2015, the initial donation sum for the 2014-15 financial year had been increased by £750, which had been put in estimates for summer activities programme budget heading and was not

required. As this information did not become known until after the January 2015 Estimates meeting, the same applied for this financial year and could be similarly added to the amount available as it was included in the budget.

RESOLVED :

1. That the budget allocation for application for financial assistance for this financial year be increased by £750 by transferring from the Summer Activities Budget heading, which was no longer required.
2. That in accordance with Section 2 of the Local Government Act 2000, the held over application from the previous financial year be agreed as follows :-

Organisation	£	cheque no.
Friends of the Bagillt Foreshore	500.00	101759

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

Organisation	£	cheque no.
Friends of the Bagillt Foreshore	250.00	101760
Bagillt Heritage Society	500.00	101761
Ysgol Merllyn	300.00	101762
Ysgol Glan Aber	300.00	101763
St. Kentigern Hospice	100.00	101764

4. That in relation to the application from the Save Bagillt Library Group, the actual cost of the four replacement heaters, estimated at £70 each, be reimbursed from the Chairman's fund.

Note : Councillors M.A. Reece and B.T. Doleman declared personal interests in the applications from Friends of the Bagillt Foreshore and, whilst remaining in the meeting, did not vote thereon.

70. FINANCIAL INFORMATION

The meeting noted the Budget Monitoring report and Bank Reconciliation statement for the second quarter to 30th September 2015, copies of which had been previously circulated to Members.

71. BAGILLT FORESHORE

The Clerk advised that he had received an e-mail from Councillor M.A. Reece advising that there was a new Ranger for the area, Tim Johnson, and he was

requesting to attend a meeting of the Council. Councillor B.T. Doleman indicated that he had met the new Ranger and, in view of previous problems, felt that he should be requested to attend the next meeting of the Council so that a working relationship could be established.

Reference was made by Councillor M.A. Reece to problems being faced at the Condis Pool in relation to a particular weed, details of which he gave to the meeting.

Councillor A. Griffiths once again made reference to the bad problem of dog fouling in the Bettisfield area and to the need for some enforcement action from the County Council, as had occurred in other foreshore areas.

RESOLVED :

That the new Ranger, Mr. Tim Johnson, be invited to attend the next meeting of the Council.

72. BAGILLT PARISH CHURCH YARD

Members had received a further copy of the letter circulated by the Vicar at the last meeting, to consider a request for support concerning a possible extension to the graveyard, with particular reference concerning an alternative source of access. Since the last meeting, in relation to the leaking/turned off stand pipe, this had now been repaired, as previously agreed, to include a push-button chrome tap.

The Vicar was invited to speak in support of the letter and made reference to discussions held by the Parochial Church Council, who wished to work with the Community Council in hopefully achieving the extension aim. He indicated that this was a long-term aim, which may take 4-5 years to achieve, and that to date there had been pleasing offers of voluntary assistance to clear the area, hence the need to hopefully achieve an alternative access which would avoid damage to gravestones.

Councillor R.K. Jones made reference to the previously mentioned access from Merilyn Lane through the Leadworks, and to the difficulties that could arise, particularly in relation to machinery, and suggested another possible alternative might be via Foel Gron. In response, the Vicar indicated that in relation to the Foel Gron possibility, there would be the need to ensure that there was no damage to existing gravestones and, having regard to the boundary wall on the Leadworks play area, which did not seem to be in a good state of repair, perhaps any scheme could incorporate an improvement.

In relation to the cost of the scheme, the Vicar indicated that when it was contemplated a few years ago a contractor had placed a cost in the region of £12,000, but he was hopeful that this would be significantly less, given the voluntary aspect it was hoped to achieve. In relation to possible financial support from this

Authority, Councillor T. Renshaw felt that there should be an indication of such support in principle, albeit possibly over a number of years. Councillor C.P. Owens requested the Vicar to obtain some form of estimate for the work, perhaps at least in the initial stages, which would assist the Council in making any decision. The Clerk advised the Vicar that the budget for the next financial year would be determined at the January Council meeting and it would be helpful if there were some information prior to that date, although the Council could at that stage at least put in a notional amount, which could be reviewed in subsequent years.

RESOLVED :

1. That it be noted that Councillor R.K. Jones would pursue the two possible accesses referred to at the meeting with Officers in Flintshire County Council to see what can be achieved and report back to a future meeting.
2. That in relation to financial support from this Authority to the graveyard extension, that there be agreement in principle, which could be spread over a number of years, and that the matter be further considered at the estimates meeting in January, when hopefully further details would have been received from the Vicar.

73. CHANGES IN EXTERNAL AUDITOR AND FEES

The Clerk reported that the Wales Audit Office had advised that BDO LLP, based in Southampton, would be responsible for the external audit of Town and Community Councils in the area from the 2015/16 financial year, that were previously the responsibility of UHY Hacker Young, and also for the following two financial years. The Wales Audit Office were proposing that for 2016/17 it would change from a fixed fee based on Local Council turnover to a time basis.

RESOLVED :

That the information be noted.

74. MEMBERS' ALLOWANCES AND EXPENSES 2014/15

The Clerk referred to the information circulated to Members since the last meeting, and confirmed that the required list was displayed on Council Notice Boards and the website, and sent to the Independent Remuneration Panel for Wales prior to the required date of 30th September 2015. The Clerk reported that at their next Council meeting he would be circulating information from the Remuneration Panel concerning the next set of determinations to be made in relation to Members' Allowances and Expenses, and these would include two further ones for consideration.

RESOLVED :

That the report be noted.

75. COMMUNITY ASSET TRANSFER (CAT)

The Clerk reported on a meeting he had attended on 1st October 2015 relating to the legal processes involving CAT. The lease would be for 27 years and would contain a break clause after five that could be activated by the tenant organisation. It was a model format which was not intended to be subject to change on a clause by clause basis, although it could have minor changes to reflect the organisation becoming the tenant or the type of asset being subject to CAT. Whilst each tenant had the option to have the document checked by their own solicitor, they were requested to bear this point in mind. There was also to be a Community Benefit Agreement to be completed. The tenant would be required to submit an annual return, based on set questions to assure the landlord of what use was being made of an asset and that any capital monies that had been made available to reflect the state of the building were properly utilised.

In relation to timescales, it was intended that through the FLVC a further workshop on the legal process would be held, hopefully at the end of the month, to coincide with the circulation of the actual legal documents particular to an asset and organisation. This meeting would have a solicitor present who would give free advice and answer legal queries. It was a hope of Flintshire that the CAT process for those currently at the third stage could be completed by the end of the year. The Clerk advised that, on behalf of the Council, he had pointed out that this Authority were still awaiting answers from the County on two points in relation to the War Memorial planted area CAT and until they were received and were satisfactory there would be no completion.

RESOLVED :

That the report be noted.

76. INVASIVE NON-NATIVE PLANT SPECIES

Further to discussion at the last meeting, the Clerk made reference to the letter from Minister for Natural Resources concerning responsibility for dealing with Japanese Knotweed and Himalayan Balsam in particular, copies of which had been previously circulated. The letter made reference to the responsibility for controlling these non-native species resting with the landowner or tenants of the land affected, and whilst both were subject to controls on the spread and disposal of the plants, they were under no legal obligation to remove the plants from their land. The Welsh Government supported strategic catchment scale control work on Himalayan Balsam through local action groups. Small infestations could be controlled by hand pulling as the species was shallow rooted. The widespread eradication using current

techniques would not be feasible due to the resource implications, so river catchments with high biodiversity and containing SSSI interest, were usually the sites which were targeted first by Natural Resources Wales and local action groups.

Councillor R.K. Jones suggested that a representative from Natural Resources Wales could be requested to attend a meeting of the Community Council in relation to this subject.

RESOLVED :

That the information received from the Welsh Government be noted and that Natural Resources Wales be requested to send a representative to a future meeting of the Council to discuss this subject matter further.

77. CHURCH WALK, BAGILLT

The Clerk advised an e-mail had been received via the Council's website from a resident in Church Walk requesting assistance in relation to an area of unkempt land adjacent to her property, which was also being used as a dumping ground for rubbish. In response, Councillor A. Griffiths indicated that he knew the name of the owner and passed the information on to the Clerk for forwarding to the recipient of the enquiry.

78. PLAY AREA IMPROVEMENTS – MANOR PLAY AREA

The Clerk reported that a letter had been received from Flintshire County Council concerning the Match Funding Scheme for this financial year and that, whilst being over subscribed, Bagillt had been successful in securing an improvement scheme for the Manor Play area. This Authority had previously agreed funding of £10,000 towards this cost and details were circulated at the meeting of the five pieces of play equipment which could be provided. The Council was requested to consider the proposals as a response was required before the end of this month.

RESOLVED :

That Flintshire County Council be advised that the proposed design in relation to improvements at the Manor Play Area, which involved five pieces of equipment, was agreed, and that the contribution of £10,000 towards the cost be confirmed.

79. NORTH WALES ENERGY CENTRE

The Clerk referred to information he had circulated at the meeting from the North Wales Energy Advice Centre, which was a not for profit organisation providing a variety of services to assist Flintshire home owners and organisations in relation to the use of energy. They were requesting Community Councillors to raise awareness of their services, particularly to residents within their local communities.

RESOLVED :

That the information be noted.

80. PREPARATIONS FOR THE COMING WINTER

The meeting noted a letter received from Flintshire County Council on preparations for the coming winter, which was similar in content to that received in previous years, concerning information on local weather forecasts, with the Clerk being the contact, salt bins, bagged rock salt and community involvement in snow clearing.

81. MEMBERS' ITEMS

a. External Wall Cladding

Councillor M.A. Reece indicated that, whilst the external wall cladding applied to areas in Flint and Holywell, due to their Communities First designation, it did not apply in the Bagillt area, as had been confirmed by the Delyn AM, who had in turn requested a meeting with the Minister and would report back to Councillor Reece.

b. Roadrunner

Reference was made by Councillor C.P. Owens to the problem of dust being generated by vehicles using the Roadrunner site and he congratulated Councillor M.A. Reece in arranging for the problem to receive attention.

c. Photographic Exhibition – Community Library

Reference was made by Councillor B.T. Doleman to the photographs on display at the Library, which had been taken on the Foreshore, which included a number on wildlife. There was to be a formal showing on Saturday, to be opened by Mr David Hanson, MP for Delyn, and he invited the Chairman to also attend on behalf of the Community Council.

d. Gwynt y Mor Community Fund

Reference was made by Councillor R.K. Jones to the fact that this fund, as a result of the Wind Farm, had now been extended to include the County of Flintshire, and that organisations could now submit applications and pass a copy of the small grant form to the Clerk for information.

82. CLERK’S POSITION AND PENSION AUTO ENROLMENT

The Clerk reminded Members he had previously given an indication that it was his intention to retire at the end of March 2016. He had reviewed this and would not now be retiring until the end of May, as March was the end of the financial year, and it would mean difficulties for the new Clerk, and also that he could complete the municipal year with the current Chairman. It would still mean that he would be retiring prior to the implementation of Pension Auto Enrolment, as it applied to this Authority. Under the Contract of Employment he was required to give the Council three months notice,, but it may be more prudent to do so with effect from the February meeting. It was his intention to include an item on the January Council meeting agenda so that the Council could give initial consideration concerning how they wished to proceed to fill the post later that year.

In relation to Pension Auto Enrolment, the Clerk was hopeful that there would be some impartial advice issued by the Society of Local Council Clerks, as many in his profession felt it invidious that they should have to advise their Authority on how to proceed when a particular scheme could benefit them. At a meeting of the Clwyd Branch of the Society, held last month, there had been a presentation by Clwyd Pension Services Manager on the Local Government Scheme, and a view was expressed that if a number of Town and Community Councils were to get together to join the Scheme then the actuarial fee could perhaps be lower than previously indicated. The Clerk was hopeful that by the January meeting there would be some more information available on which the Council could consider a way forward.

RESOLVED :

That the information conveyed by the Clerk concerning his retirement plans be noted, and that initial consideration on appointing a replacement and dealing with the Pension Auto Enrolment requirements be considered at the January meeting.

IN ACCORDANCE WITH BAGILLT COMMUNITY COUNCIL'S CODE OF CONDUCT

Date of Council Meeting	Wednesday 14th October 2015
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Member	Item	Minute No. Refers
Councillor M.A. Reece Councillor B.T. Doleman	Applications for Financial Assistance – Friends of Bagillt Foreshore	69
Both Members declared a personal interest		

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Chairman