

## **BAGILLT COMMUNITY COUNCIL**

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in BAGILLT COMMUNITY LIBRARY on Wednesday 11<sup>TH</sup> November 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 C.R. Williams.

**IN ATTENDANCE :** Mr. G. Roberts (Clerk), PCSO Hulse (minute No. 84) and Mr. T. Johnson, Flintshire County Council (minute No. 85).

### **83. PUBLIC INQUIRY ITEM**

There were three members of the public present, who indicated that their intentions were to listen to the discussions arising from the agenda.

### **84. POLICING**

PCSO Tom Hulse indicated that, of late, his time had been split between Flint and Bagillt, and he was presently based in the former area. He indicated that it would assist in extending his time available in Bagillt if he could use the Community Library as a hub, as he had a key to the building and it would be useful for leaving items he had to carry with him. On behalf of the group running the Community Library, Councillor B.T. Doleman felt that this would be a good idea, as such a presence would also assist with Library security, and this was supported by the Council.

Reference was made by Councillor A. Griffiths to the previously referred to group of youths who congregated in this area and had been inappropriately abusive to the Chinese takeaway establishment, although for the past couple of weeks they appeared to have moved on, a view which was supported by Councillors B.T. Doleman and R. Davies. The Officer indicated that he had spoken to the group on a couple of occasions and noted the comments made by Members.

The Chairman thanked the Officer for attending, whilst the Clerk reminded him that there was no Council meeting held in December.

### **85. BAGILLT FORESHORE**

The Chairman welcomed Mr. Tim Johnson to the meeting, who indicated that he had been a Coastal Ranger, covering Bagillt to Talacre, since August, although he had worked for the County Council in other areas for the past eight years. He commenced his address by indicating what had been undertaken since he had commenced his role, with reference to the on-going management plan, the

scheduled visits which were made to each area, twice in the summer and once in the winter, the work that had been undertaken on footpath repairs due to erosion, and the cutting back of vegetation, as well as attending Friends of the Bagillt Foreshore meetings. In relation to the future, he made reference to the Dragon Beacon and expressed a wish that it should be lit for St. David's Day. He was looking for local support, with Councillor M.A. Reece indicating that he would certainly do so and was sure that there would be others to assist. It was intended that steps should be provided by the gates at the Holy to improve access and that he was aware of the problems being caused by invasive non-native species, such as Himalayan Balsalm, with Councillor M.A. Reece indicating that he would arrange to show the Officer sites of particular concern. Reference was also made to pond weeds.

Councillor A. Griffiths referred to the issue of dog fouling, and to the practice of some owners of letting their dogs run loose on the Foreshore when they ought to be under proper control. In response, the Officer indicated that he was aware of this problem and if Members could give him information as to where and when this was predominantly occurring he would pass the information on to enforcement colleagues. Councillors A. Griffiths, B.T. Doleman and C.P. Owens responded accordingly.

The Clerk indicated that he had received an e-mail from a local person concerning three pruned-back tree trunks near to the former Bettisfield Colliery, where others had been carved by chain saws. He was offering to do similar with these three trees and had forwarded a copy of his work, which had been shown to the Coastal Ranger prior to the meeting and was circulated at the meeting. Mr. Johnson indicated that he would need to check the trees indicated to ensure they had not been pruned back with the intention of being allowed to re-grow and he would then contact the enquirer, who was prepared to undertake the carvings free of charge.

The Chairman thanked the Officer for attending the meeting, and it was noted that he was prepared to attend again next year to update the Council on what was happening and listen to any issues of concern.

## **86. MINUTES**

The following comments were made on the minutes of the Ordinary meeting of the Council held on 14<sup>th</sup> October 2015.

### **a. Minute No. 64 – Streetscene, Bagillt**

Councillor T. Renshaw indicated that the lights at the Blossoms junction were still not working and requested that a reminder be sent to Streetscene accordingly.

**b. Minute No. 65(a) – 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, which in itself was a reminder concerning the aspects of the requested public meeting and more information in relation to the accident statistics.

The Member felt that, due to the lack of dialogue, there was no option, but for the Council to use the Freedom of Information (FOI) legislation to obtain the information it was seeking in relation to the High Street and these should be served on Flintshire County Council and North Wales Police, with another being made to the Welsh Government concerning the information submitted to them, which led to the Traffic Calming scheme receiving the necessary funding by meeting their criteria. In addition, he deplored the statement which had been made at a recent Environment Scrutiny Committee by the Deputy Leader of the County Council in relation to the non-removal of speed humps, which was against the expressed wish of this Authority. In relation to the amended offer made by the County Council, to remove some of the speed humps, but increase the number of platforms, Councillor Renshaw indicated that emergency service vehicles preferred the former arrangement as it did not impede their progress when speed was essential. The suggestion of submitting three FOI requests as suggested was accordingly supported with the Clerk preparing them in consultation with Councillor Renshaw.

**RESOLVED :**

That the minutes of the Ordinary meeting of the Council, held on 14<sup>th</sup> October 2015 be confirmed as a correct record and signed by the Chairman.

**87. CHAIRMAN'S COMMUNICATIONS**

- a. The Chairman advised that she had attended the County Forum meeting held on 22<sup>nd</sup> October 2015, when the principle discussions had related to the financial situation being faced by the County Council, and also the bin collection at weekends.
- b. The Chairman indicated that she had received two Civic Sunday invitations, which she unfortunately had been unable to attend.
- c. Reference was made to the well attended Remembrance Sunday Service in Bagillt on 8<sup>th</sup> November 2015.

## 88. PLANNING APPLICATONS

### a. Applications Determined – On-line Consultation Period

App. No.	Location	Detail
054387	Units 5 and 6 Manor Industrial Estate	Change of use to storage compound for up to 60 touring caravans and new access

It was noted that, whilst there was no objection to the proposal, concerns had been expressed regarding the need to ensure that none of the stored caravans could be used for occupation, and access from the A548 ensured safe usage, due to the length of some of the caravans plus the towing vehicle.

### b. Applications for Consideration

Whilst there were no applications as such, the Clerk made reference to an e-mail he had received regarding one concerning Dollar Park, which although in the Holywell area, was on the Bagillt boundary. This concerned the continuation of use of land as a residential gypsy site, accommodating nine families on seven pitches, with a total of 13 caravans (no more than 7 static caravans) and the retention of three amenity blocks and erection of one additional amenity block. The application number for the information of Members was 053163.

## 89. ACCOUNTS FOR PAYMENT

### RESOLVED :

That the following accounts be paid :-

Name	£	Cheque No.	Expenditure Powers
Clr.C.P.Owens	259.96	101765	Loc.Govt.(MP)Act 1976(S.19)
Clr. R.K.Jones	18.00	101766	Loc.Govt.Act 1972 (S.111)
Bagillt Bowling Club	480.00	101767	Loc.Govt.(MP)Act 1976(S.19)
Get Mapping Plc.	67.20	101768	Loc.Govt.Act 1972 (S.111)
Mr. G. Roberts	803.95	101769	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	144.46	101770	Loc.Govt.Act 1972 (S.112)
Clr.Mrs. D.J. Williams	8.97	101773	Loc.Govt.Act 1972 (S.111)
Delyn Press	175.00	101774	Loc.Govt.Act 1972 (S.111)
Mr. G. Roberts	816.05	101771	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	144.26	101772	Loc.Govt.Act 1972 (S.112)

## **90. INITIAL ESTIMATES CONSIDERATIONS 2016/17**

The meeting considered a report by the Clerk, copies of which had been previously circulated. The report was to allow Members to give a view on possible new items and the removal of others, prior to the report prepared in consultation with the Chairman and Vice Chairman during the recess, which would be considered at the January 2016 meeting, thereby enabling the budget and precept to be agreed for the next financial year.

### **a. Bagillt Bowling Club**

Members were reminded that they had been meeting the cost of the maintenance of the Bowling Green for five years, and that the Wales Community Rehabilitation Company had offered to continue the arrangement for 2016. The Clerk confirmed he had recently received the current balance sheet for the Bowling Club, which was a condition of the financial assistance arrangement.

### **RESOLVED :**

That Bagillt Bowling Club be advised that the Council supports the continued use of the revised Probation Service for green maintenance, under supervision, for the 2016 and, whilst confirmation of any change in the costs was awaited, would be prepared to make a grant available for £1,920, as previously, provision for which would be included in the Estimates report for the January meeting, subject to costs confirmation.

### **b. Bagillt Community Centre**

Members were reminded that the Council currently covered the cost of insurance and water/sewerage costs to the premises. The Centre was responsible for covering the cost of water usage by the Church, by way of the graveyard, and the estimated provision of £1,900 for this financial year would be well exceeded.

This was due to the expected water/sewerage bill, which should have been received in March 2015 not having been received until this financial year and the amount of the two bills already paid, this being in part due to the water leakage at the graveyard now subsequently fixed and the next expected payment was due in March 2016.

In addition, there would be a rise in the insurance level due to the change in the insurance tax. It was a condition of the continued financial assistance that the Council received a copy of the audited accounts at the end of the financial year, in October, and were also made aware of Centre Management committee meetings so that the Authority could be represented.

**RESOLVED :**

That the Community Association be advised that, subject to the agreed conditions, the Council would continue to support the Centre as previously, and provision would be included in the Estimates report for confirmation at the January 2016 meeting.

**c. Clerk Change/Pension Implication**

Members had been advised at the October meeting of the intentions of the Clerk to retire at the end of May 2016, and that there would be a need for provision to be included in the budget to reflect the new post, whilst not committing the Council to any pre-conceived salary/expenses arrangement. There would also be a need to include some provision for the probable introduction of a pension from June 2016, which would require a contribution from the Authority if accepted by the new post holder, as well as to cover any costs of a new appointment to enable options to advertise the post. In relation to contractual arrangements concerning a retirement gratuity for the current Clerk, a report would be made at the end of the meeting after the exclusion of public and press.

**RESOLVED :**

That the comments of the Clerk be noted and that provision be made in the Estimates report concerning the points now indicated.

**d. Church Graveyard Extension**

At the October 2015 meeting it was agreed, in principle, to give financial assistance towards the cost of this work, albeit over a number of years, to reflect the expected time it would take to achieve. The Vicar, who was present at the meeting, was at this time unable to indicate the likely costing, taking into account the use of voluntary aid to clear the overgrowth, but it was hoped that by the time of the January Estimates meeting this may be possible.

In relation to the access situation, Councillor R.K. Jones indicated that he had spoken to officers in both Streetscene and Play Area/Open Spaces regarding this issue, and it was felt that both could be supportive, subject to conditions. The Member suggested that the Clerk forward contact arrangements for the Vicar to Mr. Alan Roberts, who could then arrange a site meeting to discuss matters in more detail.

**RESOLVED :**

That, for the purposes of the Estimates report, the Clerk include a notional amount for assisting with the Graveyard extension, with that meeting determining the appropriate level, following any further information from the Vicar, and at the same time a decision could also be taken concerning future years.

**e. Community Library**

The Council currently met the cost of insuring the building and monthly electricity bills, and also provided assistance for occasional one off requests, such as the recent installation of four portable heaters.

**RESOLVED :**

That an appropriate sum be included in the Estimates report to once again cover meeting the costs of insuring the building and monthly electricity costs.

**f. Play Area Improvements**

A letter which had been received from Flintshire County Council was circulated at the meeting and it was noted that, whilst a fund was to be made available for 2016/17 for a Play Area Community Grant Scheme, any initial draw on the sums would be made available to those Town and Community Councils which were undertaking CAT transfers of play areas. Any funds still available would be used to improve those play areas retained by the Council and agreed as a priority and, in such instances, match funding would be available on a maximum contribution of £10,000 from the Authority per Town and Community Council area.

**RESOLVED :**

That a sum of £10,000 be included in the Estimates report to enable the Council to participate in the match funding of improvement of a play area, should the opportunity for a match funded bid be possible.

**g. Play Schemes**

A letter had been received from Flintshire County Council, which had been circulated at the meeting, making reference to the fact that the Flintshire part of the funding for this scheme which was provided by a Welsh Government grant subject to reduction, and may be withdrawn in total, a decision which would not be known until February or March, this being after the Estimates had been agreed. Currently, it cost £900 per week for each location for a three week period for each Town and Community Council, with the County Council paying the same by way of the grant. In the event of the grant being

withdrawn then for the same period the cost to a Town and Community Council would rise to £1,800 per scheme, with the cost for additional weeks remaining at the current level of £260 per week.

**RESOLVED :**

That, for the purposes of the Estimates report, a sum of £3,600 be included, should it be necessary to meet the full costs of a three week period for both of the existing Schemes in Bagillt. In the event of Flintshire receiving Grant Aid to meet part of the cost then consideration could be given to an additional week at each, as had been the case in 2015.

**h. Urdd Eisteddfod – Flint 2016**

At the January 2015 meeting of the Council it was agreed to put £1,000 in the budget to make funds available to support this event with a view to making a similar provision in the next financial year. This would make it the third year and it would need to be passed over to the organisers before the Eisteddfod in June 2016, after the new financial year commenced in April.

**RESOLVED :**

That a sum of £1,000 be included in the Estimates report for January, making it the third and final, with a view to it being paid over at the commencement of the new financial year.

**91. FINANCIAL CHALLENGES IN FLINTSHIRE**

A copy of an e-mail received from Flintshire County Council about public engagement events was enclosed for Members' information. After consultation with the Chairman and Vice Chairman, the four places allocated to the Council for the Area 2 meeting, Bagillt and Flint, to be held on 17<sup>th</sup> November 2015, had been registered. The Council would be represented by the Chairman, Vice Chairman, Councillor C.P. Owens and the Clerk, but any other Councillor could attend as a member of the public by registering beforehand.

**RESOLVED :**

That the report be noted.

**92. INVASIVE NON-NATIVE PLANT SPECIES**

The Clerk reported that a request for a representative from Natural Resources Wales to attend a meeting, had been declined, after consideration of the information forwarded by the Welsh Government on this issue. They had however supplied the



internet addresses of two links which could be helpful with this issue, and indicated contact could be made if there were any further queries.

**RESOLVED :**

That the report be noted.

**93. MEMBERS' ALLOWANCES AND EXPENSES 2016/17**

The Clerk made reference to the proposed changes in the remuneration of Members of Town and Community Councils, which included two new aspects, as included in the draft annual report of the Independent Remuneration Panel for Wales. A copy of the information had been enclosed for Members' information, and the Council had the opportunity to make comments on the consultation. After the final report was published in February, the Council were required to make a formal decision at the March meeting on each of the determinations on which, if any, to adopt.

A view was expressed by Councillor T. Renshaw that Members did not become Town or Community Councillors because of allowances and expenses, and that it had always been the norm to receive out of pocket expenses where appropriate.

**RESOLVED :**

That the consultation on the allowances and expenses proposed for the next financial year be noted, and that an item be included on the agenda for the March meeting concerning the determinations necessary for that financial year.

**94. COMMUNITY ASSET TRANSFER**

The Clerk advised that there was no update of information since the last meeting in relation to the planted area around the War Memorial. Reference was made by Councillor B.T. Doleman to the issue of the unrepaired lighting unit, which had been broken by Flintshire County Council when rotovating the area. He was advised by the Clerk that it was a condition that this should be repaired prior to this Authority agreeing to enter into any transfer arrangement.

**RESOLVED :**

That the report be noted.

**95. AUTHORITY FOR ACTION DURING THE RECESS PERIOD**

**RESOLVED :**

1. That in accordance with the provisions of Section 101 of the Local Government Act 1972, the Chairman and Vice-Chairman, acting as a Sub-Committee, be given power to act on matters of an urgent nature during the recess period.

2. That in accordance with the provisions of Section 101 of the Local Government Act 1972, the Chairman and Vice-Chairman, together with a Local Member(s) (excluding planning applications), acting as a Sub-Committee, be given power to act on matters where local Member involvement would be helpful during the recess period.

**96. RAISED BEDS**

The Clerk read out to the meeting the contents of an e-mail exchange between Councillor M.A. Reece and Mr. Alan Roberts of Flintshire County Council. This advised that, unless the Community Council expressed an interest in taking over the planters, of which there were eight, they would remain under Flintshire maintenance. At this time it was not known what service would be provided by Streetscene in the future, who currently maintained the planters. It was suggested that the possibility of permanent plants, as those in Holywell, could be investigated, to reduce maintenance costs. Councillor M.A. Reece indicated that he would prefer the planters to be changed regularly, in part or total with flowering plants, and requested the Council to offer financial support for this suggestion as it would produce an improved and more colourful arrangement. The Clerk indicated there was already a budget provision of £500 for expenditure on raised beds, in the current financial year, only part of which had been utilised for painting the one raised bed, which was currently owned by this Authority.

**RESOLVED :**

That the suggestion concerning expenditure on flowering plants in relation to the raised beds in the Village be supported.

**97. PUBLIC BENCH**

Councillor M.A. Reece indicated that he had been given a surplus public bench by the County Council for community use. Whilst it was metal framed it had wooden slats, some of which were missing and, rather than replace these, which would require constant maintenance, he suggested new metal slats be provided, which would be a long-term investment and only requiring occasional painting. The bench could be used to replace the one at the Boot End by the bus shelter, which was in need of replacement given that the concrete structure had been affected by frost damage.

**RESOLVED :**

That the suggestions concerning the replacement and repair, be supported and that the Gate Maker firm be requested to provide an estimate for the replacement and fitting of the metal slats, with the Chairman and Vice Chairman being authorised to approve the expenditure under Recess powers.

**98. WAR MEMORIAL**

Reference was made by Councillor M.A. Reece to the laying of wreaths on Remembrance Sunday, and to the problem of ensuring that they could be kept in place and not in danger of being blown away. He made reference to a guard feature he had been informed about which enabled them to be securely arranged and requested that consideration be given to such a feature at Bagillt, given the number of wreaths that were laid this year.

Councillor B.T. Doleman indicated that he would support the suggestion concerning a secure arrangement for wreaths, but also requested that consideration be given to a more permanent arrangement for the cover, which was erected each year to protect the person playing the music. The current gazebo arrangement was very wind prone and some form of framework needed to be installed, which would then make it easier each year to place the actual cover securely. He further indicated that he would arrange to speak with the Royal British Legion representative in the Village for their views concerning the two issues raised, and also enquire whether they had funding which could be put towards the costs. In relation to the framework suggestion, Councillor M.A. Reece indicated that he could certainly assist with metal struts, into which any framework could be placed. The Clerk advised the meeting that the Council did have a budget of £250 in the current financial year concerning War Memorial expenditure, having regard to the CAT application that had been made for the planted area.

**RESOLVED :**

That the two suggestions for improving arrangements at the War Memorial be agreed in principle, with the intention that there would be further discussion at the January meeting when the views of the Royal British Legion could be reported.

**99. PUBLIC BODIES (ADMISISON TO MEETINGS) ACT 1960 – EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED :**

That the public and press be excluded for the next item of business, in view of the confidential nature.

**100. CLERK'S RETIREMENT GRATUITY**

The Clerk made reference to the Contract of Employment entered into between himself and the Council in March 2005, which contained a clause that the payment of a gratuity was due on retirement for the period 2005/06 to the end of the current financial year. The Contract, signed in March 2005, was applicable from that April and also no payment could be accrued after he reached the age of 70 years in April

2016. The calculation was based on the Lower Earnings Limit (LEL) for National Insurance, at a rate of 3/80's or 3.7% for each of the 11 years. For the purpose of the calculation, the Clerk indicated what the sum would accrue to, based on the LEL for 2015/16, but the actual one would be based on that for the next financial year, which was not yet available, as it has to be that which was in force the day before the person retired, which was due to be on 31<sup>st</sup> May 2016. Another condition in the retirement gratuity clause was that it had to be approved by the then Inland Revenue, which had been received in April 2005 and the payment was also not liable to Income Tax or National Insurance deductions. The Contract of Employment, Council minute and Inland Revenue approval, together with a legal opinion from the Society of Local Council Clerks, and their information on calculation, had been shared with the Chairman and Vice Chairman and both had indicated that they were satisfied with the information received.

**RESOLVED :**

That the report of the Clerk be noted and that the Estimates report, to be considered in January 2016, include appropriate provision to meet the Council's contractual obligations in relation to the retirement gratuity due to be paid in May 2106, as now reported.

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

<b>Date of Council Meeting</b>	<b>Wednesday 11<sup>th</sup> November 2015</b>
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<b>Member</b>	<b>Item</b>	<b>Minute No. Refers</b>
There were no Declarations of personal interest		

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**Chairman**