

BAGILLT COMMUNITY COUNCIL

Minutes of the proceedings of the Ordinary meeting of the BAGILLT COMMUNITY COUNCIL held in BAGILLT COMMUNITY LIBRARY on Wednesday 16th March 2016.

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 and C.R. Williams.

APOLOGIES : Councillors C. Williams and J. Williams.

IN ATTENDANCE : Mr. G. Roberts (Clerk), Councillor B. Attridge and Mr. S. Jones, Flintshire County Council (minute Nos. 136 and 137) and PCSO Hulse (minute No. 138)

135. PUBLIC ENQUIRY ITEM

There were two members of the public present, who were attending for the item on the agenda concerning traffic calming issues in the High Street, but did not wish to speak and would remain for all the proceedings.

136. COMMUNITY TRANSPORT ISSUES

Mr. Steve Jones, Head of Streetscene and Transportation at Flintshire County Council was in attendance, along with his colleague, Councillor B. Attridge, Deputy Leader of the Council, to advise on community transport issues. They were to explain the reason for actively looking at this issue, which principally related to the need to make savings on the £1 million plus the County Council presently expended on bus service subsidies, which on some routes was complete due to their rural nature, with others being partly assisted. Other routes within the County were commercial and self-supporting. Although the County Council had to make reductions in expenditure they were mindful of the effect the removal of a bus service could have on isolated rural communities in particular and other areas to a lesser extent, and this is why they were endeavouring to promote community transport.

It was intended that there would be a workshop to be held at County Hall, Mold in April to discuss the matter further, and it was hoped that the Community Council would be represented. Community transport was a service provided by the local community in response to specific local transport needs, with schemes run on a 'not for profit basis', also social enterprise, often involving volunteers to manage and deliver the service. Community transport schemes operated on many levels from small to large, from all volunteer to several paid staff and examples concerned the use of Dial a Ride, Community Car Scheme, Taxi Bus and Community Bus Schemes. If areas were wishing to promote this then the County Council would

endeavour to encourage groups in different areas to work together and provide Officer assistance to enable the formation of hubs.

Councillor T. Renshaw felt that Flintshire County Council had an unenviable task in relation to making savings which were affecting services and would continue in future years and concurred with the need to ensure that rural areas were not completely isolated. He therefore indicated that he supported the Community Transport Initiative and would support the workshop when it had been arranged.

Mr. Jones indicated that, as far as Bagillt were concerned, route 19, which went to the Wern, had a high subsidy of more than £5 per passenger, whilst routes 18 and 11 were medium, having between £2 and £5. He would forward by e-mail details relating to subsidy information, core routes and some a summary of types of bus services in Flintshire, which could then be circulated to Members. He did however have information in relation to different types of community transport, and these were circulated at the meeting.

The Chairman thanked Mr. Jones for his presentation and requested that he now proceed to the other issue in relation to an A548 by-pass crossing in Bagillt, on which he had agreed to provide information.

137. A548 BY-PASS – CROSSING

Mr. Jones indicated that each year the County Council was invited to make bids for Welsh Government funding, which has to meet certain criteria and therefore had a scoring system to determine which, if any, should go forward. When the bids for the next financial year were considered in January, one for Bagillt was not in the top three and he advised that it was procedure not to submit more than that number of bids.

He was supported in these comments by Councillor B. Attridge, who indicated that before the scoring system was introduced then the procedure seemed to be that the areas which made the most strident calls were the ones put forward, rather than those that needed it the most, which was much fairer.

Mr. Jones went on to state that it may be possible for the Community Council to pursue other funding opportunities not available to Flintshire. He reiterated an offer made to Councillor M.A. Reece, that his Department would assist in looking at possible other funding streams, as well as any design work which would be required to make a bid if this was possible.

Councillor C.R. Williams expressed disappointment that such a facility for a crossing to enable pedestrians to safely get across to the foreshore had not been successful. Councillor M.A. Reece indicated that he supported the offer made by the Officer concerning working together to look for funding opportunities so as to enable those wishing to use the coastal footpath and cycle path would gain safe access, as is

possible in other communities in Flintshire along this route. There was also the matter of the two Schools in the Village being able to visit the foreshore for educational purposes, which could be an important support factor in any bid for funding for a crossing. Councillor R.K. Jones made reference to consideration previously given concerning access to the Bettisfield area, so as to promote usage of the foreshore, whilst Councillor G. Hotchkiss supported the need for a safe access in Bagillt, as was possible in other communities along the A548.

The Chairman thanked Councillor Attridge and Mr. Jones for attending the meeting.

138. POLICING

PCSO Tom Hulse was in attendance and indicated that, whilst he had nothing specific to report, in the event of any incidents occurring then they should be reported either through the 101 service, or direct to himself by his mobile phone number or e-mail address so that they can be recorded. In response to Councillor R.K. Jones, he indicated that there had been an incident in the Village earlier in the week with a Police presence and accordingly gave background to it. Councillor T. Renshaw supported the Officer in the view that incidents should be reported to the Police as and when they occurred.

The Chairman thanked the Officer for attending.

139. MINUTES

The following comments were made on the minutes of the Ordinary meeting of the Council, held on 10th February 2016.

a. Minute No. 134 (a) – Caravan Usage

Councillor M.A. Reece updated the meeting in relation to enforcement action taken by the County Council Planning Department.

b. Minute No. 134(c) - Phone Box, Boot End

The Clerk reported that British Telecom had repaired the phone box within a week or so of it being reported.

RESOLVED :

That the minutes of the Ordinary meeting of the Council held on 10th February 2016 be confirmed as a correct record and signed by the Chairman.

140. CHAIRMAN'S COMMUNICATIONS

1. The Chairman read out to the meeting an invitation from Bagillt Women's Institute to a 70th birthday event being held on Wednesday 1st June 2016, and to which all Members were invited.
2. The Vice Chairman, accompanied by Councillor A. Griffiths, referred to the event he had attended at the Town Hall, Flint on 4th March 2016, when there was to be a presentation made by the Delyn MP to a local resident concerning a World War II medal award from France. Unfortunately, the resident, who was 98 years of age, was unable to attend due to hospitalisation and they had therefore they had visited him there to make the presentation. In addition, they had been invited to call to see him when he was released from hospital to view his collection of medals.

141. REPORTS BY REPRESENTATIVES

a. Himalayan Balsam

Councillor M.A. Reece updated the meeting concerning the issue of Himalayan Balsam.

142. PLANNING APPLICATONS

a. Application Determined – On-Line Consultation Period

App. No.	Location	Detail
054918	1 Hillcourt Avenue	Erection of extension and new roof

It was noted that the application was supported.

b. Applications for Consideration

App. No.	Location	Detail
054997	62 Riverbank	Extension to rear and side

RESOLVED :

That application 054997 be supported.

143. ACCOUNTS FOR PAYMENT

1. RESOLVED :

That the undermentioned accounts be paid.

Name	£	Cheque No.	Expenditure Powers
Clr.C.P.Owens	49.43	101794	Loc.Govt.(MP)Act 1976(S.19)
Information Commissioner	35.00	101795	Loc.Govt.Act 1972 (S.111)
Bagillt Heritage Soc.	415.00	101796	Loc.Govt.Act 2000 (S.2)
Mr. G. Roberts	834.08	101797	Loc.Govt.Act 1972 (S.112)
H.M. Revenue & Customs	144.46	101798	Loc.Govt.Act 1972 (S.112)
The Gatemaker	460.00	101799	Parish Councils Act 1957
Clr.C.P.Owens	63.11	101800	Loc.Govt.(MP)Act 1976(S.19)
Flintshire County Council	10,000	101801	Loc.Govt.(MP)Act 1976(S.19)

2. That in relation to the payments to be made to Councillor C.P. Owens, in respect of the electricity bill due to be paid this month, and for the water/sewerage bill at the Community Centre, due to also be paid to Welsh Water this month, the Chairman and Vice Chairman be authorised to agree these payments, if received in time to enable them to be met before the end of the financial year on 31st March 2016, and therefore included in the accounts referred to in (1) above.

144. PAYMENTS TO MEMBERS OF COMMUNITY COUNCILS

The meeting considered a report of the Clerk, together with an extract from the Annual Report of the Independent Remuneration Panel for Wales, so as to enable the Council to make determinations applicable for the next financial year. The report of the Clerk advised of the current situation in relation to previous determinations by the Council.

In addition, the report also pointed out that, in relation to payments to Members for this financial year then these would need to be listed and sent to the Panel as well as being displayed on the website and Council notice boards.

RESOLVED :

That in relation to the 2016-17 financial year, the determinations required concerning payments to Members be as follows :

Determination 46 – Costs and Expenses – not to be paid by Council

Determination 47 – Senior Roles – not to be paid by Council

Determination 48 – Civic Allowance – not to be paid by Council

Determination 49 - Reimbursement of travel when undertaking approved duties – that it again be payable at the HMRC rate and noting that the new arrangement will also cover travel costs for attending approved duties inside the area of the Council

Determination 50 – Reimbursement of Subsistence – not to be paid by Council

Determination 51 – Attendance Allowance – not to be paid by Council

Determination 52 – Financial Loss Allowance – not to be paid by Council

Determination 53 – Care Allowance for Dependent Children or Adults – not to be paid by Council

Determination 54 – Care Allowance for Personal Assistance Needs - not to be paid by Council

145. HIGH STREET – TRAFFIC CALMING

a. Freedom of Information Request

Further to discussion at the last meeting, replies had been received from Flintshire County Council and the Welsh Government on the further queries raised on the Freedom of Information responses. Copies had been previously circulated to Members.

Reference was made by Councillor T. Renshaw to the response received from the Welsh Government, which on this occasion had been signed by the Minister for Economy, Science and Transport, although the query had been addressed to the Officer who had responded to the original FOI request. The Welsh Government had been asked whether, based on the accident statistics supplied by North Wales Police and enclosed with the query, it would have resulted in the scheme put forward by Flintshire County Council having been approved.

The response from the Minister did not address this question but merely referred to the process for the road safety capital grant, for which Local Authorities were asked to provide data for the last three available years. Unfortunately, due to the time taken to produce verified annual collision statistics within Police Forces, in some cases it would not be immediately available for the preceding year and therefore they allowed the Authority to

submit the last three years of verified data. Scoring against the applications took into account a number of factors but chief amongst those was the number of collisions which resulted in people being killed or seriously injured and any scheme with three serious incidents in three years scored highly against the grant criteria.

In the opinion of Councillor T. Renshaw, relating to the three years referred to by the Minister then, from the data supplied by the Police, speeding certainly did not seem to be an issue and the serious factor was a questionable issue. He suggested that a request be made for the Delyn AM to take this matter up further with the Minister, with all relevant correspondence being sent to her.

RESOLVED :

That the Delyn AM be sent all the relevant correspondence with the Welsh Government in relation to the Council's FOI request for her to pursue the matter further with the Minister on the Council's behalf.

b. Chicane

The Chairman read out to the meeting a proposal she had received from Councillor B.T. Doleman, that this Council requests Flintshire County Council to remove the chicane and hump situated in the High Street and adjacent to the War Memorial, which was not included on the original scheme, on the following grounds :

1. It restricts the refuse vehicle whilst gaining access and egress to and from the properties in Alston Court during the collection of residents' waste.
2. It stopped the flow of traffic to the Village when there was a Remembrance Service at the Cenotaph. Last year Arriva bus passengers were delayed for almost an hour due to the large numbers of people who attended the Service.
3. The chicane, together with the hump, would have a big impact to the access/egress in connection to the sewerage system and on the proposed erection of two detached houses and property adjacent, which was granted planning permission in October 2009. The item had been included on the agenda at the suggestion of Councillor R.K. Jones, who had advised that Streetscene would consider the removal of the chicane as part of the current work if such a request was made by the Council to their Chief Officer, due to the concern that was being expressed.

Councillor T. Renshaw indicated that, whilst he supported the proposal being put forward concerning the removal of the chicane and speed cushion, it should also be made clear to the County Council that the Community Council reiterates its stance, that in relation to the traffic calming measures in the High Street, all speed cushions be removed and this was accordingly supported.

RESOLVED :

That the Clerk made representations to the Chief Officer for Streetscene and Transportation for the removal of the chicane and speed cushion, for the reasons stated and, at the same time reiterating the Council's stance that in relation to the traffic calming measures in the High Street, all speed cushions be removed.

c. Zebra Crossing

The Clerk made referenced to the two meetings held with County Officers, County Members and Community Councillors on the issue of the zebra crossing, followed representations made by local residents when work had commenced on putting in the infrastructure for the erection of lighting on the existing raised table to facilitate the previously agreed zebra crossing.

At the second meeting, which had been held on Monday 11th March 2016, it had been noted that the County Member for Bagillt West no longer supported the installation of the zebra crossing at the location originally specified and also that the Community Council was of the same opinion, having been represented by the Vice Chairman and other Members. The installation of the zebra crossing would therefore no longer take place and this element of the overall scheme for High Street, Bagillt, would be removed. This was possible because the crossing was proposed an additional measure to the traffic calming scheme and its inclusion (or not) did not impact on the integrity. In addition, as the order for the zebra crossing was advertised separately without reference to the traffic calming Order, there would be no impact on the legal Order or the traffic calming works as a result of its omission. The layout of the traffic calming scheme would remain as previously notified to the Community Council.

In relation to the advice being taken on the provision of tactile pavers, it had been further confirmed by the Chief Officer for Streetscene and Transportation that it would not be possible to provide such a feature so as to make an uncontrolled crossing on the raised table. This was because it would not be possible without altering the position of the existing bus stop, a matter which would create concerns for all parties. In addition, it was also considered that, given the proximity of the existing uncontrolled crossing point, which was only a matter of metres south east of the table, the introduction of a second uncontrolled crossing would cause confusion to both motorists and pedestrians.

Councillors B.T. Doleman and T. Renshaw made reference to situation in an area in Flint, which had similar circumstances, and to the fact that tactile pavers were put in to assist those who were visually impaired.

RESOLVED :

That the advice from Flintshire County Council concerning an uncontrolled crossing on the raised table as an alternative to the previous zebra crossing be reluctantly accepted, whilst at the same time drawing their attention to there being a similar situation on a street in Flint.

146. WAR MEMORIAL, HIGH STREET

Since the last meeting, information forwarded from Councillor R.K. Jones indicated that Flintshire County Council was arranging for the Highway Lighting Team to clarify the position and cost estimate to rectify the outstanding issues of the floodlighting and associated power supply cabling to the Memorial. This was on the basis that this Authority continued to pursue the transfer under CAT then it would proceed with the remedial works to effect a clean transfer with no residual liability. However, the Clerk made reference to a further letter received from the Legal Section of Flintshire County Council, advising that the damaged light had been repaired and that the electricity costs to the War Memorial were not their responsibility. Councillor B.T. Doleman indicated that the light damaged by County Council workmen had not been repaired and that their previous effort to do so with an inappropriate replacement meant that it was exposed to the elements and accordingly did not function.

RESOLVED :

That the Clerk advise the County Council that, subject to the information forwarded via Councillor R.K. Jones and the lighting unit being rectified to enable a clean transfer with no residual liability, the Council would be content to pursue the transfer under CAT.

147. BAGILLT FORESHORE

The Clerk reported on a letter received from Friends of the Bagillt Foreshore concerning the flooding problem under the bridge, which gave access to the Bettisfield car park area, and was precluding people from going along to the foreshore in this area, either by vehicle or walking, due to the water problem. Councillor M.A. Reece made reference to the on-going discussions between Flintshire County Council and British Rail concerning responsibility for this matter, including the situation relating to the nearby Green Park Lake and the problem that occurred when there were particularly high tides.

RESOLVED :

That the organisation be advised that this Council shares their concerns and will accordingly forward them to Flintshire County Council, in the hope that their discussions with British Rail can reach fruition.

148. RAISED BEDS

Councillor M.A. Reece had been advised by the Area Streetscene Supervisor that they only had resources to plant up to half of the raised bed containers in the Village. There were currently 10 containers located in the Village and the Clerk confirmed that there were funds in the budget for both this and the next financial year for such an item. As the Area Supervisor was attending the next meeting, he suggested that the Council could advise that they had the funds to ensure the other containers were planted up and to see how this could be carried out in conjunction with Flintshire County Council, so that the Officer could respond accordingly when he attends the April meeting.

RESOLVED :

That the suggestion of the Clerk concerning funding responsibility for half of the plant containers and working in conjunction with the County Council be supported.

149. NEW BRIGHTON CHAPEL ACTION GROUP

The meeting considered a letter received from the New Brighton Chapel Action Group thanking the Council for their £100 donation for purchasing bedding plants for the new season, and went on to explain the difficulty they faced with the area in which they were planted. Councillor M.A. Reece indicated that he had been requested by Councillor J. Williams, who was unable to attend, to express his concerns at the amount of funding being used to re-do these plants every year, and he was supported in these sentiments by Councillor G. Hotchkiss, who felt that a long flowering plant, such as begonias, which required low maintenance, would meet the need, both in terms of coverage and low cost. In addition, Councillor A. Griffiths offered his experience from previous local authority work to assist them in their endeavours.

RESOLVED :

That the letter received from the Chapel Action Group be noted and that in an endeavour to assist them comments made by Members regarding particular plantings and further assistance, be conveyed to them accordingly.

150. LOCAL GOVERNMENT ETHICAL FRAMEWORK – CODE OF CONDUCT

The Clerk made reference to a letter received from the Welsh Government, copies of which had been previously circulated to Members, concerning changes to the Model Code of Conduct. In addition, the Council were required to adopt a revised Code for the 26th July 2016, and therefore a copy had previously been circulated for approval.

RESOLVED :

1. That the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2008 (No.2016/84) in relation to the Model Code issued by the Welsh Government, be adopted by this Council as the new Members Code of Conduct with effect from 16th March 2016.
2. That it be noted that paragraph 15(1) and (2) of the Model Code did not apply to Town and Community Councils, and for the purposes of paragraph 17, it be determined that the reviewed amount should be £10.

151. FLINTSHIRE OPTEC YOUTH EXCHANGE TRUST

The meeting considered a letter received from the Youth Exchange Co-ordinator concerning the exchange between Flintshire and an area in Japan, copies of which had been previously circulated. It concerned a request for help in the provision of activities, events and workshops.

RESOLVED :

That the letter be noted.

152. APPLICATION TO SUSPEND THE RIGHT TO BUY IN FLINTSHIRE

Members had previously received a copy of an e-mail from Flintshire County Council, who wished to consult with stakeholders with a view to making an application to Welsh Government Ministers to suspend the Right to Buy in Flintshire, which, if granted, would mean that a tenant would no longer be able to buy their Council home, and would be for an initial minimum of five years. As they wished the views of the Council before this meeting took place, the Chairman and Vice Chairman had been consulted, together with two other Members present, when they met as a Working Group to consider short-listing in relation to the position of Clerk on the 12th March 2016.

RESOLVED :

That the action agreed by the Chairman and Vice Chairman, in consultation with other Members, to support the application for Suspension of Right to Buy, be noted and agreed.

153. CLERK POSITION

The Clerk reported that five applications had been received for the pending vacancy of Clerk to the Council, and these had been considered against the job description and person specification when the short-listing panel had met on 12th March 2016. It had been agreed that the need for local government experience was paramount in relation to the essential elements in the job specification and accordingly three had been invited for interview at the Special Council to be held on Monday 4th April 2016. When the agenda for this meeting was forwarded to all Members there would be copies of the three applications, the questions to be asked of each candidate, as agreed by the Working Group, and the type of information being sought, and also a scoring matrix to assist Members when they come to make their final decision.

RESOLVED :

That the report be noted.

154. DOG FOULING

A letter was circulated at the meeting from Flintshire County Council concerning a dog fouling initiative, on which views were being sought. It related to a dog DNA registration scheme, which had been introduced by another Local Authority. Members felt that once again it would be responsible dog owners who complied, with the irresponsible ignoring it and therefore making any such scheme unworkable.

RESOLVED :

That the County Council be advised that this Authority does not support this initiative for the views stated.

155. STREET FURNITURE – RISK ASSESSMENT REPORT

The Clerk advised that on 12th March 2016, along with Councillor M.A. Reece, he had undertaken the annual risk assessment of street furniture, which included bus shelters, public benches, notice boards and litter bins. It had been ascertained that some painting was required to the wooden and metal areas at the shelters on the Manor Estate and Tyddyn Messham junctions with the High Street, a re-varnishing of the public bench at the Manor Estate bus shelter, a supporting metal strap was needed to prevent sagging on the public bench in the High Street by the Feathers Inn, and for the metal litter bin located at the Riverbank bus shelter to be re-painted. The Gatemaker was due to install the repaired public bench to replace the existing alongside the stone bus shelter at Boot End the next day and he had been requested to give an estimate for the items listed as needing attention.

RESOLVED :

1. That the report of the Clerk in relation to the risk assessment of street furniture for 2016, be noted.
2. That in relation to the items identified as requiring attention, the Chairman and Vice Chairman be authorised to accept an estimate received from the Gatemaker to attend to them accordingly.

156. GADLYS LANE, BAGILLT

Reference was made by Councillor A. Griffiths to the development of new dwellings at Gadlys Lane, Bagillt on the site of the former British Legion Club, and to the problems which were occurring for local residents, both in terms of vehicle movements, road conditions and ground water. It appeared that, whilst there had been instructions from Flintshire Planning to cease works, this was being ignored by the developers and urgent action was needed to address the concerns expressed by local residents. In response, Councillor M.A. Reece indicated that there had been a number of visits to the site by the Enforcement Officer, who was fully aware of what had been on-going. The developer had been requested to cease site works as a result of non-compliance with some of the pre-commencement conditions imposed in the permission.

RESOLVED :

That the concern of this Authority to the problems being faced by local residents due to inconsiderate actions by the developer be brought to the attention of the Planning Authority.

IN ACCORDANCE WITH BAGILLT COMMUNITY COUNCIL'S CODE OF CONDUCT

Date of Council Meeting	Wednesday 16th March 2016
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Member	Item	Minute No. Refers
There were no Declarations of personal interest		

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Chairman

