



CYNGOR TREF CAERWYS CAERWYS TOWN COUNCIL

Minutes of The Meeting of Caerwys Town Council Held At The Memorial Institute, South Street, Caerwys, On Tuesday The 15th April, 2014, at 7.30pm.

1(A). 91/14 PRESENT

Councillor James E. Falshaw (Town Mayor)
Councillor Mrs Lynette M. Edwards (Deputy Town Mayor)
Councillor Ms. A. Louise Carus
Councillor Jonathan E. Duggan-Keen
Councillor E. Vincent Frost
Councillor Howard R. Griffiths
Councillor David S. Knights
Councillor Michael W. Moriarty
Councillor Ms. Helen L. Priestly
Councillor Jonathan A. G. Webb
Councillor Stephen G. Wilson

Clerk & Financial Officer R. Phillip Parry

1(B). 92/14 APOLOGIES

None

2(A). 93/14 MINUTES SILENCE - BEREAVEMENTS WITHIN THE COMMUNITY

The Mayor or Council Members were not aware of any bereavements within the Community, between the March to April Council meetings.

2(B). 94/14 Standing Orders were suspended; to enable the Public to Address the Meeting.

A member of the public in attendance referred to the following matter;

A resident of Mostyn Square (Town Square) addressed the Members in respect of their concerns with traffic congestion on the B5122. In particular, from the Town Square area to a retail business in North Street. The resident advised the Members of two incidents, whereby their car had been damaged with vehicles manoeuvring in-between other parked vehicles, including buses. The Police had advised the resident, that possibly a marked area for the bus would eliminate the concern.

Councillor J. E. Falshaw as County Councillor advised, that two site meetings had been held in the area with staff from the Highways department. It was agreed at both meetings, that no suitable traffic calming measures could be identified.

Councillor M. Moriarty advised the Members, in respect of the requirements for a marked bus parking bay. However, any parking restrictions would have to be enforced, which would be difficult with the limited number of enforcement staff by both the County Council and Police. Councillor Moriarty proposed that a letter be sent to the County Highways, seeking their views on a bus parking bay. The proposal was seconded and **The Members agreed.**

2(C). 95/14

Standing Orders were restored; to enable the General Council meeting to continue.

3. 96/14

CO-OPTION OF TOWN COUNCILLOR

The Clerk referred the Members to Minute number 10. 83/14, of the Town Council Minutes dated the 18th March, 2014. Whereby Mr. Howard Robert Griffiths, 33, St. Michael's Drive, Caerwys, was proposed and seconded to be co-opted as a Caerwys Town Councillor.

The Clerk read out the Declaration of Acceptance of Office to Howard Robert Griffiths, who repeated the words and signed the Declaration, which was duly witnessed by the Clerk. **The Members congratulated Councillor Griffiths.**

4. 97/14

DECLARATIONS OF INTEREST

There were no Declarations of Interest Declared.

5. 98/14

TO APPROVE THE MINUTES OF THE MEETINGS HELD ON THE 18TH MARCH, 2014 (FOR THE ANNUAL OPEN PUBLIC AND GENERAL COUNCIL MEETINGS)

There were no amendments and the Minutes were proposed as correct by Councillor M. W. Moriarty and seconded by Councillor J. E. Duggan-Keen, and formally agreed by the Members present.

6. 99/14

MATTERS ARISING

The Clerk referred to the following matters from the previous Minutes;

Minute no; 5(A). 72/14 (page 4), in respect of an application by the Caerwys FLUSH Committee, to use the Town Crest on their letterhead. The Clerk referred to the electronic copy of the draft FLUSH letterhead that all Members had received. After discussion, it was proposed and seconded, that the use of the Town Crest on the proposed letterhead, was not suitable. It was further proposed and seconded, that the wording on the letterhead could state the following ' in association with Caerwys Town Council ' **The Members agreed the above by majority.**

Note; Councillors' Mrs. L. M. Edwards and J. E. Falshaw, did not vote on the proposal.

Minute no; 5(B). 73/14 (page 5), in respect of the valuation of The Pinfold. The Clerk advised that he had met with the valuer on site (Jones Peckover, Denbigh), and a written valuation would be received in the near future.

7(A). 100/14
CORRESPONDENCE

The following correspondence had been received, that was required to be either advised to, or dealt with by the Members;

- (1) Flintshire County Council Footway Lighting. The County Council have arranged a meeting between the County and all Town and Community Councils, with a view of developing a strategy in respect of street lighting. To develop a single contract to upgrade lighting, possibility of future adoption by the County, efficiency gains, prudential borrowing criteria and to deliver a more cost effective solution. The Clerk advised that the meeting was to be held on 13th May in County Hall, Mold. The Clerk offered to attend. Councillor H. Griffiths also offered to attend. **The Members agreed.**
- (2) Welsh Assembly Government. Guidance document in respect of Part 7 Communities and Community Councils - Local Government (Wales) Measure 2011.
- (3) North Wales Police. Notification from PCSO Rob Hill, that he has been successful in being appointed as a Police Constable, and will be leaving his present position in the immediate future. The appointment of a new PCSO for the area has yet to be decided.
- (4) The Legislative Reform (Payments by Parish and Community Councils and Charter Trustees) Order 2014. The Clerk advised that an Order has been made and is now in force, that removes ‘ an outdated requirement for every cheque or other order for the payment of money by a Town and Community Councils, to be signed by two Members of the Council ’ The necessary financial controls will be advised in due course, should the Council wish to apply the new rule.
- (5) Information in respect a Scam Awareness Project, from a recent report published by the Alzheimer’s Society. The Clerk was asked to pass on the information to Age Concern.
- (6) Community Chest Grant Funding 2014 / 15 - Round 1. The Clerk advised of the first round for receipt of applications, which opened on Friday 11th April and to close on Friday 30th May. The Clerk was asked to place the information in the Caerwys Chronicle.

7(B). 101/14
CLERK’S REPORT

The Clerk advised the Members of the following;

- (a) Footpath number 11 – at the bottom of the steps leading from / to St. Michael’s Drive, Caerwys. Damage to the style had been advised to the Street Scene Department of the County Council.
- (b) Two Councillors’ had reported their disgust at the overflowing condition of the red dog bin at the main entrance to St. Michael’s Church - with one Councillor sending the Clerk a photograph from their mobile phone. The Clerk advised that he had reported the overflowing bin to the Street Scene Department, and had also sent a copy of the photograph.
- (c) The Clerk referred to the completed Declarations of Interest forms that are sent to the County Council for registration. The Clerk advised that the signed forms by the Monitoring Officer used to be returned within two weeks, but he had this week received signed form from October 2013. The forms sent after the March Council meeting have not been returned to date.

7(C). 102/14
CLERK’S CONTRACT OF EMPLOYMENT AND JOB DESCRIPTION

The Clerk referred the Members to Minute number 5(C). 74.14, of the Town Council Minutes dated the 18th March, of this year. The various amendments as per the Minute had been made to the contract, which had been sent to Councillors’ Mrs. L. M. Edwards, J. E. Falshaw and M. W.

Moriarty for perusal. The three Councillors' confirmed the amendments, with Councillor Moriarty proposing, that the Contract of Employment and Job description be accepted by the Members. The Proposal was seconded by Councillor Mrs. L. M. Edwards. **The Members agreed.**

Councillor M. Moriarty referred to paragraph number 1.3 (page 1) in respect of the Clerk's probationary service, of not less than 13 weeks. Councillor Moriarty proposed, that as the 13 weeks had expired, and the Clerk had established his suitability for the position, that the appointment be made permanent. The proposal was seconded by Councillor Mrs. L. M. Edwards. **The Members agreed.** The Clerk thanked the Members.

8. 103/14

TO RECEIVE AND APPROVE THE END OF YEAR ACCOUNTS FOR 2013 / 2014

- (a) The Clerk had provided the Members with a copy of the end of year Statement of Financial Accounts, for the year ending 2013 / 2014. The Clerk as Responsible Financial Officer, advised the Members further, in relation to the accounts and the end of year balance. **The Members agreed the end of year accounts for the financial year 2013 / 2014, with the financial spreadsheet signed by the Chairman.**

- (b) The Clerk as the Responsible Financial Officer brought to the attention of the Members, the Local Council in Wales Annual Return for the Year Ended 31st March, 2014. This return is required by the External Auditor, who is appointed by the Welsh Assembly. The return is completed with the financial figures from the above referred to end of year balance spreadsheet, including the certification of the Annual Governance Statement. The Clerk further advised the Members that the ' Council confirmation prior to audit ' return was required to be approved, and to be initially forwarded to the Internal Auditor. **The Members approved the Council confirmation prior to audit, and the document was signed by the Chairman and Clerk as Responsible Financial Officer.**

The Members thanked the Clerk for the presentation of the end of year 2013 / 2014 accounts.

9. 104/14

ANNUAL INVESTMENT STRATEGY - FINANCIAL YEAR 2014 / 2015

The Clerk sought the approval of the Council Members, to agree an updated Investment Strategy for 2014 / 2015, together with a project portfolio. **The Members agreed to the updated Investment Strategy. Members also agreed, in principle, the following project portfolio;**

- (a) Children's play area equipment £8,000.00
- (b) Upgrade street lighting £12,000.00.

The Members also took into consideration, the probability of devolved services from the Flintshire County Council, which would have a financial impact, of which costs were not known.

10(A). 105/14

(A) TOWN MAYOR'S REPORT

The Town Mayor Councillor J. E. Falshaw, advised the Members of the following attendances;

- (a) Chair of Denbighshire County Council - Charity Ball
- (b) Mayor of Denbigh - Fundraising Evening.

10(B). 106/14

COUNTY COUNCILLOR'S REPORT

County Councillor J. E. Falshaw advised the Members of the following;

- (a) Grass cutting will begin next week (b) Emptying of the dog bins - Health & Safety concerns with vehicle, but weekly collections will continue (c) Part re-surfacing of Town Square to be carried out (d) Part of North Street road to the Piccadilly Inn to be re-skimmed (e) Water Street nominated to be re-surfaced completely. The street is presently 7th in line, with a possibility to be completed this financial year, or early during the following year (f) Arranging an Environmental walk-about survey, which will include a representative from Caerwys in Bloom (e) Meeting held with Ysgol Yr Esgob School and Caerwys Football Club, in relation to trees being pruned (f) Bridleway to Three Trees - damaged wall which Flintshire County are attending to (g) Condition of B5122 road at the entrance to St. Michael's Drive - due to agricultural machinery access / egress from adjacent field. Councillor Falshaw advised the Members, that the County wished the Town Council to write to the landowner / user of the land, to advise of their responsibilities, in particular, the washing of machinery wheels and ensuring no debris on the highway. **The Members agreed.** Councillor Falshaw to provide the Clerk with the name and address of the landowner / user of the land.
- (b) Councillor M. Moriarty wished Councillor Falshaw to address the following with the County Highways Department (a) that the length of highway (North Street) from the Town Square to the Piccadilly Inn, be re-surfaced in its entirety (b) that the whole area of the Town Square be re-surfaced (c) consideration be given to the kerbing of the grass verge, situated north of the Piccadilly Inn, to the far side of the junction with St. Michael's Drive. The grass verge is churned and looks unsightly. **Councillor Falshaw confirmed that he would discuss the three items with the County Highways department.**

11. 107/14

REPRESENTATIVES / LIAISON COMMITTEE REPORTS

- (a) Councillor D. Knights reported in his capacity as the Council's representative on the Youth Club Committee. Councillor Knights advised the members that the youth club presently were experiencing concerns with certain members of the youth. There were difficult decisions to be made in respect of the future of the club.
- (b) Councillor S. Wilson, advised the Members that stage one had been completed in respect of the Town Hall refurbishment scheme. Stage two was in progress in respect of the tendering procedure, funding outlets, together with a meeting arranged with the Flintshire Local Voluntary Council in the near future.
- (c) Councillor Mrs. H. Priestly reported on a meeting that she and the Town Mayor Councillor J. Falshaw had attended - in relation to Playgrounds. A community tool kit had been presented at the meeting, together with funding outlets, such as the Big Lottery.
- (d) Councillor Mrs. L. Edwards advised the Members, in respect of the present position in relation to the public conveniences. Councillor Mrs. Edwards referred to the official opening of the conveniences on Saturday 10th May at 2.00pm, which all Council Members were invited to. Together with a fund raising activity of a ' Mile of 2p Pieces ' which Ysgol Yr Esgob Primary School were involved with.
- (e) Councillor J. Webb reported to the Members, of his attendance at a meeting of the North Wales Association of Local Councils, which had been held in Welshpool. Councillor Webb advised that a number of matters had been discussed, which included the amalgamation of County Councils in Wales, and that the annual general meeting of the Association would be held in July.

There were no further representatives' reports.

12. 108/14

COMMUNITY LIGHTING

The following lamps have been reported out of order since the last meeting;

- (a) Lamp number; 37 - between The Gables and The Marion.
- (b) Lamp; A541 road in Afonwen, second lamp on left travelling from Mold.
- (c) Lamp number; 28 Near Aled House, Water Street.

The following was discussed in relation to street lighting;

- (i) The Clerk advised the Members that he had attended a meeting with the electrical engineer, in respect of the installation of a new lamp on the pathway from the Institute to the Marion. The Clerk outlined the difficulty in providing underground cabling to the area. Councillors' H. Griffiths and S. Wilson offered to meet with each other on site to discuss the options available. **The Members agreed.**
- (ii) The Clerk advised the Members of an invoice received from Flintshire County Council, in respect of a street lighting maintenance agreement between the County and Town Council - for the sum of £1,500. The Clerk further advised that he had written to the County as there was no such agreement between the two Councils. To date the Clerk had not received confirmation of the cancellation of the £1,500.00 account
- (iii) During 2013 the County Council lighting department had installed two new lighting units in Park View, Afonwen, and together with incidentals the cost is £1,040.42. To date no invoice has been received.

13(A). 109/14

PLANNING APPLICATIONS

The following planning application had been received;

Application number; 051881, under Town & Country Planning Act, 1990 (as amended) Section 211 - Trees in conservation areas, for the fell of 4 number Cypress trees, within the Caerwys conservation area, at St. Michael's Church, Caerwys. **Agreed to support the application** - with the following suggestion; that a qualified arboriculturist be used to fell the trees and that the trees are replaced with native trees such as Yew, Rowan (Mountain Ash) and Holly.

**(The above application was dealt with by the Planning Sub-Committee,
due to statutory time limits for observations).**

13(B). 110/14

The Members confirmed the above decision.

13(C). 111/14

The following planning applications were dealt with by the Members at the meeting;

- ❖ There were no further planning applications received, to be placed before the Members for consideration.

13(D). 112/14

PLANNING DECISIONS

The following planning decision had been received from Flintshire County Council;

- (a) **Planning application number; 051622**, for the erection of building for servicing and storage of plant and change of use of garden centre to plant hire depot, at Garden Centre, Pen y Cefn, Caerwys. **Withdrawn.**

14. 113/14

FLINTSHIRE COUNTY COUNCIL CANDIDATE SUBMISSION FORM (FLINTSHIRE LOCAL DEVELOPMENT PLAN - TO 2030)

The Clerk referred the Members to Minute number 5(A). 72/14(3), of the Town Council Minutes dated the 18th March of this year. The Clerk sought the comments from the Members in respect of submissions of any sites, to be included in the Flintshire Local Development Plan – to the year 2030. **The Members agreed the following site;** Pen yr Ardd, High Street, Caerwys. The site was formerly residential and works units. The Clerk was asked to complete the submission form on behalf of the Council, to indicate the proposed use of the site for mixed residential housing development, and to also advise that the site was in a conservation area.

15. 114/14

FLINTSHIRE COUNTY COUNCIL - DRAFT LEASE (CAERWYS PUBLIC CONVENIENCES)

The Clerk referred to the draft lease that had been circulated to the Members, for their observations in respect of the Caerwys Public Conveniences. The Clerk confirmed the collation of the Members' comments and suggested amendments to the lease, that had been advised to the County Council Legal Department. The Clerk further confirmed that all the required amendments had been made, and requested that the Members formally agree the signing of the lease. **The Members agreed.** The following Councillors' signed the lease; Mrs. L. M. Edwards, D. S. Knights and S. G. Wilson. The lease was also signed by R. Phillip Parry, as Clerk & Financial Officer to the Council, with Councillor J. A. G. Webb witnessing all signatures.

16. 115/14

ENFORCEMENT ISSUES (CLLR M. W. MORIARTY)

Councillor M. Moriarty referred the Members to three enforcement issues that remained outstanding from 2010, together with 3 further matters to be brought to the attention of the Flintshire County Council Planning Department. Councillor Moriarty proposed, that the Clerk write to the Head of Flintshire Planning, outlining the issues and further observations (as below). The proposal was seconded and **The Members agreed.**

Outstanding Issues;

- 131814 – Signage on shop. Compton Stores, South Street, Caerwys.
- 133030 – Erection of fencing. 4 Lon Yr Ysgol, Caerwys.
- 136407 – Removal of hedgerow. Field, Crossways Road, Pen Y Cefn, Caerwys.

Further observations;

- 1. Caerwys View Caravan Park, Caerwys Hill, Caerwys, CH7 5AD. (PA 045342 refers).**

With respect to planning consent granted relating to the above application for retrospective permission for erection of two directional signs, can it be confirmed that a further application for these signs has been submitted as the Decision Notice indicates that planning consent expired on the 23rd September 2013?

2. Plas Isa, Caerwys Hill, Caerwys, CH7 5AD. (PAs 046582 & 047241 refer).

- a) Concern is expressed at lack of compliance with Condition 6 of Decision Notice for PA 046582 and Condition 5 of Decision Notice for PA 047241 in respect of the construction of a northerly splay at the development's access with the B5122 not carried out. Such work is also a further requirement of Condition 6 of Decision Notice for PA 047241. Concern is also raised at the removal of the stone wall that originally bordered the highway on the southerly side of the development's access to create a southerly splay and being replaced by a wooden fence. It is considered that this wooden fence is out of character and appearance with the area.
- b) Can it be confirmed that a photographic survey of buildings existing prior to development of the site has been undertaken and submitted to the Clwyd Powys Archaeological Trust as required under Condition 8 of Decision Notice for PA 046582.
- c) It has been noted that where Caerwys Public Footpath 27 crosses the site between the outbuildings of the property, this has been obstructed by what appears to be a section of wooden fencing when work is not in progress on the site. Attention is drawn to Point 8 of Notes to Applicant in the Decision Notice for PA 046582 and Condition 9 of the Decision Notice for PA 047241 that relate to this Public Rights Of Way.
- d) The temporary notice providing details of the proposed development on the site and erected on land to the south of the site entrance has recently been replaced. As the development is located in an area designated as an Area of Special Advertisement Control, it is asked if the replacement notice meets the conditions as contained in the Town and Country Planning (Control of Advertisements) Regulations 1992.

3. Grassed area bordering B5122, Caerwys.

Can an explanation be provided as under what authority the triangular piece of grassed land, (location: E 31256 N 37483), which borders the eastern side of the B5122, has recently been fenced off.

17(A). 116/14

APPROVAL OF ACCOUNTS FOR PAYMENT

Cheque Number	Payee (To confirm the following payments made between the March to April Council meetings)	Net £	Vat £	Total £
838	North Wales Association of Local Councils (Delegate attendance & lunch at branch meeting)	14.50		14.50
839	Post Office (HMRC-Income tax on Clerk's allowance)	75.00		75.00
840	Post Office (HMRC - Underpayment of income tax of previous Clerk)	11.40		11.40
	(Payments to be considered and confirmed at meeting)			
841	Scottish Power (March Electricity Account - Street Lighting)	246.81	49.36	296.17

842	Deeco Lighting (February - Street Light Repairs)	69.00	13.80	82.80
843	AON UK Limited (Renewal of Town Council annual insurance policy) (Cheque to be held back - as per Minute number 17(B). 117/14 below)	1,564.54		1,564.54

17(B). 117/14

The Clerk referred to the insurance policy renewal for the sum of £1,564.54. As the Clerk had not been aware as to the schedule of insurance cover previously, he advised the Members that he had perused the items covered. The Clerk indicated that there were many items of cover that the Council did not require. The Clerk referred the Members to the three year renewal taken out in 2013.

It was proposed and seconded that the Clerk write to the insurance company, seeking the cost of any cancellation penalty, that may occur, in respect of non-renewal. The account to be held back until the May meeting. **The Members agreed.**

17(C). 118/14

The Members agreed the payments of the above accounts as listed, apart from cheque number 843.

18(A). 119/14

TO REVIEW DECISION MAKING FOR APPLICATIONS FOR FINANCIAL SUPPORT

The Clerk referred the Members to Minute number 15. 29/14 of the Town Council Minutes dated the 28th January of this year, in respect of applications for financial assistance. As agreed in the Minute, the Clerk provided the Members with a spreadsheet analysis of payments made under Section 137, for the past three years. The Clerk advised that he had contacted his colleagues of the Society of Local Council Clerk's in North Wales (Clwyd Section), to ascertain their procedures in dealing with applications. The Clerk indicated that he had received over 40 replies, but there was no overwhelming majority. However, the larger Councils did tend to consider applications either once or twice a year. Whilst the majority of smaller Councils considered applications monthly.

After discussion, it was proposed and seconded that applications for financial assistance would be considered on a quarterly basis. To begin in a year's time, with the Clerk identifying the months of consideration. With immediate effect, no retrospective applications will be considered. **The Members agreed.**

18(B). 120/14

APPLICATIONS FOR FINANCIAL SUPPORT

Cheque Number	Name of organisation	Amount granted £
	(No applications received)	

There being no further business, the Mayor thanked everyone for attending and closed the meeting.

SIGNED BY THE MAYOR AS CHAIR;.....

DATE OF APPROVAL;.....