

**SEALAND COMMUNITY COUNCIL**

**MINUTES OF THE MEETING OF COUNCIL HELD ON 17<sup>th</sup> JUNE 2013 AT THE SEALAND PRIMARY SCHOOL.**

**PRESENT: Councillors:** Mrs B.M.A Southall (Chairman), Mrs G Bullock, J. A. Dodd, Mrs C M Jones (County Councillor), A. Lewis, M. Walker, Mrs S. Webber and D. E. Wisinger.

Peter Richmond - the Clerk and Financial Officer.

Also in attendance -

Wayne Jones - Street Scene - Flintshire County Council.

PCSO Gareth Price 2944 – North Wales Police.

Romilly Scragg - North Wales News.

Jane Parry – Headteacher Sealand Primary School.

Three members of the public

**13/28            APOLOGIES FOR NON-ATTENDANCE**

RESOLVED – that apologies be received from Councillor J.J. Griffiths and G. Shotton

**13/29            CODE OF CONDUCT DECLARATION**

RESOLVED – that it be noted that no declarations were made to Council at the beginning of the meeting.

**13/30            MATTERS RAISED BY THE PUBLIC**

No matters were raised.

**13/31            CHAIR'S ACTION SINCE 20<sup>th</sup> MAY 2013**

The Chairman advised that she attended the Civic Service for the new Chairman of Flintshire County Council on Sunday 9<sup>th</sup> June 2013.

RESOLVED – that the report be noted.

**13/32            MINUTES OF THE MEETING OF ANNUAL GENERAL MEETING OF COUNCIL HELD ON 20<sup>th</sup> MAY 2013**

RESOLVED - that the minutes of the meeting of Annual General Meeting of Council held on 20<sup>th</sup> May 2013 be confirmed as a true and correct record.

The Clerk mentioned that at the previous meeting Council decided to increase the Chairman's allowance from £800 to £1300 following Councillor Griffith's report – referenced below.

The Clerk reminded Council that at the previous meeting Councillor Griffiths referred to his discussion with Gareth Owens, County Council's Monitoring Officer and advised Council that it can pay a grant to an individual which was contra to the advice given by the Clerk. Councillor Griffiths advised the Clerk to check his facts with Gareth Owens - Head of Legal & Democratic Services.

The Clerk advised that following the last meeting he contacted Gareth Owens and was informed by Gareth Owens that he had asked Councillor Griffiths to advise the Clerk to contact him on Monday 20<sup>th</sup> May 2013 to have the situation clarified to him ahead of the meeting.

Gareth clarified by telephone and later by letter that Sealand Community Council has a power under Section 137 of the Local Government Act 1972 to incur expenditure which in its opinion is in the interests of and will bring direct benefit to its area of some or all of its inhabitants. This is typically used as the power to give grants to charities operating within the area of the council.

There are a couple of important points to note about the legislation:-

- i) Firstly, the legislation says you can make expenditure benefitting some of your inhabitants. In practice this means that the benefit must be derived by more than one of your inhabitants.
- ii) The level of expenditure incurred must be commensurate with the benefits to be gained, that is to say you can make bigger payments where the benefit is more widespread or will benefit more people: and
- iii) There are accounting requirements in relation to such expenditure because there is cap on how much the council can spend in any one year. (Refer to upper limit).

The Clerk advised that Gareth's advice was in line with that given by him at the previous meeting and confirmed that the Council is unable to make a payment in accordance with Section 137 of the Local Government Act 1971 to a single individual.

The Clerk reminded Council that Councillor Griffiths stated that the Clerk was giving out illegal advice. Members of Council agreed that Councillor Griffiths did make that statement on more than one occasion.

The Chairman advised that she had contacted Councillor Griffiths shortly after the last meeting after receiving details of Gareth Owens letter and had advised Councillor Griffiths of the content of Gareth Owens' letter.

The Chairman also requested that the Chairman's Allowance should be put back at £800 and had returned the cheque to the Clerk for cancellation.

RESOLVED – that –

- a) the report be noted.
- b) Members of Council be given a copy of the Monitoring Officer's letter. (Copies were distributed at the meeting).
- c) the Chairman's Allowance for the Council Year 2013/14 should be reset at £800.
- d) Council considers it appropriate for Councillor Griffiths to be asked at the next meeting to withdraw his statement that the Clerk had given illegal advice to council and to apologies to the Clerk.
- e) future communications on behalf of the Sealand Community Council with the County Council's Monitoring Officer relating to seeking clarification on issues involving the Council's legal powers should be undertaken by the Chairman and/ or Clerk.

**13/34                    FLOOD AWARENESS – SEALAND**

The Clerk reminded Council that at the previous meeting Councillor Norman Jones - Chief Flood Warden for Sealand advised that he had no further information to that given at the April 2013 meeting of Council.

RESOLVED – that the report be noted.

**13/35                    COUNCIL'S CHAIN / BADGE OF OFFICE**

The Clerk reminded Council that at the previous meeting for Council it agreed to give further consideration on how additional links should be attached to the chain of office and that it was agreed that the Council should seek quotations to add additional links across the front of the chain and to obtain a complete new chain identical to the current chain. The retired Chairman advised that she has contacted the service provider who is preparing a quotation for Council to consider.

RESOLVED – that the report be noted.

**13/36                    POLICE ISSUES**

The Chairman invited PCSO Gareth Price 2944 to the meeting.

- Further Bike Etching session will be provided in the summer holidays – at the Garden City Fun day on Saturday 10<sup>th</sup> August 2013.
- Garden City Fun Day – 10<sup>th</sup> August 2013  
Gareth asked whether Council could assist with the costs in providing the Fun Day. It was agreed that Council would assist in view of the number of people / children that will be attending. An amount of £250 was agreed – Council will formalise the

payment at the next meeting on receiving a letter requesting financial assistance from North Wales Police.

- Daily patrols are being done on the Cycle Path on the riverbank in relation to Drugs and bikes (can Councillors urge anyone with information to contact 101 asap).
- The past month has been reasonably quiet in respect of Anti-Social Behaviour. Sealand now has one of the lowest reported rates of Anti-Social Behaviour in the area.
- PCSO attended the Garden City Youth Club recently and all seemed in order.
- There are still a few issues at the SPAR but regular visits are being done. Regular visits will be undertaken.
- If members of Council are still interested in being signed up to the OWL they should contact Gareth. All Gareth needs is their details – most units on the industrial estate have signed up.
- Parking outside Sealand CP School – regular checks are being undertaken.
- Parking Foxes Lane near to junction with Welsh Road – not on double yellow lines – regular checks are being undertaken.  
Action – Clerk to contact Ian Jones at Flintshire County Council to request that the double yellow lines be extended along Foxes Lane.
- Youth Club – damaged hedges – Gareth needs dates / times in order to check CCTV.
- Green Lane East – Need to Clarify Whether Vehicular Access is Permitted – Action – Action – Clerk to contact Ian Jones at Flintshire County Council to request that the signage on Green Lane East for the vehicular and non-vehicular sections are appropriate as Council is concerned that the bridleway section is still as through route by some cars.
- EVA – Sealand Manor  
It was reported that this was held in the previous week.
- EVA – Sealand West  
This will held shortly.
- Deeside Neighbourhood Police Surgery  
There are held every two weeks at the Deeside Police Station
- Ferry Lane Cottages – Vehicle Blocking Access  
Currently being investigated by the police

The Chairman welcomed Wayne Jones from Street Scene to report on relevant matters on the agenda.

**a) Improvement to Road Surface – Brookside.**

Wayne Jones advised that the works are programmed to be undertaken in August / September 2013.

RESOLVED - that the report be noted.

**b) Need to clarify re-routing of public right of way in the area of the closed steel works offices**

RESOLVED – that the matter be deferred pending receipt of the detailed planning application for this area that will include details of proposed routes for public rights of way.

**d) New Dog Bins  
Green Lane Estate  
Green Lane East – near to St. Bartholomew’s Church  
Cycleway – Foxes Lane to Sealand Road**

Wayne Jones advised that the dog bins as requested will be sited as soon as they arrive on site from the manufacturer.

RESOLVED - that the report be noted.

**e) Pot Holes – Bridleway – Green Lane East**

At the previous meeting Wayne Jones advised that potholes in the bridle way Green Lane East are the responsibility of Public Rights of Way - John Davies. The Clerk advised that he has again referred the matter to John Davies. Wayne Jones will also contact John Davies.

RESOLVED - that the report be noted.

**f) Green Lane East  
No Fly Tipping Sign, Dumped Rubbish**

It was reported that the No Tipping Sign has been reinstated but the contact telephone indicated on the sign isn't correct – Wayne Jones advised that he will investigate.

The Clerk advised that he has been informed by Gerwyn Davies -

Anti-Social Behaviour Co-ordinator that he has apologised for the delay. A few of the County's dummy cameras have been vandalised recently and have been away for repair. When we have one back consideration will be made to this area.

RESOLVED - that the report be noted.

**g) Speed Limit Review – A548 Deeside Industrial Park**

The County Councillor advised that the outcome of the review will be announced shortly.

RESOLVED – that the report be noted.

**h) Black Poplar Tree – St. Bartholomew's Church**

Wayne Jones advised that he will arrange for the protected tree to be inspected.

RESOLVED – that the report be noted.

**i) Church Cottages – Moss on the Footway**

Wayne Jones advised that he will arrange for the footway to be inspected.

RESOLVED – that the report be noted.

**j) Claremont Avenue – Surface Coating**

It was reported that Claremont Avenue is going to be given a surface coating that will provide a water proof membrane.

RESOLVED – that the report be noted.

**k) Riverside Par – Fly Tipping**

It was reported that there has been a significant increase in fly tipping at Riverside Park

RESOLVED – that the report be noted.

**l) Ferry Lane Footbridge - Noisy**

It was reported that since completion of the works the bridge when windy sounds like a Lancaster Bomber.

RESOLVED – that the report be noted and for the issue to be referred to Stuart Jones at Flintshire County Council.

**13/38            LIGHTING MATTERS**

**a)        Street Lighting Report**

The Clerk reported that his most recent lighting inspection of the Council's 149 columns and 151 lights took place on 14<sup>th</sup> June 2013 all lights were working apart from column 21 on Deeside Crescent has a hanging lantern

RESOLVED – that the report be noted.

**b)        Electrical Inspection – 40% of Street Columns**

The Clerk advised that the first 40% of the lights have been inspected by the Lighting Engineers at Flintshire County Council – the next 20% will be undertaken in the 2014/15 financial year.

RESOLVED – that the report be noted.

**c)        Review of Street Lighting Responsibilities – Flintshire County Council**

The Clerk reminded Council that at the previous meeting it received a report from Steve Jones Head of StreetScene that following approval of the new Street Lighting Policy by Cabinet Flintshire County Council offers each Town and Community Council (T&CC) the option to procure energy for its own lighting through the County Council's procurement process. The maintenance of the lighting remains the responsibility of the T&CC. This would enable Council to purchase it's for the 2013/14 financial year at 10.3 pence per kw/hour as against the current rate from Scottish Power at 12 pence per kw/hour – producing an annual saving of about £731. Council resolved to procure energy from Flintshire County Council's energy procurement contract at the rate agreed by the County Council and to commence immediately – or as soon as can be put in place. The County Council was advised of this decision immediately after the meeting.

Darell Jones from Flintshire County Council has now advised that he will be submitting the energy report via PDA and SP to gain the costing from the Mpan. Once this is complete he will inform Council of the overall costing and the date to start.

RESOLVED – that the report be noted.

**d)        Lighting Improvements – 2013/14**

The Clerk advised that Darell Jones from Flintshire County Council has now submitted the following quotations.

North Green x 5 columns - Transfer of Service, Plant, Manpower, Installation of column, lantern and associated parts - £1,350 per column

Sub Total £6,750

Energy and Maintenance - £969.70 per column to enable adoption by Flintshire County Council

Sub Total £4,848.50

**Full Total £11,598.50**

Column 47 on East Green - Transfer of Service, Plant, Manpower, Installation of column, lantern and associated parts - £1,350 per column

Energy and Maintenance - £969.70 per column

**Full Total - £2,319.70**

First 6 / 7 lights on Brookside running from Farm Road -Transfer of Service, Plant, Manpower, Installation of column, lantern and associated parts - £1,350 per column

Energy and Maintenance - £969.70 per column

Total per column £2,319.70

**Full Total 6 columns - £13,918.20**

Total cost to adopt a lighting unit is worked at as follows:

Energy cost over 10 years based currently on an average cost predicted for the next 10 years at 12 ppkwhr . Carbon credits cost over 10 years based currently on an average cost predicted for the next 10 years at £14 per ton. Maintenance cost over 10 years based on the average cost as published by APSE currently £70.99 per unit per year

The Clerk advised that in 2012 Council replaced 2 columns in Kinglsey Road ( Columns 79 and 81) and 4 at Bridge View (Columns 82 -85) – 6 in total. To transfers these to Flintshire County Council will cost £5,818.20.

The Clerk recommended transferring Columns 79 – 81 to 85 to Flintshire County Council at a cost of £5,818.20 and replacing and adopting 4 columns on Brookside at a cost of £9,278.80. Total cost - £15,097.00

This will mean that all lights at adoption standard will have been transferred to Flintshire County Council during the 2013/14 financial year. This will bring the Council's lighting stock down from 149 to 139. And during the project so far 31 lights will have been brought up to the required lighting standard and adopted by Flintshire County Council. At the current rate



on lights could potentially be transferred over within 20 years. The only problem areas will be where the lights are on unadopted roads – Manor Road – 5 at Deeside Lane – 2 on private property at Station Cottages which arguably should not have been installed in the first place.

The remaining two lights at Station Cottages hopefully will be replaced by the County Council as part of their lighting scheme in the area.

RESOLVED – that the –

- a) report be noted.
- b) quotation to have 2 columns in Kinglsey Road ( Columns 79 and 81) and 4 at Bridge View (Columns 82 -85) – 6 in total adopted by Flintshire County Council for £5,818.20 be accepted.
- c) quotation to upgrade Column 47 on East Green at Sealand Manor - Transfer of Service, Plant, Manpower, Installation of column, lantern and associated parts for a cost £1,350 be accepted together with the quotation of £969.70 to have the new column adopted by Flintshire County Council be accepted. Total cost - £2,319.70
- d) quotation to upgrade the first three columns on Brookside from Farm Road , Garden City - Transfer of Service, Plant, Manpower, Installation of column, lantern and associated parts for a cost £1,350 per column be accepted together with the quotation of £969.70 per column to have the new column adopted by Flintshire County Council be accepted. Total cost - £6,959.10
- e) Council's notes that the total cost of its 2013/14 lighting works is - £15,097.00

### **13/39                    FOXES LANE UNDERPASS**

Wayne Jones advised that as agreed the area has been jet washed including the side of the underpass in order to help identify whether the recent repairs are actually alleviating the problem.

RESOLVED – that the matter be deferred to the next meeting pending the outcome of having the area jet washed.

### **13/40                    SECTION 137 – LOCAL GOVERNMENT ACT 1971** **PAYMENT OF GRANTS**

The Clerk advised that the Government has confirmed that the appropriate sum for the S137 Expenditure Limit for the purpose of Section 137 (4) (a) of the Local Government Act 1972 for the calculation of the Free Resource Base is based on the local population taken from the current electoral role of 1964 and £6.50 per head produces an upper limit of £12,766

Grants will be considered for payment at the May 2013, November 2013 and February 2014 meetings of Council.

Allocation for the 2013/14 financial year is £4000. Spent so far is £1,150.00

RESOLVED – that the report be noted.

**13/41            PLANNING APPLICATIONS**

Flintshire County Council has advised Council that the option in their letter dated 25<sup>th</sup> July 2011 was to move from paper consultation to electronic consultation to improve the service given to Community Councils.

The benefits were to give access to more documents and plans. Speed up the 'delivery time'. i.e. postal copies could reduce the consultation period time by up to 3 days at either end. (6 days out of the 21 day consultation period). The County Council has confirmed that the Council will not provide paper consultation for planning applications.

The Clerk advised that no planning applications had been received electronically from Flintshire County Council since the meeting of Council held on 20<sup>th</sup> May 2013.

RESOLVED:- that the report be noted.

**13/42    NOTIFICATION OF PLANNING PERMISSIONS**

The Clerk advised that the Head of Planning had advised that the following planning application has been refused –

The Clerk advised that the Head of Planning had advised that the following planning applications have been approved.

050339 – Erection of a 3 car garage with store room above and conversion of existing garage into games room at White House, Sealand Road, Sealand. CH1 6BR.

RESOLVED - that the report be noted.

**13/43            ACCOUNTS FOR PAYMENT**

RESOLVED:- that the under mentioned accounts be approved for payment.

<b>Cheque No</b>	<b>Payable to</b>	<b>Details</b>	<b>Amount</b>	<b>VAT</b>	<b>Vat Code</b>
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002737	P. Richmond	Salary – June 2013	£562.18		
002738	HM Revenues and Customs Only	Income Tax – PR – June 2013	£188.00		
002739	Scottish Power	Street Lighting Energy 30.4/13 to 31/5/13	£531.37	£88.56	659372008
002740	Cheque Cancelled				
002741	Hayes Dairy Ltd	School Milk – May 2013	£304.47		
<b>Total Spend</b>			<b>£1,586.02</b>	<b>£88.56</b>	

### 13/19 INCOME

The Clerk advised that Council had received the following income –

Lloyds TSB	Bank Interest	£1.62
<b>Total</b>		<b>£1.62</b>

RESOLVED - that the income be received.

### 13/44 CORRESPONDENCE

The Clerk detailed the following correspondence –

UHY Hacker Young – Revised Audit Fees – 2012/13 Annual Returns

Chief Executive – One Voice Wales – Notice of One Voice Wales 2013 Conference and AGM – Saturday 5<sup>th</sup> October 2013 at the Royal Welsh Showground, Llanelwedd, Buith Wells. LD2 3SYT.

Action – Councillors Mrs B.M.A Southall (Chairman), Mrs G Bullock authorised to attend the One Voice Wales 2013 Conference and AGM – Saturday 5<sup>th</sup> October 2013. Councillor Mrs. S. Webber will attend as a member of the Queensferry Community Council.

Head of Planning, Flintshire County Council – PA Ref – 050730 – Engineering works to provision flood defence strengthening along 1.5km of the River Dee embankment to include sheet piling to a maximum depth below ground of 12m and a minimum height of 7.2m AOD and a proposed temporary access route and site compound at RASF Sealand South Camp, Welsh Road, Sealand. Public speaking at the Planning and Development Committee on 19<sup>th</sup> June at 1pm in the Council Chamber, County Hall, Mold.

Connah's Quay Town Council – Invite to the Chairman – Civic Service – Sunday 30<sup>th</sup> June 2013.

Mrs C J Watson - Church Warden, St Bartholomew's Church - Bart Art 2013  
Sealand

PFA an invitation for the members of Sealand Community Council to attend the Preview evening for Bart Art 2013 which is being held in St Bartholomew's Church on Wednesday 19 June at 7.30 pm.

With over 300 paintings on display this year, the evening provides an opportunity to meet the artists and discuss their work with them.

The art exhibition itself begins on Thursday 20 June 2013 and lasts for four days with the church being open from 12 noon until 8 pm daily. The event closes on 23 June 2013 with a Service of Thanksgiving at 6pm.

All pictures are for sale with the proceeds going towards the cost of essential repairs to the church roof.

RESOLVED – that the correspondence be noted.

**13/45 SEALAND MANOR COMMUNITY CENTRE**

It was reported that there is still a delay in concluding on contracts for the demolition of the centre whilst arrangements to remove the asbestos is concluded.

RESOLVED – that the report be noted.

**13/46 SEALAND COMMUNITY COUNCIL – SUMMARY ACCOUNTS 2013/14 FINANCIAL YEAR**

The Clerk outlined overall estimated expenditure and income for the 2013/14 financial year up to cheque number 002739.

2 0 1 3 / 1 4  
Financial Year

	<b>Actual</b>	<b>Anticipated</b>	<b>Difference</b>
<b>Income</b>			
General Admin Inc. Precept	£17,666.66	£53,000.00	-£35,333.34
Bank Interest	£3.08	£20.00	-£16.92
Insurance Claims / Refunds	£0.00	£0.00	£0
VAT Refund	£1,500.21	£1,500.00	£0.21
Milk Claims	£0.00	£750.00	£0
<b>Total</b>	<b>£19,169.95</b>	<b>£55,270.00</b>	<b>-£36,100.05</b>
	<b>Actual</b>	<b>Anticipated</b>	<b>Difference</b>

<b>Expenditure</b>	Play Areas	£0.00	£9,200.00	£0
	Staffing Costs	£1,883.94	£7,537.00	£5,653.06
	General Admin Costs	£2,073.54	£4,870.00	£2,796.46
	S137 Grants	£1,150.00	£4,000.00	£2,850.00
	CCTV	£0.00	£1,285.00	£0
	Street Lighting	£2,925.60	£25,800.00	£22,874.40
	Notice Boards	£0.00	£500.00	£0
	Insurances	£2,295.21	£5,600.00	£3,304.79
	Milk	£286.56	£4,700.00	£4,413.44
	Election Costs	£0.00	£0.00	£0
<b>Total</b>	<b>£10,614.85</b>	<b>£63,492.00</b>	<b>£52,877.15</b>	

**C u r r e n t  
S u m m a r y**

Balance as at 31 March 2013	-	<b>£41,708.04</b>
Total Expenditure		<b>£10,614.85</b>
Total Income		<b>£19,169.95</b>
Balance		<b>£8,555.10</b>
<b>Overall balance as at 20<sup>th</sup> June 2013</b>		<b>£50,263.14</b>
<b>VAT Costs for 2013/14</b>		<b>£299.10</b>

**End of Year  
Prediction**

Balance as at 31 March 2013.	<b>£41,708.04</b>
Total Anticipated Expenditure	£63,492.00
Total Anticipated Income	£55,270.00
Anticipated Balance for the year	-£8,222.00
<b>Anticipated Overall Balance as at 31 March 2014</b>	<b>£34,111.11</b>

RESOLVED - that the report be noted.

The Accounts and Audit Regulations were amended in 2010. Process to follow is –

1. Draft the Annual Return sections 1 and 2 – Completed.
2. The Responsible Financial Officer signs Page 1 – Completed.
3. The Council approves the Return in draft and the Chair signs Page 1 – where indicated (April 2013 meeting of Council) – Completed.
4. Pass the Return to the internal auditor along with all the Council's appropriate records – (24<sup>th</sup> April 2013– to be returned on 1<sup>st</sup> May 2013) – Completed.
5. The Council approves the Return in draft and the Chair signs Page 1 – where indicated (April 2013 meeting of Council) – Completed.
6. Send a copy of the Return to UHY Hacker Young with bank reconciliation and variance analysis together with requested documents. (Actioned on 30<sup>th</sup> May 2013)
7. UHY Hacker Young will send a letter at the end of the audit with details of their comments on the Return – if any.
8. Part 3 of the Return is signed by the Responsible Financial Officer.
9. The Council considers UHY's letter and approves the Return.
10. Part 3 of the Return is signed by the Chair.
11. The original of the Return is sent to UHY for signature and closure of the audit.

### **Notice of Appointment of Date for the Exercise of Electors' Rights, Annual Return for the Year Ended 31 March 2013**

The Clerk reminded Council that the public inspection arrangements ran from 1<sup>st</sup> May 2013 and ended on 30<sup>th</sup> May 2013. The notices had been displayed since 10<sup>th</sup> April 2013

RESOLVED:- that the report be noted.

### **13/48            SNOOKER HALL – SEALAND AVENUE**

The County Councillor advised that the snooker hall building in Sealand Avenue totally collapsed at about 0015am on Thursday 6<sup>th</sup> June 2013. Luckily no one was hurt, but many were frightened by the noise of it collapsing. The County Councillor immediately requested Clwyd Alyn Housing Association to visit the site to clear the debris; otherwise it will become a very dangerous playground for the local children. She also requested that the main building that remains be demolished as a matter of urgency. We were lucky last night that no one was injured or surrounding properties damaged, we might not be so lucky next time. For the Health & Safety and peace of mind of residents she has asked that this work be done as soon as is practical.

RESOLVED:- that the report be noted.

