

**SEALAND COMMUNITY COUNCIL**

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 19<sup>th</sup> FEBRUARY 2018 AT SEALAND PRIMARY SCHOOL.**

**PRESENT: Councillors:** Chris Jones (County Councillor and Vice Chairman), Jean Fairbrother, Barbara Hinds, Joan Keith, Mikhael Khan, Mary Southall, Mike Walker, Shelley Webber, Rhondda Whittaker, Sarah Wilson and David Wisinger.

Peter Richmond: Clerk and Financial Officer.  
Wayne Jones – StreetScene – Flintshire County Council  
Two members of the public.

**17/236      APOLOGIES FOR NON-ATTENDANCE**

Apologies were received from Councillors Norman Jones and Alex Lewis

RESOLVED – that the apologies as submitted be received and accepted

**17/237      CODE OF CONDUCT DECLARATION OF INTEREST**

No Declarations were submitted at the beginning of the meeting.

RESOLVED – that the report be noted.

**17/238      BANK MANDATE – LLOYDS BANK**

Councillors Jean Fairbrother, Mikhael Khan, Rhondda Whittaker and Sarah Wilson have all completed the required signature forms and have all provided the Clerk with a signed copy of either their passport or driving licence as proof of identity. These will now be posted to Lloyds Bank on 20<sup>th</sup> February 2018.

RESOLVED – that the report be noted.

**17/239      MATTERS RAISED BY THE PUBLIC**

No matters were raised.

**17/240**      **CHAIR'S REPORT AND ACTIONS SINCE 15<sup>th</sup> JANUARY 2018 AND CHAIR'S FUND 2017/18**

The Clerk advised that the Chair had not provided a report.

Allocation of the Chair's Fund is £800 – amount allocated £800

RESOLVED – that the

**17/241**      **MINUTES OF THE MEETING OF THE OF COUNCIL HELD ON 15<sup>th</sup> JANUARY 2018**

RESOLVED - that the minutes of the meeting of Council held on 15<sup>th</sup> January 2018 be confirmed as a true and correct record.

**17/242**      **POLICE ISSUES**

The Vice Chair welcomed PCSO Christopher Phillips to the meeting.

1. Riverbank cycle path - Shotton to Chester.  
Non-covert and covert patrols are being undertaken.
2. Community Speed Watch - Councillors Mikhael Khan and Mike Walker reported on their first speed checks undertaken at Seahill Road on Saturday 17<sup>th</sup> February 2018. They checked on the speed of traffic in both directions on the approach to the former railway bridge. Two vehicles travelling in excess of 46mph were reported to the police and both will receive letters from the police. Should the same vehicles be reported on 3 occasions within 12 months they will be prosecuted.
3. Cars doing U-turns – traffic lights Sealand Road/ Seahill Road – various times of the day.  
It was confirmed that CMB Craig Williams will continue to investigate.
5. Green Lane East – concern about through traffic and speeding traffic - Need for improved signage.

Wayne Jones will be providing details of the signage to the Clerk who will forward onto PCSO Christopher Phillips for Chris to advise on whether with the signs in place the police will take action against non-local vehicular traffic using the unadopted section of Green Lane East.

Refer to Minute 17/243g

RESOLVED – that Chris be thanked for attending the meeting

**17/243**      **FLINTSHIRE COUNTY COUNCIL MATTERS**

**a)    Water Leaking from Walls – Foxes Lane Underpass**

Sam Tully Road Space Manager from Flintshire County Council had apologised for not being able to attend the meeting. Sam advised by email that NMWTRA have undertaken a structural inspection and confirmed there are no major issues with the underpass. He is currently in discussion with NMWTRA to arrange for works to take place to replace the polysulphide sealant at all joints. The need for additional measures to manage the discharging surface water has been identified, we are currently looking at a few options. Sam is happy to meet on-site, and is available all-day Wednesday, Thursday and Friday afternoon, and every day the following week except Wednesday.

Wayne Jones advised that further information had come to light as Welsh Water think that there is a possible leak from a mains water pipe within the bridge structure. This is being investigated and council will be kept informed.

RESOLVED – that the report be noted.

**b)      Underpass- Foxes Lane and Green Lane West**

Wayne Jones advised that he still understands that it is still proposed to install new lighting at these two underpasses subject to funding being provided by NMWTRA.

RESOLVED – that the report be noted.

**c)      Ferry Lane Footbridge – Noise Nuisance**

The County Councillor advised that Sam Tully has taken over responsibility for the bridge and taking action with regard to the complaints.

The Clerk advised that Sam Tully has informed him that he was under the impression that the bridge noise goes back many years. The Clerk had advised Sam that this is not the case.

RESOLVED – that the report be noted.

**d)      Car Sales – Sealand Road / St. Bartholomew's Court**

Following the previous meeting Robert. M. Harris at Flintshire County Council was informed that County Councillor Chris Jones has advised council that following a site visit the County Council have requested that the external lights be lowered and re angled to reduce the nuisance for local residents and they are being switched off earlier than before.

A large caravan is also on site marked For Sale.

Council has also been advised that the planning application will not be considered until the complaints regarding the lights have been actioned.

RESOLVED – that the report be noted.

**e) The Owl Industrial Estate – Manor Road**

The County Councillor Chris Jones advised that she is awaiting a full report from the enforcement team.

RESOLVED – that the report be noted.

**f) Land opposite St. Bartholomew's Church**

It was reported that gates have been installed. The owner of the site should have submitted a planning application ahead of installing the gates as approval is required. This is being investigated and actioned by the County Council's Enforcement Officer.

RESOLVED – the report be noted.

**g) New Signage – Green Lane East**

Wayne Jones advised that the 4 new Green Lane East signs should be delivered shortly and will be installed at either end of the unadopted section of the lane. Wayne will take a photo of one of the signs and send to the Clerk – the Clerk will copy to members of council and PCSO Christopher Phillips.

RESOLVED – that the report be noted.

**h) Old Sealand Road – Moss on the Pavement**

RESOLVED – that the matter be referred to Wayne Jones to action.

**i) Chimney Emissions – Knauf – Sandycroft**

The Clerk advised that a representative from NRW Elizabeth Voice an NRW Regulatory Office will be attending the next meeting on 19<sup>th</sup> March 2018 at 6pm.

If anyone notices the plume from the main stack is grounding and is causing an odour issue to report it the NRW 24-hour incident hotline 03000 65 3000. It would be useful to include exactly where the plume is grounding, a description of the odour, weather conditions and wind direction if possible. These complaints will get forwarded to Elizabeth Voice the Regulating Officer for Knauf, and to the operator. Details can be kept private from Knauf.

Members of council who have possible questions for Elizabeth Voice should email them to the Clerk prior to the next meeting.

RESOLVED –the report be noted.

**j) Pot Holes – Foxes Lane and Claremont Avenue**

RESOLVED – that the matter be referred to Wayne Jones to action.

**k) Seahill Road – Need for Traffic Lights to control traffic flow across the former railway bridge**

RESOLVED – that the Council County be advised that Council has decided that after full consideration that the only way forward to improve the problems at this site that the bridge be reduced to one-way traffic with the traffic flow being controlled by traffic lights. The road is narrow across the bridge as is the footway. There are problems for the significant number of cyclists that use Seahill Road as well as pedestrians – the problem is compounded with the amount of traffic that totally ignore the 40mph in force at this location. The approach to the bridge on both sides is reasonably steep so much so that it prevents a clear view of any approaching traffic - this significantly adds to the on-going traffic hazard at this location.

**17/244 LIGHTING MATTERS**

It is assumed that all lights are working – the Clerk will check after the meeting.

Council has 108 lights this will further reduced at 31<sup>st</sup> March 2018 by 9 lights leaving the Council's stock at 99.

At the Annual Finance Meeting in December 2017 council agreed to replace and have adopted by Flintshire County Council an additional 9 lights in the 2018/19 financial year. The lights being along Foxes Lane 60 to 65 (6) and Sealand Avenue 93 to 94 and 115 (3). This will reduce the lighting stock to 90. The County Council have advised that the installation work will start in April 2018.

The Clerk reminded Councillors again that should they see a light that needs attention to phone / text or email the Clerk straightaway or to contact Wayne Jones rather than leave to the next meeting of Council. This will ensure that lights can get fixed as soon as possible.

RESOLVED – that the report be noted.

**17/245 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 Section137 (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 £7.42 per head produces an upper limit of £14,572.00

Allocation for the 2017/18 financial year for grants is £2,500. Allocated so far is £2,300

Giving a total estimated expenditure of - £5,700

RESOLVED – that the report be noted.

**17/246      GRANT REQUESTS**

**a)      Sealand Rainbows**

At the previous meeting council received a grant requested from the new Sealand Rainbows and resolved that a grant payment of £150.00 will be made to the Sealand Rainbows as soon as they have set up a bank account.

RESOLVED – that the report be noted.

**b)      Garden City Pensioners Club**

At the previous meeting it was agreed that Council should award a grant of £150.00 to the Garden City Pensioners Club which is in the best interests of the area and its inhabitants subject to a current bank statement being provided that states in full Garden City Pensioners Club. The required bank statements have been received and payment will now be made.

RESOLVED – that the report be noted.

**17/247      PLANNING APPLICATIONS**

The Clerk advised that no planning applications had been received from Flintshire County Council.

057547 - Application for the approval of details reserved by condition nos: 5 (phasing scheme) 6 (development brief), 30 (highway works/transport implementation strategy), 34 (framework travel plan) and 38 (scheme for the layout, design and timetable for implementation of works) attached to planning permission ref: 049320 at RAF Sealand South Camp, Welsh Road, Sealand, Deeside, CH5 2RD

057874 - Change of use from office/workshop to café at Unit C1, Flexspace, Welsh Road, Garden City, Deeside, Flintshire, CH5 2JZ.

057885 - Application for approval of reserved matters following grant of outline planning permission ref: 054695 at 88-92 Welsh Road, Garden City, CH5 2HX

057927 - Proposed extension to comprise offices and warehouse at Quay House, Unit 28, Parkway, Deeside Industrial Park, Deeside, CH5 2NS

057995 - Application for removal or variation of a condition following grant of planning permission. (048143) at Green Lane Farm, Green Lane, Sealand, Deeside, CH5 2LH

058050 - Creation of an additional access from Tenth Avenue, alterations to the internal car park and associated highway alterations at Unit 101, Tenth Avenue, Deeside Industrial Park, Deeside, CH5 2UA

RESOLVED – that the report be noted and noted that no objections were raised.

Councillor Rhondda Whittaker declared an interest with regard to PA - 057995

**17/248      ACCOUNTS FOR PAYMENT**

RESOLVED: - that –

- i) the under mentioned accounts be approved for payment.
- ii) it be noted that the Lloyds Bank charges for the period as previously notified to Council – £5 per month.

<b>Cheque No</b>	<b>Payable to</b>	<b>Details</b>	<b>Amount</b>	<b>VAT</b>	<b>Vat Code</b>	<b>Expenditure Powers</b>
003120	Sealand Primary School	Payment from the Chair's Fund	£250.00			Ancillary Power Local Government Act 1972 Section 11
003121	St. Bartholomew's Church	Payment from the Chair's Fund	£250.00			Ancillary Power Local Government Act 1972 Section 11
003122	SLCC Enterprise Ltd	Webinar GDPR Training	£36.00	£6.00	891 7527 83	Local Govt Act 1972 (S142)
003123	Flintshire County Council	Street Lighting Maintenance – Repairs and Energy December 2017	£496.23			Highways Act 1980 (301)
003124	P. Richmond	Salary etc – February 2018	£676.93			Local Govt Act 1972 (S112)

003125	HM Revenues and Customs Only	Income Tax – PR – December 2017	£262.80			Local Govt Act 1972 (S112)
003126	JOLORA	Web Site Maintenance Monthly Retainer February 2017	£160.00			Local Govt Act 1972 (S142)
003127	One Voice Wales	Annual Subscription – 2018/19	£403.00			Local Govt Act 1971 (S137))
003128	Richie Hayes and Sons Dairy Ltd	School Milk – January 2018	£213.18			Local Govt Act 1971 (S137)
003129	Heswall Computers	Printer cartridges for council's printers and 5 boxes of A4 paper	£766.80	£127.60	539439 706	Local Govt Act 1971 (S111)
<b>Total Spend</b>			<b>£3,514.94</b>	<b>£133.60</b>		

#### **17/249      INCOME**

The Clerk advised that Council had received the following income –

Lloyds Bank	Interest	£1.38
<b>Total</b>		<b>£1.38</b>

RESOLVED - that the report be noted.

#### **17/250      CORRESPONDENCE**

- a) Sealand Monday Club – Letter of thanks for the grant payment.
- b) Hughes Architectural – Letter outlining application for planning permission to build an extension to Quay House, 25 Parkway, Zone 2, Deeside Industrial Park, Deeside. CH5 2NS

RESOLVED – that the correspondence be noted.

#### **17/251      COMMUNITY TRANSPORT PROJECT**

At an earlier meeting Council resolved that Kate Wilby – Community Transport be advised council understands that consideration is being given as part of the Flintshire Bus Services Review to withdraw the No 8 service that goes to Sealand Manor. The County Councillor has requested details about the number of passengers using the service and the cost in running the service. In the meantime, council requests that consideration, be given for a possible community transport service to be provided for Sealand Manor in line with the pilot scheme at Northop Hall. A reply is still awaited.

The County Councillor advised that the current service will remain until at least October 2018.

Members of council raised their concern that the service at Sealand Manor is hardly used.

RESOLVED – that the report be noted.

**17/252      THE AIRFIELDS DEVELOPMENT**

There was no further action or information to report on.

RESOLVED – that the report be noted.

**17/253      PARKING PROBLEMS  
PROVISION OF YELLOW LINES – RIVERSIDE PARK**

The Clerk advised that he had been informed by the County Councillor that the consultation ended on Friday 16th February 2018 and that the County Council have received some objections to the proposal.

The objections are being considered and it is hoped to have completed the report by the end of this week which then needs to be signed by the Chief Officer and Cabinet Member. If the report is signed then the next stage is to make the order which will need to be advertised.

RESOLVED – that the report be noted.

**17/254      MATCHED FUNDING SCHEME  
IMPROVEMENTS TO CHILDREN’S PLAY AREA 2017/18 AND 2018/19  
SEALAND MANOR**

There was no further action or information to report on.

RESOLVED – that the report be noted.

**17/255      SEALAND FLOOD WARDENS**

RESOLVED – that Councillor Norman Jones be asked to submit to the March 2018 meeting of Council an outline on how the flood warden arrangements in Sealand will operate.

**17/256      SUMMARY OF ACCOUNTS - 2017/18 FINANCIAL YEAR**

The Clerk outlined the expenditure and income for the 2017/18 financial year up to cheque number 003126.

	Actual	Anticipated	Difference
<b>Income</b>			
General Admin Inc. Precept	£57,000.00	£57,000.00	£0.00
Bank Interest	£16.01	£24.00	-£7.99
Insurance Claims / Refunds	£0.00	£0.00	£0.00
VAT Refund	£389.11	£500.00	-£110.89
Milk Claims	£405.04	£500.00	-£94.96
<b>Total</b>	<b>£57,810.16</b>	<b>£58,024.00</b>	<b>-£213.84</b>
<b>Expenditure</b>	<b>Actual</b>	<b>Anticipated</b>	<b>Difference</b>
Bank Charges	£55.00	£60.00	£5.00
Chairman's Fund	£800.00	£800.00	£0.00
Staffing Costs	£9,058.28	£9,276.00	£217.72
General Admin Costs	£3,988.72	£3,795.00	-£193.72
Insurances	£893.98	£1,200.00	£306.02
Election Costs	£249.91	£4,500.00	£4,250.09
Play Areas	£4,038.00	£8,100.00	£4,062.00
Highways	£0.00	£700.00	£700.00
Street Lighting	£23,937.51	£23,400.00	-£537.51
CCTV Maintenance	£660.00	£1,000.00	£340.00
Grants – Section 137	£2,300.00	£2,500.00	£200.00
School Milk – Section 137	£2,344.03	£3,200.00	£855.97
<b>Total</b>	<b>£48,325.43</b>	<b>£58,531.00</b>	<b>£10,205.57</b>

Current Summary	Balance as at 31 March 2017 including £25,000 contingency fund.	£36,987.43
	Total expenditure	£48,325.43
	Total income	£57,810.16
	Balance	£9,484.73
	<b>Overall balance as at 19<sup>th</sup> February 2018</b>	<b>£46,472.16</b>
	VAT Costs for 2017/18 financial year	£179.80
End of Year Prediction	Balance as at 31 <sup>st</sup> March 2017	£36,987.43
	Total anticipated expenditure	£58,531.00
	Total anticipated income	£58,024.00
	Anticipated balance for the year	-£507.00
	<b>Anticipated Overall Balance as at 31<sup>st</sup> March 2018</b>	<b>£36,480.43</b>

**ANNUAL REVIEWS OF THE EFFECTIVENESS OF THE COUNCIL'S INTERNAL  
AUDIT**

The Clerk referred to the agenda item and report that had been previously circulated that set out that councils are required to carry out an annual review of the effectiveness of its internal audit arrangement.

The guidance states that internal audit must not influence the direction or extent of the review however, it is good practice to seek their input. The following table demonstrates how JDH Business Services Ltd believe they meet the required standards together with the relevant evidence. Please note this does not form an opinion as to whether or not the internal audit system is effective as this is the responsibility of the Council.

The Clerk advised that Council had agreed to approve and sign its letter of engagement with JHD Business Services Ltd at its December 2017 meeting for them to be the Council's internal auditor for the 2017/18 financial year.

<b>Expected Standard</b>	<b>How JDH Business Services Ltd meet the standard</b>	<b>Evidence</b>
Scope of Internal Audit	The terms of reference for internal audit are set out in our audit plan. This includes testing suggested in the Practitioners' Guide.	Audit Plan The audit plan should be approved by full council and this should be recorded within the minutes.  Engagement letter
Independence	Reports are made in the name of 'JDH Business Services Ltd' and are reported to the Council.  We do not have any other role within the Council.  We are independent of all members of the Council.	Letter of continuing independence provided to Council.
Competence	We have highly skilled staff (CIPFA and ICAEW qualified)  Long term experience of carrying out internal audits of Local Councils	All staff are professionally qualified with many years' experience in carrying out audit work

	The Company, JDH Business Services Ltd is registered to carry on audit work by the Institute of Chartered Accountants in England and Wales and holds the required level of Profession Indemnity Insurance	
Relationships	Should a matter arise which we consider should be immediately reported to the Council, we would contact the Chair.  All our reports are for the Council's attention.	Internal Audit reports
Audit planning and reporting	The internal audit plan is provided to Council. We issue an audit report annually to the Council following our audit. This is in addition to completing the internal audit section of the Annual Return.	Audit plan Annual internal audit report.

RESOLVED – that -

- i) the report be noted.
- ii) Council accepts the report provided by JDH Business Services Ltd as evidence of the effectiveness of their internal audit process.
- iii) Council notes that it has already issued a letter of engagement to JDH Business Services Ltd for their appointment as Council's internal auditor for the 2017/18 financial year.

#### **17/258      GENERAL DATA PROTECTION REGULATIONS – GDPR**

The Clerk reminded council that GDPR stands for the new EU General Data Protection Regulations which comes into force on 25<sup>th</sup> May 2018.

The new Regulations will replace the current Data Protection Act (1998).

At its meeting held on 11<sup>th</sup> December 2017 council adopted its GPDR policy with the Clerk being designated the Council's Data Protection Officer.

There has been debate involving NALC and the Society of Local Council Clerks as to whether the Clerk of the Council can undertake the role of the DPO due to a conflict of interest.

As Sealand Community Council holds very little personal data – just that of the Clerk and members of council (and that is published on the council's web site) the Clerk had taken advice and had concluded that in the case of this council that the Clerk of the Council can be designated the DPO.

The Clerk advised that a copy of the Council's Information Asset Register will shortly be added to the Council's web site and copied to members of Council by email.

RESOLVED – that the –

- i) report be noted.
- ii) Council re affirms its decision that the Clerk is designated as the Council's DPO.

**17/259      MATTERS RAISED BY MEMBERS OF COUNCIL**

No matters were raised

**17/260      MATTERS RAISED BY MEMBERS OF THE PUBLIC**

No matters were raised.

**17/261      DATE OF COUNCIL'S NEXT MEETING – 19<sup>th</sup> MARCH 2018**

RESOLVED – that the meetings of Council for 2018 be held on the following dates - 19<sup>th</sup> March 2018, 16<sup>th</sup> April 2018, 21<sup>st</sup> May 2018 (AGM), 18<sup>th</sup> June 2018, 16<sup>th</sup> July 2018, 17<sup>th</sup> September 2018, 15<sup>th</sup> October 2018, 19<sup>th</sup> November 2018 and 10<sup>th</sup> December 2018 (Annual Finance Meeting).

**17/262      IN ACCORDANCE WITH SEALAND COMMUNITY COUNCIL'S CODE OF CONDUCT - DECLARATION OF INTEREST**

Council Member	Item	Minute Reference
Councillor Rhondda Whittaker	057995 - Application for removal or variation of a condition following grant of planning permission. (048143) at Green Lane Farm, Green Lane, Sealand, Deeside, CH5 2LH	17/247

The meeting opened at 6.15pm and closed at 7.45pm

..... Signed      19<sup>th</sup> March 2018.  
Chairman of the Council.