

**SEALAND COMMUNITY COUNCIL**

**MINUTES OF THE MEETING OF COUNCIL HELD ON 10<sup>th</sup> FEBRUARY 2020 AT SEALAND PRIMARY SCHOOL.**

**PRESENT: Councillors** Barbara Hinds (Chair), Jean Fairbrother, Chris Jones (County Councillor), Bob James, Norman Jones (Vice Chair), Alex Lewis, Mary Southall and David Wisinger.

Two members of the public  
Mark Middleton – Flintshire County Council  
Neil Parry – Flintshire County Council  
Peter Richmond: Clerk and Financial Officer

**19/241        MATTERS RAISED BY THE PUBLIC**

No matters were raised

**19/242        APOLOGIES FOR NON-ATTENDANCE**

Apologies were received and accepted from Councillor Mikael Khan and Mike Walker.

**19/243        NOTICE UNDER LOCAL GOVERNMENT ACT, 1972 (Section 87(2))  
VACANCIES FOR THREE COUNCILLORS**

The Clerk reminded council that he has previously advised that no request for an election was received within fourteen days of the date of the two Notices and it is in order for the Community Council to fill the three vacancies by co-option. Council is required to give public notice of co-option in accordance with section 116 of the Local Government (Wales) Measure 2011. The notices were dated 21<sup>st</sup> January 2020 and were emailed to members of council, attached to the notice boards and added to the Council's web site. Closing date for submissions of interest is 28<sup>th</sup> February 2020 in writing to the Clerk.

To date two applications have been received and a further one is anticipated.

RESOLVED – that the report be noted.

**19/244        CODE OF CONDUCT DECLARATION OF INTEREST**

No declarations were submitted at the beginning of the meeting.

**19/245        CHAIR'S REPORT AND ACTIONS SINCE 20<sup>th</sup> JANUARY 2020**

The Chair advised that she has not attended any recent meetings nor actions to report on.

RESOLVED – that the report be noted.

**19/246**            **MINUTES OF THE ANNUAL FINANCE MEETING OF THE COUNCIL HELD ON  
20<sup>th</sup> JANUARY 2020**

RESOLVED - that the minutes of the meeting of Council held on 20<sup>th</sup> January 2020 be confirmed as a true and correct record.

**19/247**            **CHAIR'S FUND**

The Clerk reminded Council that the agreed spend for the Chair's Fund for the 2019/20 financial year is £800.00. The Chair's fund has been used for payments of a total of £510 leaving £290 to be allocated. The remaining allocation ideally should be spent in the current financial year.

Payments being made under expenditure powers - Ancillary Power Local Government Act 1972 (S11).

RESOLVED – that the report be noted.

**19/248**            **POLICE ISSUES**

The Clerk advised that Inspector Gareth Cust is unable to attend the meeting.

The previous report was -

1. Riverbank cycle path - Shotton to Chester (in particular by the Railway Bridge / John Summers old offices) – Drugs Problem.  
This area continues to be visited by the Police.
2. Ferry Lane – Drugs Problem  
No recent reports have been given to the Police.
3. Garden City – Drugs Problem  
No recent reports have been given to the Police.
4. Community Speed Watch - Councillor Mike Walker advised that he hasn't undertaken any further speed watch checks since 24<sup>th</sup> May 2019.

John Morris has apologised for the delay in getting back to Councillor Mike Walker. He has been out of the office until taking up his now post on 23<sup>rd</sup> January 2020. John will sort out a jacket and speak to Councillor Mike Walker regarding the sign. It was actually sourced by a member of one of the other groups so I will get the details from him.

5. Cars are still doing U-turns – traffic lights Sealand Road/ Seahill Road.  
Police have previously said they will continue to visit the location.

Wayne Jones has been asked whether the central reservation coming from the traffic lights towards Old Sealand Road could be extended. And could the slipway from the A548 to Seahill Road be closed off.

Action – the Clerk will request a reply from Wayne Jones.

6. CCTV and laptop –The Inspector previously advised that the issue is being reviewed.

The Clerk previously reminded the Inspector that Council has agreed to pass ownership of its CCTV to the Police thus enabling the Police to not require the involvement of a third party.

At the previous meeting the County Councillor reported on a multi – agency meeting regarding Garden City that is being held on 23<sup>rd</sup> January 2020 and that she is unable to attend - the Vice-Chair advised that he would attend. The Vice-Chair advised that the meeting was cancelled.

RESOLVED – that the report be noted.

#### **19/249      FLINTSHIRE COUNTY COUNCIL ISSUES.**

##### **a)      Underpass - Foxes Lane**

Wayne Jones has advised that the under pass leaves have been removed and the footways cleaned and the road swept last month.

RESOLVED – that Mark Middleton be asked to arrange for NWTRA to inspect and report on the on-going water leakage coming from the sides of the underpass.

##### **b)      Ferry Lane Footbridge – Noise Nuisance**

Mark Middleton reported on details of the 3 options under consideration and that based on the Council's comments option 3 will be explored further.

Details of the options were outlined in the minutes of the meeting held on 20<sup>th</sup> January 2020.

Members of Council expressed their concerns about the delay in rectifying the noise nuisance

Mark Middleton was asked to submit a further progress report to be received by Council for its meeting on Monday 16<sup>th</sup> March 2020

RESOLVED – that the report be noted.

**c) Car Sales – Sealand Road / Land St. Bartholomew’s Court**

RESOLVED – that the matter be deferred.

**d) Land opposite St. Bartholomew’s Church – The Spinney**

RESOLVED –the matter be deferred.

**e) Deeside Lane – Various Issues**

The County Councillor advised that she provided a clarification report for Deeside Lane residents that looked at previous planning applications at this location, planning consent and conditions attached.

RESOLVED –the report be noted.

**f) Car Park – Welsh Road (Griffiths Pharmacy)**

The County Councillor confirmed that additional car spaces will be marked out at this location.

RESOLVED –the report be noted.

**g) Speed Limit – Ferry Lane – 30 mph**

Claire Parry has advised that the Authorities Speed Limit Review is still to be completed.

RESOLVED – that the report be noted.

**h) Dandy’s Top Soil – Sealand Road**

The Clerk referenced the report provided at the June 2019 meeting as provided by Karl Slater. Following the previous meeting the Clerk had emailed Karl Slater twice requesting an update. A reply has not been received.

RESOLVED – that Karl Slater at Flintshire County Council be asked to provide an update report regarding this site.

**i) Sealand Ditches – Site Meeting and Detailed Report**

The Clerk advised on an email received on 5<sup>th</sup> February 2020 from Neil Parry that had been circulated to all members of council.

Neil Parry met with Councillors Christine Jones, David Wisinger and Mike Walker on 29<sup>th</sup> January 2020.

Neil Parry advised that -

By Texaco Garage Mr Cottle has had the ditch cleaned out and that it is now flowing in the right direction.

At Dandy's Topsoil there is a Main River watercourse at this location but Neil is not fully aware of what the precise issue is.

At Deeside Crescent Neil met with a householder and has written to him on 3 occasions asking for him to de-silt his section of watercourse. If this is not undertaken imminently, enforcement action may be necessary.

Neil has spoken to NRW and the Environment Agency (England) about concerns by the owner of Station Cottage. The Main River adjacent to Station Cottage flows towards Seahill Road. It is then piped beneath Seahill Road before turning towards Saughall for a short distance before it crosses the border into England. The Environment Agency can undertake maintenance works on Main Rivers but have concluded that there is minimal likelihood of internal flooding occurring at this location which is their criteria for instigating works. Consequently, they are not prepared to undertake any works currently.

We also looked at ditches on Green Lane adjacent to the A550. Main River Maps indicate that the watercourse in question is a main River which flow in an Easterly direction towards Saughall but after a short distance it can turn through 90 degrees and flow in an open ditch across a field before finally discharging into the storage lagoons contained within roundabout footprint.

Neil Parry advised that he will continue to update the Council.

RESOLVED – that the report be noted.

**j) Pot Holes – Foxes Lane, Manor Road, Sealand Avenue, Farm Road and Claremont Avenue**

It was reported that Claremont Avenue has been resurfaced.

The various potholes have been reported to Streetscene.

RESOLVED – that the report be noted.

**k) Matched Funding Scheme – 2019/20 – Play Equipment – Riverside Park**

The Clerk has previously advised that he has been informed by Richard Roberts Play Design Officer that the £5,000 match funding has been approved, a scheme will be prepared and presented in due course.

The County Councillor previously advised that on 9<sup>th</sup> January 2020 she contacted Richard Roberts requesting a progress report regarding the upgrade of the Riverside Park Play Area. The development in Sealand Avenue is near completion, so the Section 106 fund should be available.

RESOLVED – that the report be noted.

**l) Keep Wales Tidy Project**

Wayne Jones has advised that he is still awaiting literature from Keep Wales Tidy when he gets this he will send it out and give an update regarding the litter picking Champions and hubs for litter collecting equipment.

RESOLVED – that the report be noted.

**m) Vehicle being driven on to grass verge at Meadow View, Sealand Manor**

RESOLVED – that John Allen at Flintshire County Council be advised about the council's concern that the occupier of No 14 is parking on the grassed area in front of No 16 and requesting whether arrangements can be made to request the occupier of No 14 to stop. The grassed area is churned up and will become a mud bath.

**n) Provision of an Additional Dog and Litter Bin – Seahill Road**

Wayne Jones has advised that he is not able to put a bin where the cars park as this is private land the litter picker calls to the area once a week and more if required. Unfortunately, we will still have people who will throw out the rubbish out of the cars would it not be better to try to discourage the cars being parked there.

RESOLVED – that the report be noted.

**19/250 COUNCIL'S STREET LIGHTING**

The Clerk advised that all of the Council's 89 lights are working.

Council has for the 2020/21 financial year agreed to upgrade and have adopted the following lights 9 lights - 107 and 108 on Stafford Road, 110 to 113 on Maplewood Avenue and 116 to 118 on Queens Road. That just leave 119 and 120 to be replaced at Dee Road. This will reduce the council's lighting stock from 80 to 71 at 1<sup>st</sup> April 2021.

An updated copy of the council's lighting facilities has recently been circulated to members of council and also a copy has been added to the council's web site.

The Clerk advised that he still awaits a copy of the County Council's street lighting maintenance and adoption draft contract for 2020/2023. Jamie Bennet advised again that this will shortly be with Council.

The Clerk reminded Council that at the May 2017 meeting he advised that the Internal Auditor in his Internal Audit Guidance said - The street lighting contract with Flintshire County Council (FCC) expired in 2015/16. Street Lighting expenditure in the year is in

excess of the threshold of £3,000 required for 3 written estimates in the Financial Regulations. The Clerk had explained that Flintshire County Council maintain the lights to the required level and then adopt them on a phased annual basis. The adoption service which Council requires is not provided by any other street lighting contractor.

The Internal Auditor agreed that Flintshire County Council are in practice the only provider that could carry out the Council's lighting maintenance service as they formally adopt the street lights as their own assets.

RESOLVED – that the –

- i) report be noted.
- ii) Financial Regulations should be suspended with regard to securing three written estimates that should not apply with regard to the Council's required street lighting maintenance and adoption contract.

**19/251      SECTION 137 – LOCAL GOVERNMENT ACT 1972**  
**PAYMENT OF GRANTS**

The Clerk advised that Section 137(1) of the 1972 Act permits each Community or Town Council to spend on activities for which it has no other specific powers if the Council considers that the expenditure is in the interests of, and will bring direct benefit to, the area or any part of it, or all or some of its inhabitants, providing that the benefit is commensurate with the expenditure. Community and Town Councils are also permitted under section 137(3) to incur expenditure for certain charitable and other purposes

The Clerk advised that 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.

The amount per elector is £8.12 and this applies to the 2019/20 financial year. The recently issued electoral role from Flintshire County Council at January 2020 indicates a total of 2168 (Sealand East 879 and Sealand West 1289). The amount per elector is £8.12 producing a total of £18,037.76

The amount has been increased to £8.32 in respect of the 2020/21 financial year as advised by the Welsh Government - Judith Cole - Local Government Finance & Workforce Partnerships Division

For the 2019/20 financial year the grant allocation is £2,200. And the school milk estimated expenditure for 2019/20 is £3,500. The total being £5,700.00.

Expenditure so far is £2,500 relating to grants and £1,809.87 for school milk.

For the 2020/21 financial year the maximum expenditure is  $2132 \times £8.32 = £17,738.24$ . Allocated spend is £2,500 for grants and £2,800 for school milk. Total £5,300

The expenditure on free school milk comes under well-being (Local Government Act 2000, Sections (1-5) - this power is again restricted again by the S137 limit (£8.12 in 2019/20 and £8.32 in 2020/21).

RESOLVED - the report be noted.

**19/252            PLANNING APPLICATIONS**

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

RESOLVED – that the report be noted.

**19/253            ACCOUNTS FOR PAYMENT**

The Clerk advised that he now has a new desktop computer to undertake council business. The previous computer ran on Windows 7 which from 14<sup>th</sup> January 2020 was not supported. Total cost including install approx. £800.00. The Clerk will not be claiming the cost from Council.

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>
003326	P. Richmond	Salary etc. – February 2020	£671.22			Local Govt Act 1972 (S112)
003327	HMRC	PR – Income Tax £300.80 and NI £4.50 February 2020	£305.30			Local Govt Act 1972 (S112)
003328	Owl Cyrmu	Payment towards costs to maintain its service delivery	£150.00			Local Government and Rating Act 1997 (S31)
003329	Flintshire County Council	Street Lighting Energy December 2019 and January 2020	£478.52			Highways Act 1980 (301)



003330	Jolora Ltd	Monthly Web Maintenance Charges	£192.00	£30.00	294456859	Local Govt Act 1972 (S142)
<b>Total Spend</b>			<b>£1,797.04</b>	<b>£30.00</b>		

**19/254      INCOME**

The Clerk advised that Council had received the following income –

Lloyds Bank	Interest payment	£2.04
Rural Payments Agency	Autumn Term 2019 Milk Claim	£184.72
<b>Total</b>		<b>£186.76</b>

RESOLVED – that the income be noted.

**19/255      CORRESPONDENCE**

The Clerk advised that some general correspondence had been emailed to members of council which did not need reporting at the meeting.

RESOLVED - that the report be noted.

**19/256      FRIENDS OF SEALAND – BUILDING PROJECT – ST. BARTOLOMEW’S CHURCH**

It was reported that the church will reopen on 14<sup>th</sup> June 2020 and is seeking additional funding for the cost in lighting and heating the church.

RESOLVED - that the report be noted.

**19/257      PROVISION OF A BENCHES AT STONELEIGH CLOSE – GARDEN CITY**

The County Councillor advised that she will arrange for Housing to install a new seat at Stoneleigh Close

RESOLVED - that the report be noted.

**19/258      SUMMARY OF ACCOUNTS – 2019/20 FINANCIAL YEAR**

The Clerk outlined the finalised expenditure and income for 2019/20 financial year up to cheque number 003330

RESOLVED – that the report be noted.

2019/20 Financial Year	Actual	Anticipated	Difference
<b>Income</b>			
General Admin Inc. Precept	£57,000.00	£57,000.00	£0.00
Bank Interest	£17.58	£22.00	-£4.42
Insurance Claims / Refunds	£0.00	£0.00	£0.00
VAT Refund	£639.67	£308.00	£331.67
Milk Claims	£444.34	£500.00	-£55.66
<b>Total</b>	<b>£58,101.59</b>	<b>£57,830.00</b>	<b>£271.59</b>
<b>Expenditure</b>	<b>Actual</b>	<b>Anticipated</b>	<b>Difference</b>
Bank Charges	£50.00	£60.00	£10.00
Chairman's Fund	£510.00	£800.00	£290.00
Staffing Costs	£9,808.03	£10,120.00	£311.97
General Admin Costs	£2,841.62	£4,200.00	£1,358.38
Council Web Site	£2,302.00	£2,304.00	£2.00
Insurances	£811.20	£1,000.00	£88.80
Defibrillator – LGA Act 2000(S2)	£0.00	£75.00	£75.00
Play Schemes and New Equipment	£4,877.90	£10,500.00	£5,622.10
Highways	£0.00	£0.00	£0.00
Street Lighting	£22,766.57	£24,900.00	£1,133.43
CCTV Maintenance	£0.00	£250.00	£250.00
Grants – Section 137	£2,500.00	£2,200.00	-£300.00
School Milk – Section 137	£1,809.87	£3,500.00	£1,690.13
<b>Total</b>	<b>£48,277.19</b>	<b>£59,809.00</b>	<b>£11,531.81</b>

Current Summary	Balance as at 31 March 2019 including £25,000 contingency fund.	£38,499.21
	Total expenditure	£48,277.19
	Total income	£58,101.59
	Balance in year spend <b>Overall balance as at 10<sup>th</sup> February 2020</b>	<b>£9,824.00</b> <b>£48,323.61</b>
	VAT Costs for 2019/20 financial year	£435.56
End of Year Prediction	Balance as at 31 <sup>st</sup> March 2019	£38,499.21
	Total anticipated expenditure	£59,809.00
	Total anticipated income	£57,830.00
	Anticipated balance for the year	-£1,979.00
	<b>Anticipated Overall Balance as at 31<sup>st</sup> March 2020</b>	<b>£36,520.21</b>

**19/259**      **PLAY LEADERSHIP SCHEME 2020**

The Clerk reported that he had no further information to report on.

RESOLVED: - that the report be noted.

**19/260**      **Auditor General for Wales – Report 2018/19**

The Clerk referred to the report that had recently been emailed to all members of Council.

The Clerk wished to draw the following to Council’s attention

The Auditor General had advised that the 2019-20 audit will focus on councils’ official records of its meetings and in 2020-21, he will focus on arrangements for the employment of staff and how councils deal with their responsibilities under the Well-being of Future Generations Act.

2019/20	2020/21
Records of meetings	Employment of staff Well-being of Future Generations Act
Auditors will consider: <ul style="list-style-type: none"><li>• Does the council keep appropriate minutes for all of its meetings</li><li>• Do the minutes adequately record the decisions made</li><li>• Does the council make appropriate arrangements for publication of the minutes</li></ul>	Auditors will consider: <ul style="list-style-type: none"><li>• Does the council ensure that all staff have a contract of employment and/or details of their terms and conditions of employment</li><li>• Does the council operate PAYE properly</li><li>• (Where applicable) has the council met its obligations under the Well-being of Future Generations Act to publish reports on how it has contributed to the well-being objectives in its area?</li></ul>
Councils will need to provide the following information: <ul style="list-style-type: none"><li>• Confirmation of all meetings held during 2019-20; and</li><li>• Copies of specified minutes or details of where the minutes can be accessed online.</li></ul>	Councils will need to provide the following information: <ul style="list-style-type: none"><li>• Evidence that employees have contracts of employment and/or documented terms and conditions of employment</li><li>• Evidence that pay is calculated in accordance with contracts</li><li>• Evidence that it has operated PAYE in accordance with the law; and</li><li>• The annual reports setting out how they contribute to the well-being objectives for the area (relevant bodies only)</li></ul>

RESOLVED – that the report be noted.

**19/261      INTERNAL AUDIT PLAN 2019/20 FINANCIAL YEAR**

The Clerk advised on the letter and attachment received from the Council’s appointed internal auditor – JDH Business Services Ltd.

The Clerk outlined the requirements for Council to have the internal audit undertaken.

A copy of the said letter was emailed to all members of Council.

RESOLVED – that the report be noted.

**19/262      MATTERS RAISED BY MEMBERS OF COUNCIL**

- Wheelabrator – can a further visit be arranged for members of council. Councillor Alex Lewis is arranging.

**19/263      MATTERS RAISED BY MEMBERS OF THE PUBLIC**

No matters were raised.

**19/264      DATE OF COUNCIL’S NEXT MEETING – 16<sup>th</sup> MARCH 2020**

RESOLVED – that –

- i) the 2020 meetings be held on 16<sup>th</sup> March, 20<sup>th</sup> April, 18<sup>th</sup> May, 15<sup>th</sup> June, 13<sup>th</sup> July, 21<sup>st</sup> September, 19<sup>th</sup> October, 16<sup>th</sup> November and 14<sup>th</sup> December.
- ii) all meetings starting at 6pm.

**19/265      IN ACCORDANCE WITH SEALAND COMMUNITY COUNCIL'S CODE OF CONDUCT - DECLARATION OF INTEREST**

Council Member	Item	Minute Reference
Councillor Mary Southall	Payment to The Owl towards its costs in maintaining its service delivery	19/254

The meeting opened at 6pm and closed at 7.45pm

..... Signed      16<sup>th</sup> March 2020