

SEALAND COMMUNITY COUNCIL

MINUTES OF THE MEETING OF COUNCIL HELD ON 20th MARCH 2023 AT ST. BARTHOLOMEW'S CHURCH, OLD SEALAND ROAD, SEALAND, DEESIDE. CH5 2LQ

PRESENT: Councillors: David Wisinger (Chair), Gwyneth Bullock, Ashley Griffiths (Vice-Chair), Barbara Hinds, Chris Jones (County Councillor), Norman Jones. Alex Lewis, Lionel Prouve, Mary Southall, Brian Ward and Shelley Webber.

Peter Richmond - Clerk and Financial Officer.

22/245 APOLOGIES FOR NON-ATTENDANCE

Apologies were received from Councillors Jean Fairbrother and Linda Thomas

RESOLVED – that the apologies be received and accepted

22/246 CODE OF CONDUCT DECLARATION

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

22/247 MATTERS RAISED BY THE PUBLIC

The Clerk had not received a request to hold a hybrid meeting.

22/248 MINUTES OF THE MEETING OF COUNCIL HELD ON 20th FEBRUARY 2023

RESOLVED - that the minutes of the meeting of Council held on 20th February 2023 be confirmed as a true and correct record.

22/249 CHAIR'S REPORT AND ACTIONS SINCE 20th FEBRUARY 2023

There was no report.

22/250 CHAIR'S FUND 2022/23

The Clerk reminded Council that the agreed spend for the Chair's Fund for the 2022/23 financial year is £800.00. Payments being made under expenditure powers - Ancillary Power Local Government Act 1972 (S1).

Payments to date -

Remembrance Sunday Service and Celebration of Christmas - Refreshments £300
Waverton Handbells – Christmas Celebrations - £100

The Chair proposed a payment of £400 to St. Bartholomew's Church.

RESOLVED – that the proposed payment be endorsed and that it be noted that the full allocation of £800 has been spent.

22/251

POLICE ISSUES

a) Community Speed Watch

Councillor Ashley Griffiths advised that additional speed checks will be arranged.

RESOLVED – that the report be noted.

b) CA/ALM meetings

Wesley Williams North Flintshire District Inspector advised on 14th March 2023 that he will be re-initiating the CA/ALM meetings to provide a forum for local issues to be discussed. He is proposing that a representative, ideally your Chair/Vice Chair to meet every 8 weeks at Deeside Police Station. Where with his Support Sergeant and Neighbourhood members will be present to agree actions to support each area. Wesley will be inviting members from other areas. An action plan template will be produced to capture developments going forward.

The initial meeting will take place at 1pm to 3pm on Tuesday 21st March 2023. The Chair is unable to attend. The Chair agreed that he will phone Wesley on 21st March 2023.

It was agreed that the three issues for the Chair to raise are –

- Drugs – Garden City
- Anti-Social Behaviour – Garden City
- Speeding Traffic – Seahill Road

RESOLVED – that the report be noted.

22/252

FLINTSHIRE COUNTY COUNCIL ISSUES.

a) Underpass - Foxes Lane

It was reported that flooding in the underpass had recently due to a pumping problem. This has now been fixed.

RESOLVED – that the report be noted.

b) Ferry Lane Footbridge – Noise Nuisance

Robin Nursaw advised on 21st February 2023 that he has submitted a bid within the Active Travel Core funding to investigate potential Active Travel links along the Dee from Hawarden Bridge to Saltney the study will include the Ferry Lane over bridge. Confirmation if funding is successful will be confirmed in late March 2023.

RESOLVED – that the report be noted.

c) Dandy's Top Soil – Sealand Road

Stef Connah Planning Officer – Enforcement advised on 21st February 2023 that both applications have been submitted. Planning Applications 00083 and 00133 are on now on the system.

Council will not be consulted on the Section 191 as it's a lawful development certificate proving an existing use rather than a planning application.

RESOLVED – that the report be noted.

d) Sealand Ditches

Neil Parry advised on 10th March 2023 by email and copied into all members of Council –

Seahill Road - A response has been received from the Environment Agency as follows - 'There are no planned maintenance activities (on Main Rivers) in the area due to the low flood risk, priorities and budgets on other systems will take precedent where flood risk is greatest to properties'.

Neil expressed his concerns and also highlighted the fact that the culvert beneath Seahill Road is often submerged but to no avail.

Deeside Cottages- Works did commence on de-silting a short section of this watercourse by hand to the rear of Deeside Cottages. However, the Contractor had to postpone works because of high water levels. He will return to complete the works when water levels have subsided.

Garden City Drain - NRW commenced works weed cutting this drain on 7th March 2023 and have undertaken works from the Leprechaun towards Sealand Avenue. Due to the snow, works would have been completed this week but now they will run into next week. The section of Main River watercourse downstream of Sealand Avenue will be weed cut in the next 3 months.

RESOLVED – that Neil Parry be thanked for his reports and asked to advise whether the works at Deeside Cottages have been completed.

e) Concern about condition of side access – Spar Shop, Welsh Road

Stef Connah Planning Officer – Enforcement advised on 17th January 2023 that she is currently in discussion with legal/Streetscene and highways. Once Stef has had a response from these she will be able to advise on where we are up to.

RESOLVED – that Stef be asked to provide a progress report.

f) Trees – Sealand Primary School – Farm Road

it was reported that that the requested tree lopping will shortly be undertaken – as advised by members of the school Governing Body.

RESOLVED – that the report be noted.

g) Damaged fencing – Cycle Bridge – A494

Wayne Jones has previously advised that this has been referred to NEWTRA and Sustrans.

RESOLVED - that the report be noted.

h) Sealand Road – A548 – Extend Street Lighting

On 27th November 2022 there was a fatal accident on Sealand Road in the early hours of the morning. This happened near the Texaco garage where there are no highway lights. County Councillor Chris Jones has raised her concerns about the lack of lighting at this location. The Community Council has in the past requested highway lights along the entire length of Sealand Road. The County Councillor and Council have requested a full reassessment to provide street lighting. Darell Jones has advised that he is waiting to receive details of the accident.

RESOLVED – that the report be noted.

i) Pot Holes – Foxes Lane and Manor Road

It was reported that the petition organised by Sealand Manor residents requesting resurfacing of Foxes Lane had been handed to Flintshire County Council. The County Councillor advised that Foxes Lane has been added to the appropriate list of resurfacing works.

RESOLVED – Wayne Jones be advised that the pot holes still need to be filled in at both Foxes Lane and Manor Road.

j) Brookside – Need to provide a bund fronting the Sealand Drain

RESOLVED – that the issue be referred to Claire Morter.

k) Morryston Farm Green Lane

The County Councillor advised on further complaints she has received which have been referred to Stef Connah Planning Officer – Enforcement together with Public Protection, Cabinet Member Councillor Bithell.

RESOLVED – that Stef be asked to provide a progress report.

l) Dropped curbs - junction of Sealand Avenue with Brookside and Sandy Lane.

There was no report.

m) Link Road to Farm Road

Wayne Jones has advised that the developers have agreed to provide three new dropped crossing points at locations where the paths meet the new commercial road and 3 visi rails at the entrance to the new foot path.

RESOLVED – that the report be noted.

n) Parking on pavements, mainly on the cycle path/pavements at Welsh Road

Still awaiting a report from Wayne Jones.

RESOLVED – that the report be noted.

22/253 COUNCIL'S STREET LIGHTING

All of the Council's 50 street lights are working.

At the October 2022 meeting it was resolved that Financial Regulations should be suspended with regards to securing three written estimates that should not apply with regards to the Council's required street lighting maintenance and adoption contract. The new contract has been received and signed by the Clerk. A copy has been circulated to members of Council. An FCC signed copy is awaited.

Flintshire County Council have now been asked to upgrade and replace concrete columns 129,131,135,136 and 166 at Cedar Avenue and steel columns 157,160, 161 and 162 at Riverside Park. Cost per column to have replaced and adopted is £2,150 - £19,350 in total. Jamie Bennett has advised that the lighting works will start in June 2023.

RESOLVED – that the report be noted.

22/254 SECTION 137 – LOCAL GOVERNMENT ACT 1972 – PAYMENT OF GRANT

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. The Welsh Government have advised that the Section 137 Expenditure Limit for 2023/24 is £9.93 per elector. The electoral role from Flintshire County Council was 2538 at December 2022. So, per elector produces a total of £25,202.34. Allocated spend in 2022/23 is Section 137 grants of £3,000 and for school milk £1,500. Spend this year £1,550.00 on grants.

RESOLVED – that the report be noted.

22/255 PROVISION OF NOTICE BOARDS – PRAXIS AND POCHINS

Both Pochins and Praxis have reacted positively regarding the Council's request. Details of notice boards including costs have been provided to both parties for their consideration.

RESOLVED: - that the report be noted.

22/256 PLANNING APPLICATIONS

PA Number	Application details	Location
000174/23	Demolition of existing bungalow and replacement with 4 bed detached house and garage	20, Sealand Road, Sealand, CH5 2RJ

000210/23	Creation of 60x25m menage, ground level to be raised by 300mm to have 1500mm four bar fence to perimeter.	Bridge Farm, Green Lane, Sealand
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RESOLVED – that no objections be raised

22/256 INVOICES FROM FLINTSHIRE COUNTY COUNCIL – STREET LIGHTING - VAT

Mrs. Louise Telford - Accounting Technician advised Council by email on 28th February 2023 that it has been brought to her attention that invoices raised for the supply and maintenance of your street lighting excluded VAT, where in fact VAT should have been included. To comply with HMRC guidelines, we need to charge the outstanding VAT on these invoices backdated for 4 years. The email was copied to all members of Council. Advised later that the charge will be £21,500

The Clerk responded to Louise referring to their telephone conversation when Louise mentioned that vat must be applied when the service provided by FCC can be obtained from the private sector. As advised the bulk of Council's expenditure re street lighting - on average over £20k a year is to have lighting replaced and adopted by FCC. Obviously, the private sector can't provide that service so the Clerk contended Vat is not applicable. FCC was asked to reconsider the amount of Vat as indicated above. On the same day Louise confirmed that VAT would not be applied to the works carried out by FCC in replacing and adopting lighting as a result the new VAT amount due will be £4,581.57 and the invoice will be sent out some time next week.

RESOLVED – that the report be noted.

22/257 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 most recent period is £13.80 re £7.00 per month with an additional charge of 8 cheques x £0.85 = £6.80 = Total £13.80

Cheque No	Payable to	Details	Amount	VAT	Vat Code	Expenditure Powers
003555	One Voice Wales	Annual Subscription	£624.00			Miscellaneous Powers LGA 1972 (\$111)
003556	Information Commissioner	Annual Data Protection Fee	£40.00			Local Govt Act 1972 (\$111)
003557	Flintshire County Council	Back dated VAT on Street Lighting - 3 years	£4,581.57	£4,581.57	636613732	Highways Act 1980 (301)
003558	P. Richmond	March 2023 Salary etc	£754.67			Local Govt Act 1972 (\$112)
003559	HMRC	March 2023 PR Tax - £448.40	£498.45			Local Govt Act 1972 (\$112)

		and SCC NI - £50.05				
003560	St. Bartholomew's Church	Payment from the Chair's Fund	£400.00			Ancillary Power Local Government Act 1972 (S11
Total Spend			£6,898.69	£4,581.57		

22/258 INCOME

Lloyds Bank	Interest payment	£24.47
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RESOLVED – that the income be noted.

22/259 CORRESPONDENCE

There was no report.

22/260 FRIENDS OF SEALAND –ST. BARTHOLOMEW'S CHURCH

There was no report.

22/261 CONSIDERATION TO PROVIDE AN UPDATED 2023 COMMUNITY NEWSLETTER

Councillor Brian Ward advised on his work to date and that he will submit a draft copy to the July 2023 meeting of Council. He proposed that the Council should be meet for an hour ahead of the July meeting

RESOLVED – that the report be noted.

22/262 PAYMENT TO MEMBERS OF COMMUNITY COUNCILS 2022/23 FINANCIAL YEAR

The Clerk advised on information received from the Independent Remuneration Panel for Wales which had been emailed to all members of Council on 27th February 2023.

Last year the Panel carried out a major review of the remuneration framework for community and town councils and undertook a comprehensive consultation exercise with the sector.

The Panel has decided to make limited changes. The Panel recognise that all members of community and town councils necessarily spend time working from home on council business. This was the case before and during COVID and is continuing. As a result, members have extra domestic costs and need office consumables. The Panel considers members should not be out of pocket for carrying out their duties. This must be done in writing and is an individual matter. Payments may be taxable in the 2023/24 financial year and this being clarified by One Voice Wales.

All other Determinations set out in the 2022 /2023 Annual Report of the Panel remain valid. Refer to Minute - 21/268 - PAYMENT TO MEMBERS OF COMMUNITY COUNCILS 2022/23 FINANCIAL YEAR and it was then resolved - That in relation to the 2022/23 financial year, the determinations required concerning payments to members are noted and that the Council will not introduce an attendance allowance for members.

In relation to payment to members for the 2023/24 financial year then these will need to be listed and sent to the Panel and displayed on the council's web site and Council notice boards. This has been actioned regarding the 2022/23 financial year.

A form for completion concerning the 2023/24 financial year has been circulated by the Clerk to all 13 Councillors. All 11 Councillors present signed that they have declined the payments.

RESOLVED: that –

- i) the report be noted.
- ii) should a member of Council decide to request a payment of £156 then payment would be held back to March 2024.
- iii) Council should affect a payment of £52 for office consumables rather than pay on a reimbursement basis. Should a member of Council decide to request a payment of £52 then payment would be held back to March 2024.
- iv) that in relation the previous determinations as required concerning payments to members be again noted re Minute 21/268.

22/263 ANNUAL FINANCIAL RETURN – 2021/22 FINANCIAL YEAR

The Clerk advised that on 7th March 2023 he was informed by Deryck Evans – Audit Manager at Audit Wales that as per our conversation, I confirm that the audit opinion is unqualified and there are no matters of concern raised at the audit. The next steps for you are simply to publish the completion notice and the audited annual return. This was confirmed the same day by email and copied to all members of Council.

The completion notice dated 15th March 2023 has been added to the Council's notice boards. The notice and a full copy of the audited annual return has been added to the Council's website.

RESOLVED: - that the report be noted

22/264 REVIEW OF COUNCIL'S INSURANCE AND CHARGES

The Clerk has contacted SLCC North Wales and One Voice Wales to gain details of insurers that they recommend

Charges and insurance cover will be compared with Councils current insurers - Zurich Municipal with Gallaghers and BNIB.

RESOLVED – that the report be noted.

22/265 SUMMARY OF ACCOUNTS – 2022/23 FINANCIAL YEAR

The Clerk outlined the expenditure and income for the 2022/23 financial year up to cheque number 003559

2022/23 Financial Year	Actual	Anticipated	Difference
Income			
General Admin Inc. Precept	£60,000.00	£60,000.00	£0.00
Bank Interest and Refund of Fees	£60.00	£6.00	£54.90
VAT Refund	£492.48	£500.00	-£7.52
Total	£60,553.38	£60,506.00	£47.38
Expenditure	Actual	Anticipated	Difference
Bank Charges	£126.30	£135.00	£8.70
Chairman's Fund	£400.00	£800.00	£400.00
Staffing Costs	£14,284.80	£13,190.00	-£1,094.80
General Admin inc St Barts rental costs	£3,996.07	£3,670.00	-£326.07
Insurances	£628.95	£700.00	£71.05
Play Schemes and New Play Equipment	£11,160.00.	£10,800.00	-£360.00
Street Furniture Repairs	£0.00	£400.00	£400.00
Street Lighting	£28,253.49 (inc VAT £4,723.57)	£21,700.00(exc VAT)	-£6,553.49
Election Costs - Representation of the Peoples Act 1983 - RPA1983 S36C	£246.17	£4,500.00	£4,253.83
Council Web Site	£2,652 (inc VAT of £442)	£2,304.00 (inc VAT)	-£348.00
S137 - Grants	£1,550.00	£3,000.00	£1,450.00
School Milk - Section 137	£0.00	£1,500.00	£1,500.00
Total	£63,297.78	£62,699.00	-£598.78

Current Summary	Balance as at 1 st April 2022 including £25,000 contingency fund.	£44,239.45
	Total expenditure	£63,297.78
	Total income	£60,553.38
	Balance	-£2,744.40
End of Year Prediction	Overall balance as at 20th March 2023	£41,495.05
	VAT Costs for 2022/23 financial year	£5,374.47
	Balance as at 1 st April 2022 including £25,000 contingency fund.	£44,239.45
	Total anticipated expenditure	£62,699.00
	Total anticipated income	£60,506.00
	Anticipated balance for the year	-£2,193.00
	Anticipated Overall Balance as at 31st March 2023	£ 42,046.45

22/266 MATTERS RAISED BY MEMBERS OF COUNCIL

Blocked gullies / grids - Bridge View

Blocked grids – Farr Road

Reference to the recently emptied dog bin at Kingsley Road

Reference to the Mobile Shop that visits Garden City and Sealand Manot on Tuesdays

22/267 MATTERS RAISED BY MEMBERS OF THE PUBLIC

No matters were raised.

22/268 DATE OF COUNCIL’S NEXT MEETING – 17th APRIL 2023

**22/269 IN ACCORDANCE WITH SEALAND COMMUNITY COUNCIL'S CODE OF CONDUCT -
DECLARATION OF INTEREST - NONE**

The meeting opened at 6pm and closed at 7.55pm

..... Signed 17th April 2023