

## **PEN-Y-CAE COMMUNITY COUNCIL**

Minutes of the Penycae Community Council Meeting held on Monday 25<sup>th</sup> July 2022

### **PRESENT**

**Chair – Cllr June Jones**

Cllr. C. Davies  
Cllr. A. Phillips  
Cllr. R. Hughes  
Cllr. K. Phillips

Cllr. R. McLaren  
Cllr. J. Roberts  
Cllr. H. Davies  
Cllr. J.C. Phillips

### **(22)103 APOLOGIES**

Apologies for absence were received from:

Cllr K. Gilpin  
Cllr. A Tynan  
Cllr. J. Lowe  
Cllr. P Davies  
Cllr. Dr S Evans

### **(22)104 DECLARATION OF INTERESTS**

There were no declarations of interest from members present

### **(22)105 MINUTES**

Minutes of the meeting held on Monday 27<sup>th</sup> June 2022 copies having previously been circulated, were approved and adopted.

### **(22)106 MATTERS ARISING from the minutes**

#### **1. DE-Fib**

Tomos Hughes was unable to attend the July meeting of Full Council but had instead offered to attend a site visit at the red telephone box in Tainant on the 16<sup>th</sup> August. Cllr. J. Phillips and the Clerk would attend and report back to members.

Resolved: To await further information

#### **2. CCTV**

A meeting had been held on the 11<sup>th</sup> July with representatives from MFS Security Systems and CCTV Services. Both representatives gave a brief presentation on the solutions they could offer and how it could work in practical terms. It was proving difficult to arrange a meeting with the third company as he was not available in the evenings. It was suggested that the Clerk attempt to source a further contractor.

Resolved: That the Clerk look to source another CCTV contractor.

#### **3. Street Signs**

The Clerk had received a response from Ian Bancroft, Chief Exec at WCBC advising that he had handed the matter over to Darren Williams, Chief Officer for Environment for

a response. Darren Williams had provided a response stating that he apologised for the delay but there had been a delay in receipt of the frames for the street signs. The Clerk had responded to remind Mr Williams that the nature of the complaint was the lack of response from the Environment department dating back to December 2021 when the issue was initially reported. There had been no further correspondence on the matter.

Resolved: to await the installation of the street signs.

#### 4. **Local Places For Nature**

The Clerk and Cllr Dr S Evans had attended a site meeting with Keep Wales Tidy and North Wales Wildlife Trust where plans for the garden had been discussed. During the visit, Iwan Edwards from the North Wales Wildlife Trust was noting down some of the species he had found in order to make a list and found some to be quite rare. Mr Edwards advised that the site itself was very rich in biodiversity and was keen to enrich the area without causing too much damage to the infrastructure. It was agreed that some dates would be pencilled in for some remedial site clearance in order to be able to gain safe access to the area identified for the wildlife garden development. Shane Hughes of Keep Wales Tidy would liaise with the Clerk to organise.

Resolved: To await the dates for works to commence.

#### 5. **We are the Cae Festival - licencing**

The licencing team at WCBC had replied to confirm that no wildlife impact surveys were carried out at part of the licensing conditions for events.

Resolved: noted

#### 6. **Food Bank Presentation**

The Clerk and Cllr. C. Davies had attended the presentation by the Foodbank and found it to be very informative. Statistics shown on the evening evidenced that Penycae was one of the communities with the highest number of foodbank users and it was clear that the foodbank was being well utilised. It was agreed that perhaps the foodbank staff could be invited to a future meeting to see how the community council could support its residents.

Resolved: to invite the foodbank staff to a future meeting.

#### 7. **Dark Lane Bridle Path**

Sion Roberts had advised that the bridle path was classified as highway and the information had been passed onto Streetscene. An officer had been out to inspect but had been unable to find the area. It was advised that the Clerk follow this up with Gareth Matthews at Streetscene for an update.

Resolved: That the Clerk liaise with Gareth Matthews for an update.

#### 8. **Groes Chapel**

Cllr. Dr S Evans confirmed that tarmac had been recently laid at the entrance to the cemetery and that the grass had now been cut. It was reported that the grass at the bottom end of the cemetery still had not been done. It was agreed to keep an eye on the maintenance going forward.

Resolved: That members would keep an eye on the cemetery maintenance.

## 9. Litter bin

The Clerk had requested a price for a more robust model of litter bin and had received a reply from Craig Youens of WCBC to say that he had requested a quote from the manufacturer but would not be able to give the information prior to the community council meeting due to annual leave. It was agreed that the Clerk should contact members with the quote once received and then a decision could be made to purchase the bin if the price was not too expensive.

Resolved: That the Clerk would email the quote out to members for a decision once received.

## **(22)107 POLICE MATTERS**

There had been no police report provided for the period

### **Matters Raised by members**

Cllr. J. Phillips advised that there was an afternoon tea event being organised at the Football Club in partnership with the Police. This was predominantly aimed at older people, to give them advice on safety and door step crimes etc. more information would be shared with members when received. Cllr. Phillips also advised that there were bike marking kits left over from the recent events held in both wards and further dates were being organised to utilise the remainder. An event called Operation Bang was being discussed with the Police and both local members which would see an event organised to educate young people on the dangers of fireworks this would be through secured PACT funding from the Police.

Cllr. R. McLaren wished to note the delay in response from the Police regarding a recent dog attack in the village. Contact details had been passed to the police and they had not followed up on the information in a timely manner.

Cllr. C. Davies advised that the antisocial behaviour around the Afoneitha play park had escalated once again and youths had been seen fighting with sticks.

Resolved: noted

## **(22)108 ISSUES RELATING TO OLDER PEOPLE**

The contract with the community agent had now been terminated and the working party would meet to discuss taking the necessary steps to begin the recruitment process for a new agent as soon as possible.

Resolved: to begin recruiting for a new community agent.

## **(22)109 STREETLIGHTING**

### **Faults**

The speed sign had been reinstated on Stryt Issa, however the contractor had been in touch to say that an engineer had driven past and noticed that it still was not working correctly. The contractor had reported this to the manufacturer once again. The Clerk was seeking confirmation that there would be no charge to the community council for the second repair.

Resolved: That the Clerk would follow up the progress of the interactive speed sign again.

**(22)110 PLANNING Applications**

**Application no P/2022/0627** – Demolition of existing dwelling and erection of replacement dwelling – Silverdale, Tainant, Penycae LL14 1UG

Resolved: no observations as long as the building was in keeping with the surrounding dwellings and area.

**Application no P/2022/0614**– Single storey side extension – Tyddyn Ucha Farm, Penybryn, Penycae

Resolved: no observations.

**Application no P/2020/0608** – Reserved matters pursuant to outline planning permission P/2018/0139 (appearance, layout, landscaping and scale) – 5 dwellings – Land South of Pinecroft, Afoneitha, Penycae.

Resolved: to offer the following observations

1. Perimeter fence – concrete posts to be considered to ensure the longevity of the structure
2. Spoil to be disposed of properly and not to be tipped into the river
3. That the road and footway be completed prior to the first occupation.
4. That the road and the street lighting be of an acceptable standard and adopted by the authority.

**(22)111 TO REVIEW amendments to Standing Orders**

Due to a recent change in Welsh Government legislation and guidance for Community Councils it had been necessary to undertake some changes to the Standing orders. The changes had been discussed by the Finance Sub-committee prior to the meeting. The Clerk had prepared the changes and given them to members prior to the meeting. The adjustments to be made were as follows

Page 10

**ADMISSION OF THE PUBLIC AND PRESS AT MEETINGS**

70. The public and the press shall be admitted to all the meetings of the Council and its committees and sub-committees, which may however, temporarily exclude the public or press or both.

By means of the following resolution, viz;

“That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the press/public and press/public be temporarily excluded and they are instructed to withdraw”. (Note: the special reasons should be stated).

70.1 The council is required to facilitate public participation at its full council meetings but this requirement does not apply to its committee and subcommittee meetings where sensitive business is conducted. Public participation does not mean that members of the public can take part in debate, but they must be given a reasonable opportunity at the beginning of the meeting to ask questions or make representations about the business to be discussed or transacted at the meeting and which is open for public discussion.

Confidential business is excluded. Council officers and invited guests may speak during meetings.

- 70.2 If members of the public wish to raise a matter of business to be discussed at a council meeting then it is preferable to contact the Chair or the Clerk prior to the meeting so that it can be placed upon the agenda for discussion. If no notice prior to the meeting is given then the Chair may afford a time slot of no more than 10 minutes for the matter to be discussed.
71. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. The press are not permitted to take photographs of members without their prior consent.
72. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

Page 11

### **STANDING ORDERS ON CONTRACTS**

77. (a) That the Council shall obtain tenders, should it deem necessary for any contractual work to be carried out on their behalf.
- (b) Three tenders must be obtained for contracts in excess of £25,000
- (c) The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- (d) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- (e) Three quotations shall be sought for any goods and services in excess of £2,500
- (f) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos. 62, 63, 64.

Page 15

### **BANKING ARRANGEMENTS AND CHEQUES**

30. To take action on behalf of the council in consultation with the Chair of Council and Vice Chair in any urgent matter which does not allow for prior authorisation to be obtained where:- (1) There is a serious risk of significant cost to the council of loss of income resulting from lack of immediate action; (2) The council's property or staff or persons in its care or for whom it has a responsibility would otherwise be placed at serious risk of suffering harm/damage. (3) An emergency or disaster involving destruction or danger to life or property occurs or is imminent or there are reasonable grounds for apprehending such an emergency or disaster and such action is calculated to avert, alleviate or eradicate the effects.

Resolved: That the changes to Standing Orders be adopted as detailed.

### **(22)112 TO ACCEPT changes to the risk assessment**

The Finance Sub-Committee had considered the risk assessment and had recommended the following changes be adopted

<b>Internal controls</b>	<b>Council's Response</b>
<p>A council's internal controls may include:</p> <p>Standing orders and financial regulations dealing with the award of contracts for services or the purchase of capital equipment</p> <p>Regular reporting on performance by suppliers, providers, contractors</p> <p>Annual review of contracts</p> <p>Clear statements of management responsibility for each service</p> <p>Regular scrutiny of performance against targets</p> <p>Adoption of and adherence to codes of practice for procurement and investment</p> <p>Arrangements to detect and deter fraud and/or corruption</p> <p>Regular bank reconciliations, independently reviewed</p>	<p>Standing Orders and Code of Conduct adopted by all members. Specific S.O.s relating to financial matters are included in the Councils Standing Orders.</p> <p>3 Quotations are always obtained for work required by the Council for all contracts in excess of £25000.</p> <p>3 Quotations are obtained for goods and services in excess of £2500.</p> <p>Contracts are reviewed on an annual basis.</p> <p>Bank reconciliations are reviewed on a regular basis by the Finance Sub-Committee.</p> <p>Accounts audited on an annual basis by Internal and External Auditor</p> <p>A search against Companies House Records to be undertaken for any new supplier/contractor and bank detail verification for any online payments to be made by the Clerk.</p>

Resolved: That the changes to the risk assessment be adopted as detailed.

**(22)113 TO RECEIVE the Internal Auditor's Report.**

Issues reported by the Internal Auditor as follows:

*The standing orders on contracts state:*

*'77(b) three tenders must be obtained for contracts in excess of £500'*

*The use of the word tender implies a formal tender process to be undertaken, when in practice sometimes quotes are requested from suppliers.*

*For the following contracts we did not see evidence of either quotations or a tender process being followed:*

1. *Purchase of planters*
2. *Christmas lighting*

*Recommendation - The Council must award a contract as per their standing orders and financial regulations.*

*The standing orders and financial regulations should be reviewed to ensure that they are appropriate and meet the requirements of 'The Practitioners Guide'. The Council should consider adopting the NALC / OVW model financial regulations relating to contracts which state the level for a formal tender process and lower levels where quotations and estimates should be obtained.*

Resolved: That the Standing orders be amended to reflect the recommendations above.

*The General Reserves are in excess of 12 months net operating expenditure.  
Recommendation - The Council should regularly review the level of reserves and ear-mark any reserves being retained for identified projects. The level of general reserve should be taken into account for future precept requests.*

Resolved:               Noted

*An analysis of staff costs was provided and included refunds of postage to the Clerk as this is paid with the salary.*

*Recommendation: In future, the refund of expenses should be analysed separately and excluded from staff costs.*

Resolved:               noted

*The Council purchased new planters in 2021/22 and disposed of the previous planters that were included in the asset register.*

*The asset register has not been updated for this addition and disposal.*

*The asset register does not record the date of addition or disposal.*

*Recommendation: The asset register should be updated for the planters. The asset register should record the date of addition and disposal.*

Resolved:               The Clerk adapted the asset register as recommended.  
That the Chair approved and signed the annual governance statement

#### **(22)114 TO APPROVE the Annual Reports**

Section 52 of the 2021 Act requires community councils, as soon as reasonably practicable after the end of each financial year, to prepare and publish an annual report about the council's priorities, activities and achievements over the previous year. Community councils are currently required to prepare and publish other reports. Section 6 of the Environment (Wales) Act 2016 ("the 2016 Act") requires all community councils to prepare and publish a plan every three years setting out what they propose to do to maintain and enhance biodiversity, and promote resilience. The Clerk had prepared the reports and shared them with members prior to the meeting. All members agreed to approve the reports and instructed the Clerk to publish them on the website

Resolved:               That the reports be published on the community council's website.

#### **(22)115 GENERAL CORRESPONDENCE**

An email advertising an arts programme for young people in Ty Pawb, the Clerk would share this locally.

A request for funding from Calon FM. This would be placed on file for discussion in February.

#### **(22)116 MISCELLANEOUS**

Resolved:    To note receipt of the following:

1. An email invitation to an evening reception at Wrexham Glyndwr University with Colonel Sion Walker, Deputy Commander of the Army in Wales.
2. The January to June stats from the Citizens Advice Outreach Service.
3. It's For Them – Stakeholder toolkit from the Land Nature and Forestry division of Welsh Government.

#### 4. Play For Wales brochure

### **(22)117 ANY OTHER URGENT BUSINESS**

Cllr. J. Phillips noted the hedges on Plas Bennion had become hazardous. The Clerk had written to the landowner requesting that the hedges towards the Llangollen Road end of Plas Bennion be cut back as soon as possible as it was making it very difficult for pedestrians to pass safely due to the protruding thorns. To date no progress had been made. It was suggested that Gareth Matthews at Streetscene could provide some assistance.

Cllr. J. Phillips asked if the surface for the skate park and the quotes for the war memorial could be progressed.

Cllr. J. Phillips asked if the refurbishment of the Poplar Road Rec could be tabled for future discussion.

Cllr. R Hughes noted that there was some development taking place on Delph Road and was concerned that the boundary to the neighbouring property had been removed and wanted to check that it would be reinstated correctly.

Cllr. H. Davies asked if Streetscene could be contacted to cut back the hedges around the entrance to Coed y Nant from Afoneitha Road.

Cllr. J. Jones advised that she was still receiving complaints regarding the obstructive parking on Stryt Issa.

### **(22)118 FINANCE**

The Finance Sub-Committee had met prior to the meeting

#### **Payments**

The following payments were approved for July

103052– JRB Enterprises – dog bags	£191.28
103053– Citizens Advice – Outreach Service	£6221.17
103054 – Viking Direct – stationery	£189.10
103055– Chris Williams - Maintenance	£210.00
103057— members expenses	£150.00
103058 – Members Expenses	£150.00
103059 - Members Expenses	£150.00
103060 - Members Expenses	£150.00
103061 - Members Expenses	£150.00
103062 – EDF Energy – unmetered supply	£849.65
Bank Transfer – Salary	£1350.54