

Minutes of General Meeting held on 12th October 2023

Present: Cllrs

Allan Morgans – Chair
Paul Sheldon
Amanda Curtis
Lyn Gibson
Simon Grice
Margaret Narburgh – Clerk

Apologies:

Jac Armstrong

Not Responded

Cllr Huw Williams

Members of the Public:

Hugo Watts
John Almond
Sioned Davies
Mathew Davies
*Gareth Davies
Holly Mcloughlin
Nia Parry
Megan Wilde
Jayne Wilde

* Joined the meeting by video conference but could not be heard.

687. Apologies

Cllr Armstrong sent last minute apologies due to his train being delayed.

688. Meeting Open to the Public

1. A member of the public stated that they did not feel the minutes of the Council meeting held on 13th July which they attended, were a balanced representation of their position. They felt that after declaring their relationship with a serving Councillor the minutes should have recorded that they were there representing their own views. They also felt the minutes recording the discussion around the Local Development Plan were not balanced either and should have included reference to why local residents do not engage directly with the Council. They stated the Council should do more to make them aware of what the Council does, the dates of meetings and encourage more people to attend. They felt that on the occasions they had attended meetings, the Council's attitude was very defensive. The Clerk invited the member of the public to put forward ideas to improve communications with residents and they said this was a matter for the Council to decide. Action: Clerk to include on agenda for next meeting.
2. Mr Watts stated that he was a resident and was not aware of the meeting residents had been invited to at the Druid Inn regarding the Local Development Plan and that the organisers should themselves consider how best to engage the whole community when planning meetings for residents rather than just using Facebook.
3. Jayne Wilde stated that given the seriousness of the irregularities highlighted in the Welsh Audit Office report, if the Councillors not involved at the time had any concerns about the reputational damage to the Council. Cllr Gibson responded that she had no qualms whatsoever with respect to any damage to her personal reputation and that she could not comment further until the report had been discussed by the Council. Cllr Grice stated that he was not concerned about his own reputation and would consider the impact once the matter had been discussed. Cllr Sheldon invited J Wilde to ask her questions about the audit report at this point but she stated she was unable to until she had heard what Councillors had to say. The Chair stated that he would invite her to speak again during the discussion.
4. Megan Wilde asked where details of Council meetings could be found. The Clerk responded that the only legal requirement was to publish them on the Council's website but that they were also posted on the seven notice boards around the area one week before each meeting and published in every edition of Llanferres News & Views.

689. Declarations of Interest

None were declared.

690. Approval of Minutes of Meeting on 14th September 2023

Cllr Sheldon proposed accepting the minutes as a true and accurate record of the meeting and Cllr Morgans seconded the motion. Cllrs Gibson, Curtis and Grice abstained because they were not present at the meeting, there were no votes against and the motion was carried.

691. Matters Arising from Meeting on 14th September 2023

- 388/4 The matter is now closed.
- 533/2 Ongoing, Cllr Grice reported he has submitted a formal application to Denbighshire CC for a new dog foul waste bin and will report back to the Council when he receives a reply. Action: Cllr Grice to chase.
- 622/4 Complete
- 674 Completed 15/9/23
- 675 Completed 4/10/23
- 676/9 Completed
- 677 Included on agenda for discussion later.
- 678 Completed 15/9/23
- 679 Arranging for quote for maintenance work completed 15/9/23
Cllr Morgans has spoken to the Chair of MADRA who has confirmed the ride on lawn mower in Maeshafn storage shed belongs to the Community Council. It was bought using a grant obtained by Cllr David Scruton in October 2008. Action: Clerk to research its current value and put on agenda for next meeting.
- 680 Completed 15/9/23
- 681 Denbighshire CC have responded to the Council's request to change the Maeshafn road name back to Village Road from Pont y Mwynwr. They stated that because this has been the official registered name since 2005 and that their policy is for all road names to be in Welsh, they would first need to gain support from Cabinet members and obtain an 'exception'. If this is granted, a full consultation would need to take place with all households affected to obtain their opinions on whether or not the name should be changed back to 'Village Road.' It will be a lengthy process. At the moment the address gazetteer records Village Road as an alias name so if the current confusion causes problems for any residents, DCC can provide a letter explaining the situation. Action: Cllr Morgans to provide update to Maeshafn residents.

692. Co-option of Councillors

Despite continuing to advertise the three vacancies, no one has expressed an interest in becoming a Councillor. Action: Clerk to continue advertising.

693. Audit Wales Report – LCC Procurement Arrangements 2020-21 and 2021-22

The Audit report had been circulated to Councillors prior to the meeting for reading and the Chair invited each Councillors to comment on its' content. Cllr Sheldon suggested asking the Auditor to clarify its' position relating to the inclusion or not, of VAT when considering the thresholds in the procurement process. The Clerk stated that this confusion had already been addressed when the Council reviewed its Standing Orders and Financial Regulations earlier this year by including reference to the thresholds for all expenditure being exclusive of VAT. Cllr Grice felt the three recommendations to improve procurement practices should be accepted. Cllr Curtis felt the report should not be accepted in its entirety due to a number of inaccuracies contained within it but that the Council should accept the recommendations. Cllr Gibson felt unable to comment on the detail of the content because she was not involved at the time but the recommendations seemed reasonable. Cllr Morgans felt there were a number of inaccuracies within the report and could not understand the conclusions that the Council had misled contractors and had predetermined who the ground works element of the project would be awarded to given there is no evidence of this. He also felt the Auditor

had not taken into account the difficulties the Council faced when undertaking the development of Maeshafn playing field during Covid restrictions or that Welsh Government had suspended the need to comply with

Standing Orders during this period. Jayne Wilde was invited to speak and stated that the timeline of key activities provided the evidence that the awarding of the groundworks contract had been predetermined. The Clerk stated that this was not the case and that the decision about who to award the contract to was taken in January 2021 and not earlier as the Auditor had concluded.

The Chair read out a proposed draft response to the Auditor shown in Appendix 1 and asked Councillors to comment. Paragraphs 1 and 2 were agreed, Cllr Grice suggested rewording the beginning of paragraph 3 to state that Councillors involved at the time were disappointed etc.... Cllr Sheldon suggested including reference to the confusion over VAT, Cllr Curtis suggested including reference to the Council not accepting the report in full due to some inaccuracies. Action: Clerk to redraft the response and circulate to Councillors for agreement before sending to the Audit office for approval.

694. Correspondence List

1. Denbighshire CC's stakeholder survey had been circulated to Councillors for consideration. The Chair suggested the Council should agree its response at the next meeting. Action: Clerk to include on agenda.
2. Details of the availability of memory boxes at libraries in Denbighshire had been circulated to Councillors who felt they were a good idea.
3. Details of the availability of commuted sums for Community Councils in Denbighshire had been circulated but Llanferres did not qualify for the 2023 allocation.
4. Details of Denbighshire CC's plans to reduce library opening hours to help reduce the budget deficit had been circulated to Councillors for information.
5. Darren Millar has asked if the Council would like him to attend a Council meeting in the near future. Action: Clerk to invite him to a meeting in the new year.
6. The current account bank statement at the end of September showed a balance of £900.24
7. The savings account bank statement at the end of September showed a balance of £19,839.11

695. Local Community Plan

Cllr Grice had sent Councillors a letter prior to the meeting outlining how he felt the Council could initiate a Local Community Development Plan and suggested the first step should be to hold a Public Meeting to establish residents' views. Cllr Curtis felt this was a good idea to explain to the community what the Council does and that residents in all the villages covered by LCC should be invited. Cllr Sheldon was not opposed to the idea and suggested the Council agree the Agenda for the public meeting. Cllr Gibson had no objections. Cllr Morgans agreed with the idea in principle and cautioned against raising expectations about what this small council with very limited powers could do and reiterated that the Council would need to retain full control of any plan and that responsibility for any aspect of it could not be delegated to a third party. He outlined the difference between Place Plans and Community Plans and referred to Llanferres having been included in Ruthin Town Council's Town and Area plan which expired in 2020. He stated that the only area the Council has full control over is the outdoor spaces it owns and that it could only lobby the agencies responsible for the other potential themes. Cllr Grice proposed holding a public meeting in Llanferres village hall, inviting all residents to attend and Councillors agreeing the agenda. Cllr Curtis seconded and Cllrs Morgans, Gibson and Sheldon voted in favour. There were no abstentions or votes against and the motion was carried. Actions: Cllr Grice to draft an agenda and a Public Notice inviting residents to attend a meeting and circulate to Councillors for agreement at the next meeting. Also, to liaise with the Clerk regarding circulation of the invitation and potential dates for the public meeting to be held.

696. Planning Applications

21/2022/0609, Mandalay, Loggerheads – after due discussion Councillors agreed to support this application. Action: Clerk to notify planning.

21/2023/0510 The Paddock Llanferres. This notice arrived after the agenda for this meeting had been published but the Chair invited the applicant to speak given his attendance. Mr Davies stated he had based the revised design and size of the signs on advice given by the planning officer when they visited the site

recently. The signage was needed because Satnav sent visitors the wrong way and created congestion when they tried to find his premises. Reducing the size by 50% made the signs impossible to read in the few seconds motorists had to read them when passing, especially given the planning officers advice that the signage should be in Welsh and English. He asked the Council to support this application as the signs were no bigger than many others already erected in the AONB. After due discussion Councillors accepted the rationale behind the size and wording on the signage. Cllr Sheldon proposed supporting the application, Cllr Curtis seconded and Cllrs Morgans, Grice and Gibson voted in favour. There were no abstentions or votes against and the motion was carried. Action: Clerk to notify planning.

697. Maintenance of Assets

White Oak Properties had quoted £120 to undertake routine maintenance work identified during the Asset risk assessment. Cllr Morgans proposed accepting this quote for the work to be completed before winter set in, Cllr Sheldon seconded and Cllrs Curtis, Grice and Gibson voted in favour. There were no abstentions or votes against and the motion was carried. Action: Clerk to notify the contractor.

698. Maes Ysgawen Park Improvements

The grant application to the National Lottery was submitted in August and will be considered during their November meeting. No further action can be taken until the outcome is known. Action: Clerk to update the Council as appropriate.

Cllr Morgans stated the Council still needed to get another two quotes to fell and prune the trees identified in the risk assessment and suggested also getting quotes for the tall stumps of the trees felled to a safe height to make them into a feature by having the tops carved to depict animals. Action: Cllr Morgans to arrange.

699. Banking and Accounts

Cllr Sheldon stated that he had checked the bank statements against the internet banking and accounts and the transactions were all correct.

700. Payment of Bills and Invoices

The following bills were presented for authorisation to pay

1. AVOW – payroll invoice for October 2023	£497.81
2. HSBC – bank charges September 2023	£5.00
3. Denbighshire Free Press – advert re Audit Report	£110.28
Total bills for payment	£613.09

Cllr Curtis proposed all bills be paid, Cllr Seldon seconded and Cllrs Morgans, Grice and Gibson voted in favour. There were no votes against or abstentions and the motion was carried. Action: Clerk to pay all bills on the schedule.

701. Other Matters brought to the Council's Attention

1. The Ramblers Association had copied their correspondence with DCC regarding the continued closure of the footpath in Big Covert to the Council for information.
2. The Chair had contacted the Minerals Officer for an update on Burley Hill Quarry and been told that they now had all the information needed to prepare a report and recommendations but due to the volume of outstanding work, they did not know when this would be done.
3. A resident in Maeshafn asked if the Council could fell the Christmas tree on the village green because it was interfering with their TV signal. Cllr Morgans agreed to ask for residents' views and has received 16 replies – 5 to fell it, 8 to leave it and 3 to prune it. The tree was originally planted by residents and therefore MADRA is responsible for it and any associated costs. The Council is not

responsible for the tree and pointed out that cutting a healthy tree down is not generally considered acceptable. Action: Cllr Morgans to let the Chair of MADRA know what the residents' wishes are and confirm the Council cannot get involved.

Cllr Morgans stated he would not be able to check or switch on the Christmas lights this year because he is on holiday but would try to arrange for someone else to do it for him.

4. Noel Headley had asked the Clerk if the Council would donate a raffle prize for the bingo night being held on 1st December to raise funds for the Church and PTFA. After due discussion Councillors agreed to provide a £50 voucher for the Druid Inn. Action: Clerk to arrange.
5. The Clerk reported that she had attended the presentation by Natural Resources Wales regarding the National Park Designation Project. The presentation focused on explaining the process NRW would be going through between now and 2026 when they would present their designation order (recommendations) to Welsh Government for consideration and decision.

This is the Engagement period and everyone in the area is being invited to express their views on the proposed area under consideration. A map showed the area is more than double the existing Clywdian Range and Dee Valley AONB's, spanning from the Gronant Dunes and Talacre beach in the north to an area south of Lake Vyrnwy.

The feedback from this engagement will be assessed and amendments considered in preparation for a full public consultation in 2024. At this stage, the advantages and disadvantages were not stated as NRW did not want to influence the discussion in any way.

They stated there would need to be a review of planning legislation and suggested it would make little difference to those already living in the AONB although they acknowledged permitted development rights within the AONB would likely be affected.

Funding arrangements have not yet been finalised but at present National Parks receive a grant from Welsh Government for 75% of the cost and the local authority funds the remaining 25%. However, the authorities can claim a grant for their 25% so effectively Welsh Government is funding the full cost either directly or indirectly.

6. The Clerk asked the Council if the meeting scheduled for 11th January 2024 could be moved to another date because she would be on holiday. Councillors agreed to change it to 18th January. Action: Clerk to change the date.

Cllr Morgans proposed closing the meeting to the public and moving to Part II, Cllr Grice seconded and the meeting was closed at 21.40 pm.

702. Part II

Councillors reviewed the vexatious classification currently in place and agreed to remove it. Action: Clerk to notify those involved.

Cllr Morgan proposed closing the meeting, Cllr Curtis seconded and the meeting was closed at 21.45 pm.

The next General Meeting of the Council will be held on Thursday 9th November 2023 at 7.30 pm in Llanferres Village Hall with facilities for people to attend by joining through TEAMS video conferencing

Appendix 1

External Audit Report

Chairs suggested wording for response

In accordance with sections 25 to 27 of the Public Audit (Wales) Act 2004 Llanferres Community Council considered the 2020-21 and 2021-22 external Audit Report – procurement processes, at its full Council meeting held on 12th October 2023.

Councillors agreed to accept the three recommendations and will take appropriate action through reviewing its Standing Orders and Financial Regulations and amending same to eliminate inconsistencies; ensuring approvals are obtained and minuted for any departures from Standing Orders and Financial Regulations and ensuring the rationale for the selection of suppliers is clearly recorded in the minutes.

The Council is disappointed that the Auditor does not seem to have taken into account to the extenuating circumstances and challenges faced by Councils whilst trying to operate during Covid restrictions. It stands by its' belief that it exercised due diligence, was fully transparent and secured the most cost-effective solution to deliver the Maeshafn playing field project as evidenced in the project being delivered 10% below budget.

The Council categorically denies that it misled anyone during the process of awarding the contract for the development of Maeshafn Playing field.