

At a Meeting of the **FINANCE AND GENERAL PURPOSES COMMITTEE** held on Wednesday 1<sup>st</sup> December 2010, at the Civic Offices, Wellington Road Community Centre, Rhyl commencing at 6.00pm.

**PRESENT**

Councillor D. A. J. Thomas (Chair)

Councillors J. B. Bellis, J. Butterfield, Mrs J. Butterfield, Mrs P. M. Butters, Mrs J. Chamberlain-Jones, Ms D. Hannam, Ms G. A. Jones, Miss M. A. Jones, Mrs M. McCarroll, G. J. Pickering, W. N. Tasker, and T. Thomas.

Mr G. J. Nickels - Town Clerk  
Mr P. M. Thomas - Finance Officer

**126. APOLOGIES**

Apologies for non-attendance were received on behalf of Councillors B. Blakeley (indisposed) M. C. Espley (family bereavement) Mrs L.M. Edwards (work commitment), D.W. Lee (work commitment) Mrs. W. Mullen-James (personal commitment), G. Williams (indisposed) and Miss H. J. Windus (Personal Assistant & Secretary).

A Member advised that Councillor B. Blakeley was making good progress following his recent medical condition and it was ***RESOLVED*** that a card be sent to Councillor Blakeley to express the Council's best wishes for a speedy recovery.

**127. CLWYD PENSION FUND – ACTUARIAL VALUATION**

The Finance Officer presented his report (circulated with Agenda) and responded to Members questions prior to departing the Council Chamber.

***RESOLVED*** that

- (a) *the position be noted, and*
- (b) *A working Group be established to examine and make recommendations in respect of the issue of pensions in respect of any future appointments to the Town Council establishment. The Working Group to comprise of Councillors Mrs. J. Butterfield, Ms G. Jones, Miss M.A. Jones, D. Thomas, and T. Thomas and be authorised to seek the advice of the Welsh Local Government Association.*

**[The Town Clerk and the Finance Officer declared their prejudicial interest in the above item and following the presentation of the report and responding to Members questions vacated the Chamber during debate and consideration]**

## **128. HONORARY FREEMEN AND FREEWOMEN**

Further to Minute No.22 of the meeting held on 2<sup>nd</sup> June 2010, the Town Clerk submitted his report (circulated with Agenda) identifying a number of recommendations made by the Civic and Social Events Sub-Committee for Committee approval.

A Member questioned the desirability of limiting the number of Honorary Freeman/Freewomen to preserve the integrity of the award. Another Member argued that the Council had not placed any maximum number on the Merit Awards to be issued and this had been respected by the Council resulting in only 5 awards over a twenty year period.

***RESOLVED*** that the following recommendations of the Civic and Social Events Sub-Committee be approved.

- a) *The Mayor's Gala Awards be maintained,*
- b) *The Merit Award Scheme be retired and replaced by the new Honorary Freeman / Freewoman award.*
- c) *There be no overall limit on overall number of Honorary Freeman / Freewomen.*
- d) *The procedure identified within the report be adopted.*

## **129. REQUEST TO MAKE A PRESENTATION TO THE TOWN COUNCIL**

The Chair reported receipt of a request from Ms Wendy Smith (circulated with Agenda) to address the Town Council on a project called North Wales Advice and Support. The Town Clerk advised that further information beyond that circulated with the Agenda had been supplied by Ms. Smith and was available for inspection by Members.

Member debated the request but felt that it was premature to receive a presentation at this time and ***RESOLVED*** that the request be declined but Ms Smith be invited to provide further information at such time that the project was further developed.

## **130. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS – RHYL COMMUNITY ASSOCIATION**

Further to Minute No.81 (Minute Extract circulated with Agenda) of the meeting held on 6<sup>th</sup> October 2010, the Chair invited Members to consider appointing a representative to the Rhyl Community Association for the Plastirion Ward.

The Ward Members advised that they had agreed that Councillor T. Thomas should be nominated.

***RESOLVED*** that Councillor T. Thomas be appointed.

A Member requested that she be appointed as the main representative on the Marine Lake Users Forum with the existing representative becoming the substitute Member in her stead.

The Town Clerk advised that all such appointments were made until the subsequent Annual Meeting of Council unless the appointed Member chose to resign from the appointment or the Council which in this instance had not occurred.

**131. PRESENTATION BY NORTH DENBIGHSHIRE COMMUNITY SERVICES HEALTH PROJECT**

Following a request from Members in attendance at the Rhyl Elected Members Meeting held on 24<sup>th</sup> November 2010 for an invitation to be extended to officers of the Betsi Cadwaladr Local Health Board to attend a future meeting of Council, the Town Clerk asked for Members' approval of the request and if granted, for questions to now be submitted in advance of the presentation.

Members had extensive debate and those Members who also served on the County Council referred to a Scrutiny Meeting held by that Authority which had undertaken a similar exercise and the Minutes of that meeting should be sought to inform the Town Council's debate. Another Member commented that irrespective of the County Council meeting the Town Council should ask its own questions in respect of the Town.

***RESOLVED*** that an invitation be extended to the Health Authority to attend an early meeting of the Council and that Members provide their questions to the Town Clerk by no later than 12 Noon Monday 6<sup>th</sup> December 2010.

**132. DENBIGHSHIRE VOLUNTARY SERVICES COUNCIL – HEALTH, SOCIAL CARE AND WELL BEING STRATEGY MEETING**

Further to Minute No.93 (Minute Extract circulated with Agenda) of the meeting held on 6<sup>th</sup> October 2010, a Member in the absence of the Council's appointed representative advised that the Member was still awaiting a written report from the Strategy Meeting secretary and would not be in a position to report to the Town Council until this was received.

***RESOLVED*** that the report be received and the matter deferred until the representative had received the necessary information.

**133. CONSULTATION: POTENTIAL DELEGATION OF SERVICES FROM DENBIGHSHIRE COUNTY COUNCIL**

Further to Minute No.104 of the meeting held on 3<sup>rd</sup> November 2010, the Town Clerk presented his and the Mayor's joint report (circulated with Agenda) in respect of proposals to transfer services from Denbighshire County Council to Town and Community Councils, following their attendance at a meeting on 17<sup>th</sup> November 2010.

The Town Clerk and the Mayor advised that the position remained as previously reported. It was their recommendation that the Council, whilst not actively participating within the initiative, should continue to be represented at the meetings and should complete the Matrix provided by the County Council to assist the development of the project.

***RESOLVED*** that the report be received and the recommendation be approved and that the matrix be completed to indicate that the Rhyl Town Council would be prepared to contribute to the provision of services but not to take exclusive responsibility.

***FURTHER RESOLVED*** that Standing Orders be suspended to enable the Town Clerk to act as a matter of urgency.

**134. CONSULTATION: PROPOSED TEMPORARY CLOSURE OF ST. MARGARET'S DRIVE POST OFFICE**

The Chair reported receipt of correspondence (circulated with Agenda) from the Post Office advising of the temporary closure of the above branch due to the retirement of the resident Sub-Post Master.

Members debated the correspondence and expressed their concern that the notice would likely result in the permanent loss of this facility in the Derwen Ward which served the majority of the South end of the Town.

A Member advised that a neighbouring shop had recently re-opened and that he would approach the owner to inform him of the vacancy in provision

Another Member advised that concern was also being expressed by the Highfield Road Sub-Postmaster at the impact on parking at his Post Office. A Member advised that she had already requested that restricted parking be introduced at this site due to employees from the neighbouring Council Officers utilising the road as a car park.

***RESOLVED*** that the Town Clerk to write to the Post Office expressing the Council's concern and requesting details of how the vacancy would be marketed

**135. CONSULTATION: DENBIGHSHIRE COUNTY COUNCIL - OPEN SPACE AUDIT**

The Chair reported receipt of correspondence (circulated with Agenda) from Denbighshire County Council in respect of the above audit.

The Town Clerk advised that he had arranged an extended response date.

***RESOLVED*** that

- (a) *the following inaccuracies now identified within the Audit be forwarded to the County Council*

| <i>Page No</i> | <i>Name</i>            | <i>Comment</i>   |
|----------------|------------------------|--|
| <i>44</i>      | <i>Elwy Drive</i>      | <i>"spend the money on improving an adjacent site" – Need to clarify which adjacent site</i>       |
| <i>46</i>      | <i>Sholing Drive</i>   | <i>Do not consider that there is an alternative site available</i>                                 |
| <i>46</i>      | <i>Marine Lake</i>     | <i>The comments demonstrate a lack of understanding about the site usage by the general public</i> |
| <i>46</i>      | <i>Rhodfa Maes Hir</i> | <i>The Green Shelter referred to was provided as a youth shelter</i>                               |

|    |                                      |   |
|----|--------------------------------------|---|
| 46 | Rhodfa Maes Hir                      | <i>“or used for another purpose” – Are there plans to sell off this site</i>  |
| 47 | John Street                          | <i>The current layout of this site was in consultation with neighbouring property owners/occupiers – any amendments should be undertaken with specific consultation being undertaken with these residents.</i>  |
| 47 | Holt Parc                            | <i>Accessed from “Mae Dog” – presumably this should read Maes y Gog</i>   |
| 48 | Bruton Parc<br>Community<br>Woodland | <i>Significant investment has been carried out at this site in conjunction with Countryside Services and the local community</i>  |
| 48 | Elm Grove<br>Bowling Green           | <i>Should be amended to read Grove Park Bowling Green</i>   |
| 48 | Glanmorfa Site                       | <i>Poor understanding of the site usage</i>   |
| 49 | St. John’s Church                    | <i>“Cemetery” – The Council is unaware of any cemetery ever having been associated with this Church. The Church itself has been a private dwelling for a number of years</i>  |
| 50 | St. Margaret’s<br>corner             | <i>“But it has clearly had the seat removed, presumably due to the area being used by youths.”</i><br><br><i>The Council considers this phrase to be highly offensive and makes a presumption of anti-social behaviour for which the Council and the report author has no evidence</i>  |
| 50 | St. Margaret’s<br>Corner             | <i>“Consider grassing it over completely if it cannot be used as a seating area”</i><br><br><i>Strongly object – the seating in this location is well used particularly by elderly persons travelling from the town centre – if the seating has been removed it should be replaced.</i> |
| 50 | Bruton Parc Pond                     | <i>“There did not appear to be a formal entrance to the site”</i><br><br><i>The site does not require a formal entrance</i>   |
| 51 | Old Kingsley<br>Avenue               | <i>Can not identify land from this description</i>  |
| 52 | Clinic Field                         | <i>The comments were not considered to be reflective of the site.</i>   |
| 52 | Ysgol Dewi Sant                      | <i>The playing fields are available to the general public.</i>  |

(b) *the following sites not identified within the audit should also be considered*

- Former Water Tank Site at the Marine Lake
- Land to the rear of Gordon Avenue
- Former Toilet Block site at John Street
- Land located in Kinmel Bay but in ownership of Denbighshire County Council at the Foryd Harbour in the vicinity of the Yacht Club.
- Cyril Roberts Memorial Garden, Vale Road Rhyl

(c) the County Council be informed that a number of the comments and recommendations expressed by the consultant were considered to be offensive and flippant and should be removed from any formal consultation process .

**FURTHER RESOLVED** that Standing Orders be suspended to enable the Town Clerk to act as a matter of urgency.

**136. CONSULTATION: DENBIGHSHIRE LOCAL SERVICE BOARD - DENBIGHSHIRE COMMUNITY STRATEGY – “THE BIG PLAN”**

The Chair reported receipt of correspondence from the Denbighshire Local Service Board seeking the Town Council’s view of the Draft “The Big Plan” (circulated with Agenda).

The Chair advised that his understanding was that the document should have been circulated to residents directly and asked Members to confirm whether they had received copies directly to which the majority of Members indicated that they had received the document.

Members expressed the views

- that the document appeared to have been prepared without community representation and that all town and community councils should have had a greater influence on the plan.
- there was no indication of the panel of 500 residents being involved
- consultation with the public should be ongoing and regular feedback provided and this should be provided by no later than March/April 2011.
- the example contained within page 11 of using the Local Safeguarding Children Board should be reviewed in consideration of recent adverse press reports relating to this particular Board.

**RESOLVED** that the comments be relayed to the Denbighshire County Council.

**137. CONSULTATION: DENBIGHSHIRE COUNTY COUNCIL - REMOVAL OF TELEPHONE KIOSK – CORNER OF BRYN AVENUE / TYNEWYDD ROAD**

The Chair reported receipt of correspondence (circulated with Agenda) from Denbighshire County Council advising of BT's intention to remove the above telephone kiosk.

***RESOLVED*** that the correspondence be received and the decision supported in view of the representations received from local residents by Members..

**138. CORRESPONDENCE: RHYL BUSINESS GROUP – TOWN CENTRE MANAGEMENT**

The Chair reported receipt of correspondence (circulated with Agenda) from the Rhyl Business Group seeking support for the appointment of a Town Centre Manager and asked Members to determine the Town Council's response.

Members noted that the letter suggested that the Council should consider how such a post could be funded.

A Member advised that similar letters had been sent to a number of public sector organisations.

Members commented that the Town Council had over an extended period of time made representations for a Town Centre Manager to be appointed but that this had not been successful. – A Member further advised that it was her understanding that although funding had previously been allocated for the post by the County Council the post had been based in and served the Prestatyn area.

Members felt such a post should be provided through the County Council although it might be funded by way of a number of organisations including the business sector. The Town Clerk advised that although it would depend on the actual duties of such a post it was likely that the Town Council would not have a specific legal power to contribute which would require any contribution to be allocated from its limited powers under Section 137 of the Local Government Act, 1972

***RESOLVED*** that

- (a) a letter be issued thanking the Business Group
- (b) the Town Council's appointed representative be instructed to support the proposal at meetings of the Rhyl Pact and express the view that the appointment be the subject of collaboration between the Rhyl Business Group, Rhyl Town Council, Denbighshire County Council and the Welsh Assembly Government

**[Councillor J. Bellis declared his prejudicial interest in the item due to his position as Chairman of the Rhyl Business Group and following Members determining that they did not wish to ask questions of him vacated the chamber during debate and voting on the correspondence]**

**139. CORRESPONDENCE: MARINE LAKE USERS' FORUM**

The Chair reported receipt of correspondence from the Marine Lake Users' Forum (circulated with Agenda) advising on the progress of the Nature and Heritage Trail.

**RESOLVED** that the correspondence be received.

**140. MEMBERS ITEM: RHYL STEAM PRESERVATION TRUST**

Councillor Mrs J. Butterfield sought Members' support for an invitation to be extended to the Rhyl Steam Preservation Trust to enable them to provide a presentation on the progress of their efforts to achieve 'Museum Status'.

Members in considering the request made reference to the centenary celebrations to be held in 2011 of the railway and thought that the Trust should be invited to extend their presentation to include reference to the celebrations to be undertaken to mark that occasion.

**RESOLVED** that the request be approved.

**[Councillor Mrs. J. Butterfield declared her prejudicial interest in the item due to her position as a Trustee of the Rhyl Steam Preservation Trust and following Members determining that they did not wish to ask questions of her vacated the chamber during debate and voting on the request]**

**141. MEMBERS ITEM: STREET MARKETS**

Councillor G. J. Pickering sought Members' views on the possible extension of the recent Market held on Market Street in the Town Centre, to other more residential areas of the town, perhaps on a weekly basis.

**RESOLVED** that the Town Council support the principle of the proposal and that Councillor Pickering be invited to draft a suitable letter to be issued by the Town Clerk on behalf of the Council

**142. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that the Press and Public be excluded from the Meeting for consideration of the following items of business in accordance with Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, on the grounds of confidentiality.

**143. RISK ASSESSMENT ANNUAL REVIEW**

The Town Clerk submitted the confidential recommendations of the Risk Assessment Sub-Committee in respect of the Council's Risk Assessment Annual Review (circulated with Agenda), for Members' approval.

**RESOLVED** that the Risk Management Plan as recommended by approved.

**[Councillors J. B. Bellis and T. Thomas declared their prejudicial interest in the above item due to their positions as private Members of the Association and also for T. Thomas as a Town Council appointed representative but advised that they would rely on the dispensation granted by the Standards Committee to remain in the Chamber and take part in discussion and voting thereon]**

#### **144. RHYL COMMUNITY ASSOCIATION - VARIOUS ISSUES**

The Town Clerk presented his confidential report (circulated with Agenda) for Members to determine the actions required.

The Town Clerk advised that the report contained a copy of his notes which he had prepared following the joint meeting with the Association on 9<sup>th</sup> November 2010 but cautioned that there had been no opportunity for the notes to be approved by either the Council representatives or the Association.

Members generally expressed concern at the progress achieved to date and indicated a desire for closure on the matters to be accomplished by February/March 2011 and that if progress was not achieved then the Council should review its position at that time.

***RESOLVED*** that the Town Clerk be instructed to write to the Association in the following terms:

- (a) *In respect of the Lease the Council confirm that it wishes to continue with existing Lease for the remainder of its term*
- (b) *In respect of service level agreements and cleaning at civic offices; Disability Discrimination Act issues at the Civic Offices; Tynwydd Centre Management Agreement; the Association's Business Plans; and the Disability Discrimination Act issues at Tynwydd Centre, no further action be taken pending receipt of a progress report to be provided to Council by no later than 1<sup>st</sup> March 2011.*

**[Councillors J. B. Bellis and T. Thomas declared their prejudicial interest in the above item due to their positions as private Members of the Association and also for T. Thomas as a Town Council appointed representative but advised that they would rely on the dispensation granted by the Standards Committee to remain in the Chamber and take part in discussion and voting thereon]**

#### **145. COMMUNITY PAYBACK PILOT PROJECT PROPOSAL**

Further to Minute No.112 of the meeting held on 3<sup>rd</sup> November 2010, the Town Clerk submitted his confidential report for Members' consideration (circulated with Agenda).

In consideration of the report a Member indicated that the Council should await the outcome of the Town Clerks investigations with the Probation Services and the Denbighshire County Council.

A Member expressed concern that following enquiries with an officer of the County Council he had to report that there appeared to be duplication of some elements of the scheme with existing Payback Service provision and the Council's proposed scheme might impact negatively on that service. The Member considered that it would be appropriate to receive a presentation from the Officer concerned.

Other Members expressed the view that a presentation could be given but not until the Council had received the response of the enquiries made by the Town Clerk and determined its position and preferred option.

A Member expressed her disappointment that so few Members of the Council had taken the opportunity to identify potential schemes. In response a Member advised that it was her responsibility as a community councillor to ensure value for money was achieved and that currently she was unable to support the proposal. Another Member advised that he had yet to receive the responses to a number of questions he had posed and as such felt unable to proceed to make proposals without that information.

***RESOLVED*** that the matter be deferred pending a further report to the January meeting and that officers be authorised to proceed with necessary enquiries.

***FURTHER RESOLVED*** that Standing Orders be suspended to enable the Town Clerk to act as a matter of urgency.

**146. CLOSURE OF MEETING**

There being no further business the Chair declared the meeting closed.

Chair: .....

Date: .....