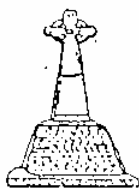


# BRYMBO



## CYNGOR CYMUNED COMMUNITY COUNCIL

**Bethan M Hughes Clerk and Financial Officer**

15 Chestnut Avenue Wrexham LL12 7HS

MINUTES OF THE MEETING OF BRYMBO COMMUNITY COUNCIL HELD ON TUESDAY 11<sup>th</sup> FEBRUARY 2014 AT BRYMBO ENTERPRISE CENTRE

Present –Cllr Monti (Chairman)

Brymbo Ward- Councillors J Clarke, S Rawlinson, M Reston, P Rogers and M Shone.

Tanyfron Ward- Councillors T Birch, D Griffiths and D Davies

Bwlchgwyn Ward- Councillors M Jones and B Woodfine-Jones

County Borough Councillor D Kelly.

Apologies Councillor S Tilston.

### DECLARATION OF INTEREST

Cllr Shone- Access to Coed y Felin

Cllr Shone -Cambrian House

The minutes of the meeting held on Tuesday January 14<sup>th</sup> 2014 were confirmed as a true record and signed by the Chairman.

### 2. POLICING

#### Crime Stats – Bwlchgwyn

Crime	Incidents
Assault s47	1 (domestic related)
Criminal Damage	2 (1 x palisade fencing – undetected, 1 x youth person charged )
Theft from vehicle	1(wheels taken from vehicle)

#### Crime Stats – Brymbo

Crime	Incidents
ASB Personal	2 (Resolved – words of advice given)
ASB Nuisance	3 (2 x youths, 1 x adult)
ASB Environment	1 (noisy vehicle)
Theft	1 (From bus in Brymbo - undetected)
Assault S.47	2 (1 x arrested, 1 x on going)
Common Assault	1 (resolved by mediation)
Harassment	1 (settled with PIN notice – domestic related)

## Crime Stats – Tanyfron

Crime	Incidents
Burglary Dwelling	1 (Entry gained items taken – on-going)
Criminal Damage	2 (1 x to be non-crime, 1 x damage to vehicle on-going)
Drugs Offence	1 (person charged)

### 3. COUNTY BOROUGH COUNCILLOR'S REPORTS

Cllr Kelly had requested that an e-mail be circulated prior to the meeting to all CC's referring to Commonwealth day. The village of Bwlchgwyn had been selected as the site to raise the Commonwealth flag on March 10<sup>th</sup> 2014 in the County of Wrexham. Cllr Birch said that this was a great honour and hoped that many councillors would attend on the day.

Cllr Rogers told members that WCBC had submitted a grant application to the Welsh Government on behalf of Brymbo library. He said that officers in the near future would like to meet with Brymbo Councillors with regards to BCC making a financial contribution towards the running costs of the library. Dates would be suggested for informal discussions.

The skate park project in Brymbo was progressing. Tenders were in and Cllr Rogers said that he would know more at the next meeting.

Cllr Shone asked both CBC's about the announcement that WAG had granted 1 ½ million pounds to local authorities to maintain play equipment. He said that Flintshire had been awarded £68000.00 and asked what WCBC had been granted. Cllr Kelly said that this had been misrepresented in the press and the funding was towards play schemes and maintaining its equipment.

Cllr Griffiths said that he had been told by residents that the doctor's surgery in Brymbo had closed. He was assured that it had not. He said that he had consulted the Health board about the growing number of properties in Tanyfron and had been told that they would look at the situation as they were not aware of the increase in housing in the village.

### 4. CAMBRIAN HOUSE

The Clerk circulated a copy of the minutes of the sub-committee for Councillors to read. Cllr Jones addressed members and said that a number of options had been discussed with regard to the future of Cambrian House. Firstly the sale of the building, secondly the conversion to flats for rental, thirdly consideration to use the offices as a library, fourthly splitting the building into offices and separate workshop and finally, the option to market the property despite an offer having been made from a third party.

With the first option, it had been agreed at the sub-committee that Cllr Jones was to approach a number of Agents to obtain a valuation for Cambrian House. Cllr Jones

had obtained 3 valuations. Kent Jones valued the whole site at between 125k and 150k, Jones Peckover valued the site between 100k and 120k, and Bowen Son and Watson had suggested a value of approx. 150k. If members agreed to sell the building a decision would have to be made with regards to the length of time it should be marketed, with options of 1 month, 2 months and 3 months and the property would be on the market until sold and the price would be reviewed monthly. Discussions had taken place with regard to selling the property with outline planning permission however the agents said that this would not significantly increase the value of the site as building plots would sell for approx. 20k. in the area therefore little would be gained from obtaining planning permission.

The second option of converting the building into flats had been suggested to 2 of the prospective Agents and both were of the opinion that the market for rental property was not strong and existing flats in the area were not selling.

The third option of converting the offices into a library would require significant investment and the access both to the building and the site were deemed unsuitable.

The fourth option of splitting the building into offices and separate workshop was considered, however rental would be an issue as it had not been possible to rent the offices for the previous 6 months despite it being advertised.

The final option of marketing the property despite previously receiving an offer from an interested party was considered by the sub-committee as it felt strongly that it would not be correct procedure to accept this offer without offering Cambrian House on the open market. The sub-committee had asked Cllr Jones to approach agents, Kent Jones and Bowen Son & Watson to ascertain fees if members agreed to sell the building.

The sub-committee discussed in length the way forward. Cllr Shone said that only offers above an agreed figure should be invited whilst other members disagreed and decided that the property when marketed would be offered in the region of 150k. Cllr Shone said that offers would need to be given to BCC without identifying the party to allow the CC to make decisions without prejudice to one party or another. This was agreed.

Cllr Shone also wanted to make agents identify the intended use of the property. This was debated and was decided that other legislation and authorities were better placed to control this than BCC.

Cllr Shone had declared an interest at the previous sub-committee meeting and therefore at this point left the meeting. Cllr Birch suggested that the Clerk be asked to write to the agents regarding the existing offer to explain the reasons why the property would be offered on the open market if agreed at full Council.

Questions had been raised previously surrounding the existence of covenants on the property. Copies of the deeds had been purchased from land registry and the deeds stated that the conveyance information had been lost prior to registration and any covenants could still be applied. Also, questions had been raised regarding tax implications of the sale. The Clerk had contacted the solicitors and was waiting their reply. Cllr Reston had made enquiries and although the Welsh Assembly did not recognise Community Council's as local authorities HMRC appears to recognise them as local authorities. This was to be clarified by Susan Élan Jones.

The sub-committee agreed to recommend that Cambrian House be put on the market for sale, with a guide price of 150k, with Bowen Son & Watson acting as agents, and that it would be reviewed monthly. The Clerk clarified that the sub-committee did not have delegated power and therefore any decision would need to be made at full Council.

Cllr Jones told members that fees had been obtained from 2 agents. Bowen Son & Watson was 1% of the value of the sale, or £1500.00 & VAT.

Kent Jones was 1 ½ % & VAT.

Cllr Jones told members that at 5 o'clock that evening she had received information from Bowen Son & Watson with regards to another option for the building. The option was for a joint venture with a housing association to transform the building into affordable housing in the area. Cllr Jones had discussed this with Kent Jones who had said there was no market for flats in the area. Cllr Shone said that with this option the advantages would be that the CC would receive an income. He said that there was a shortage of affordable properties for young people to rent. Cllr Rogers said that he was sceptical of a joint venture with a housing assoc. as the site was a complex one. Cllr Clarke said that when he attended the training course after becoming a Councillor the training organisation had made Councillors aware of legal costs with these ventures as rent arrears were a significant problem. Cllr Birch said that the villages of Tanyfron and Bwlchgwyn were faced with closing Community Centres as the CC could not fund them, however he thought it grossly unfair that the CC were spending £15000.00 on Cambrian House annually. Cllr Jones said that the housing assoc. option was a concern as the CC would not have the money to fund it. Cllr Monti said that the CC needed to make a decision on the future of Cambrian House.

Cllr Clarke proposed that Brymbo Community Council agree to the recommendation of the sub-committee, which was to place the property on the open market for offers in the region of 150k. This was seconded by Cllr Woodfine-Jones. There was no amendment. A vote was taken. A majority of 9 votes were in favour and the motion was carried. Cllr Birch proposed that Bowen Son & Watson be requested to act as agents. This was seconded by Cllr Clarke. A vote was taken. 8 were in favour and the motion was carried.

The sub-committee had requested that the Clerk write to the party who had shown interest in renting part of the building to advise them of the decision taken.

## **5. ROADS**

No further information.

## **6. BUS SHELTER SERVICES AND STOPS**

No further information.

## **7. PLAYING FIELDS AND PLAYGROUNDS**

No further information.

## **8. FOOTPATHS/LIGHTING**

Cllr Roger said that on the annual inspection by the maintenance company serious faults had been found. Some repairs were urgent whilst others could be held back until the next financial year. The total cost for all the faults reported was approx. £7222. The repairs that needed prioritising totalled approx. £4340.00. Cllr Monti said that the issue of health and safety was paramount. Cllr Birch said that the CC had a responsibility to residents and the work needed to be done. Members agreed that all the critical repairs totalling £4340.00 should be carried out immediately and the remainder during the next financial year. Cllr Birch proposed this and was seconded by Cllr Woodfine-Jones. A vote was taken. There were 9 votes in favour. The motion

was carried. Cllr Rogers said he would contact the maintenance company to arrange this.

## **9. WAR MEMORIAL**

No further information.

## **10. PLANNING**

CONSTRUCTION OF BASEMENT TO PREVIOUSLY APPROVED EXTENSION  
THE BARN PENTRE SAESON FARM BRYMBO ROAD BWLCHGWYN  
P/2014/0026-No observations.

FRONT PORCH  
THE BARN PENTRE SAESON FARM BRYMBO ROAD BWLCHGWYN  
P/2014/0027-No observations.

## **11. COMMUNITY CENTRES**

Cllr Kelly made a plea on behalf of the residents of Bwlchgwyn who were actively looking to save the Community Centre. He suggested that a working group be set up with WCBC officers, Community Councillors and representatives of the residents of Bwlchgwyn to move forward with the plan to safeguard the future of the Community Centre in Bwlchgwyn. He said that there was no other facility in the village. He said that a working group or sub-committee was the way forward and that the CC could look at the option of leasing the CC from WCBC. Cllr Jones said that funding was an issue as the group was newly formed and the business plan was centred on the user groups. She said that the residents group who were in the process of putting together a business plan were short of approx. 4.5k and that a request to BCC for a grant was being considered. She said that the business plan would be made available to Community Councillors before the next meeting. Cllr Woodfine-Jones said that looking back at the expenditure of the Tanyfron MUGA and projects in Brymbo this could be the project for the village of Bwlchgwyn. He said that the group had identified a need for a ground source pump and solar panels and these would greatly reduce the running costs of the Community Centre in the future. Cllr Jones requested that the Clerk write to Lawrence Isted at WCBC to confirm that the CC would not be funding the Community Centres, however a contingency fund had been set aside to assist with any group wishing to take over the running of the Community Centre, and to confirm that an agreement had been reached to fund 50% of the running costs of the Lodge Community Centre which amounted to £654.00 for 2014/2015. Cllr Jones said that the land on which the CC was built needed to be re-registered to Brymbo Community Council as it was currently registered to Brymbo Parish Council. Cllr Shone said that the CC needed to apply for an amendment through their solicitors if this was needed. He also said that the group needed to consider employment laws with staff currently employed by WCBC at the CC. Cllr Jones said that the group had previously discussed this. Cllr Woodfine-Jones said that the three Bwlchgwyn Councillors should sit on the new working/subcommittee along with experienced WCBC officers, (who were authorised to make decisions) and members of the newly formed committee. All members were in agreement.

Cllr Rogers said that he had attended a public meeting at Tanyfron and was disappointed at comments made alleging that BCC were not willing to help with funding Tanyfron Community Centre. He said no approach had been made to the CC with regards to this matter. He said that unfortunately the meeting had got out of hand and meetings were held within the main meeting. Cllr Birch was disappointed with the way the meeting was Chaired. It was noted that approx. 800 flyers had been distributed throughout the village however approx. 21 people were in attendance. He said that this showed the lack of support there was in the village to save the Community Centre. Cllr Rogers said that the position at the moment was that Tanyfron School were looking to take over the Community Centre and site the nursery and reception classes there. This would be an alternative to building a new classroom. A site meeting was to be held. A comparison was to be made to see if re-modelling the Community Centre would be more cost effective than building a new classroom. If this option was approved the school would take over the Community Centre during the day and the Dragons could remain there with the other user groups.

## **12. BRYMBO VACANCY**

The Clerk said that there had been no request to hold an election and therefore the CC would need to co-opt for the 2 vacancies in the Brymbo ward. Notices would be placed in the notice boards the next day until 3<sup>rd</sup> March 2014. Three applications had been received so far.

## **13. ACCESS TO LAND AT COED Y FELIN**

The Clerk said that she had written to the solicitors to request information as a reply had never been received from the letter sent on the 18 March 2013. The Clerk had been told that the solicitor dealing with this matter had left the practice in the summer and the matter had not been dealt with. Clarification had been asked for on 3 issues.

1. If the CC granted right of way to Cllr Shone would the licence be exactly the same as the existing one that was held by another landowner.
2. Did the CC need to obtain permission from WCBC before making a decision as the land adjoining belonged to them.
3. If members turned down Cllr Shone's request for a right of way bearing in mind a precedent had been set could Cllr Shone legally challenge the decision and what would the consequences be for the CC.

The Clerk had received a reply from the solicitors which answered the above.

1. If a right of way was granted to Cllr Shone it would be a Grant of a right of Way and could be transferrable. If a licence was granted it could be revoked. However, if it was dealt with as a right of way it could be specifically agreed and inserted in any document the right of way solely for his purpose, his purpose only and could not be transferred.
2. The CC would not necessarily need to obtain permission from WCBC with regard to a right of way across land it owned. The LA would have to be approached by the person wanting the right of way to obtain one across their land. This would be an independent matter.

3. The solicitor said that he could not see that Cllr Shone could legally challenge a decision turning down his request for a right of way. Each decision was made on merit and because someone else has a right of way it did not mean that the CC had to grant a right of way to anyone else.

Cllr Shone declared an interest and was asked to leave the meeting whilst discussions took place. The Clerk read out the original letter from Cllr Shone which ended with the proposal;

'to exchange rights of way over adjoining land in the respective ownerships of Brymbo Community Council and Mr M Shone in order to provide safe access for emergency and maintenance vehicles to the playing field at Coed Y Felin.'

Members commented on the site meeting which had taken place approx. 18 months ago, where Councillors were taken to the site and were able to assess the land concerned. Angry residents had met with Councillors and handed the Chairman letters of objections and a petition. The residents were concerned that trees would be felled over a large area of land if Cllr Shone cleared the land in question. Cllr Rogers said that WCBC were happy with the current access. Cllr Monti said that at the site meeting there was a great deal of controversy from the residents who were in attendance and they were concerned that heavy machinery would be used on the land. Cllr Rawlinson said that if the residents did not want this then the CC had a duty to take on board their views as members were elected to serve the electorate. Cllr Monti said that the residents were adamant that they did not want any trees cut on the land. Cllr Birch said that it was up to members to make a decision on the proposal. Cllr Jones said she was mindful that councillors should represent the residents of community. Cllr Birch said that it was clear at the site meeting that the residents did not want the safe access proposed. Cllr J Clarke proposed that if the residents of the area did not want the access then the CC should decline Cllr Shone's proposal. This was seconded by Cllr Jones. A vote was taken. There were 8 votes in favour and 1 abstention. The motion was carried. The Clerk agreed to write to Cllr Shone with the decision.

## **14. CORRESPONDENCE**

FREEDOM NWP POWER  
MAYOES CHARITY DINNER  
ROMACK SERVICES  
NIGEL GRIFFITHS MOWING SERVICES  
NIGHTINGALE HOUSE NEWS  
WALK FOR LIFE KIDNEY WALES FOUNDATION  
WELSH GOVERNMENT MARINE PLANNING TEAM  
SLCC SERVICE CHANGES EFFECT ON LOCAL COUNCILS  
APPLICATION FOR A DEFINITIVE MAP MODIFICATION ORDER TO  
DOWNGRADE BRYMBO 12 FROM A BRIDLEWAY TO A FOOTPATH

**15. ACCOUNTS FOR PAYMENT**

2619 B M HUGHES REFUND OF POSTAGES	17.80
2620 AJI ACCOUNTING SOLUTIONS PAYROLL	54.00
2621 JONES LIGHTING MAINTENANCE	1143.34
2622 DEE FIRE LTD CALL OUT CAM HSE	168.00
2623 CORONA ENERGY CAMBRIAN HOUSE	130.53
2625 INLAND REVENUE	168.23
2626 B M HUGHES SALARY	480.44
2627 SCOTTIH POWER ENERGY	1057.27
2628 SHERRATT BRONWENS GREEN	42.00
2629 BTRT HIRE OF ROOM 14/01	20.00

The meeting closed at 9.00p.m.

Signed ..... Chairman