

MINUTES OF THE CYFFYLLIOG COMMUNITY COUNCIL MEETING HELD ON MONDAY 14TH NOVEMBER 2022 IN THE CHAPEL VESTRY, CYFFYLLIOG AT 7.00 P.M.

1: PRESENT:-

Councillors Aled Rees (Chairman), Emrys Williams, Huw Jones, Kelly McGregor, Kate Edge, Gethin Jones, Eifion Jones, Denbighshire County Councillor Elfed Williams and the Clerk.

2. APOLOGIES FOR ABSENCE.

None received.

3. DECLARATIONS OF INTEREST ON ANY AGENDA ITEM LISTED BELOW.

None received.

4. CO-OPTION PROCESS FOR THE VACANT SEAT THAT EXIST ON THE COUNCIL.

The Clerk received two applications for the final seat that exists on the Council, viz Elwyn Jones and Jon Rosser and with the majority vote of the current Membership of the Council, Elwyn Jones is co-opted as a Member of the Cyffylliog Community Council and will attend the next Council meeting.

5. NEW MEMBER TO COMPLETE THE “DECLARATION OF ACCEPTANCE OF OFFICE” AND “MEMBERS CODE OF CONDUCT – REGISTER OF MEMBERS’ INTERESTS (NOTIFICATION OF INTERESTS)” FORMS TO BE HANDED OVER TO THE CLERK.

Deferred to the next Council meeting.

6. CONFIRM THE MINUTES OF THE PREVIOUS COUNCIL MEETING.

Members confirmed 12th September 2022 minutes as a true record.

7. MATTERS ARISING FROM THE MINUTES NOT APPEARING ON THE AGENDA.

A: Planning Application: 14/2022/0562 - Erection of extensions to dwelling and associated works (resubmission) at Pistyll Gwyn, Bontuchel.

B. Mr Morgan Vaughan-Jones of Denbighshire County Council Green Communities Projects was unable to attend this evening's Council meeting.

8. FORMER CYFFYLLIOG SCHOOL UPDATED REPORT.

The Clerk received the APPENDIX 1 email content reply from Mrs Rebecca Williams from Denbighshire County Council:-

Members resolved to hold an extra ordinary meeting of the Council 21st November 2022 in the Chapel Vestry, Cyffylliog at 7.00 p.m.to consider the report provided by Mrs Williams

9. YOUTH COUNCIL MEMBER CONSIDERATION.

Members discussed the appointment of “Community Youth Representatives Statutory guidance” issued in accordance with section 120 of the Local Government (Wales) Measure 2011 Introduction 4.1 under Appendix 2 below.

Members resolved to agree to the appointments as outlined under Appendix 2 and agreed for the English document to be translated to the Welsh language prior to the publication of the Council's Notice. The Chairman agreed to provide the Clerk with Welsh translators in the area.

10. FINANCE UPDATE.

A: Bank balances £15,017.00.

B. Authorised bill payments:-

1. Clerk's SLCC Training Course £54.00.
2. Fineline stationery and photocopies £96.02.
3. The Poppy Appeal annual donation for "Remembrance Day" v£100.00.
4. White Oak Property Services for the Cyffylliog Cemeteries grass cutting £160.00.
5. Two NBB Recycled Street Benches Furniture for the two Cyffylliog Cemeteries £816.00.
6. Two monthly HSBC bank charges £10.00.

C. Grant aid request from Ysgol Carreg Emlyn in Clocaenog towards the third cost of a new Eco Garden Shed. Members resolved to the grant aid of £300.00.

11. COUNCIL'S STREET FURNITURE WORKS UPDATE.

A: The Chairman sourced two NBB Recycled Street Benches for the two Cyffylliog Benches for the total cost of £816.00 uninstalled. Members resolved to purchase the two street benches from NBB Recycled Street Furniture's and to seek a quotation from White Oak Property Services to install the two benches.

B. White Oak Property Services provided Council with the following proposals at the Bontuchel Quarry site:-

1. Repair works required on the bench and shelter £245.00 – Members resolved to accept the proposed quotation.
2. Repair works required on the current Notice Board on site £114.00 – Members resolved to defer decision until the next full Council meeting in January 2023.
3. Supply a new metal notice board on site in place of the current wooden notice board for £350.00. Members resolved to seek the price of a metal notice board on site without a lock.

12. CYFFYLLIOG CEMETERIES EXTRA ORDINARY WORKS REQUIREMENTS.

White Oak Property Services provided a quotation of £120.00 for the Autumn tidying of the Cyffylliog Cemeteries. Members resolved to accept the quotation.

13. PLANNING APPLICATIONS.

Planning Application: 14/2022/0683 - Erection of two storey extension to dwelling and associated works at Fedw Las, Bontuchel no objections.

14. ONE VOICE WALES "GUIDANCE ON PREPARING A COUNCIL'S TRAINING PLAN INCLUDING A MODEL PLAN TEMPLATE".

The Clerk circulated Members with agenda item information from One Voice Wales prior to the meeting for information and action as soon as possible.

15. CORRESPONDENCE.

A: Members supported the email request from Councillor Kelly McGregor for a horse crossing sign in Bontuchel heading down towards Hengoed as there are a good few farms down that road which use the turning with horses and with it being on a bend is actually quite dangerous especially with the ever growing amount of traffic on the road.

B. The Chairman of Denbighshire County Council Annual Christmas Carol Service will take place on Wednesday 7th December 2022 in St. Mary's Church at 7.00 p.m.

16. DENBIGHSHIRE COUNTY COUNCIL ISSUES.

Members discussed the following ongoing highway issues that are still not resolved:-

A: Drainage issues at Ysgubor Newydd in Cyffylliog.

B. Dreadful highway condition by Telpyn in Llanfwrog.

17. URGENT BUSINESS UNDER SECTION 100B(4) OF THE LOCAL GOVERNMENT ACT 1972.

There were no urgent business to report.

18. NEXT COUNCIL MEETING – EXTRA ORDINARY MEETING ON MONDAY 21st NOVEMBER 2022 IN THE CHAPEL VESTRY, CYFFYLLIOG AT 7.00 P.M.

APPENDIX 1.

Thanks again for providing the feasibility study for the school, my sincere apologies we have been so slow progressing this we are recruiting further staff to help us deal with our work log which will hopefully allow us more capacity to progress this more quickly.

I thought it would be useful to summarise the Undervalue process and provide a copy of some standard heads of terms for the Asset transfer.

The Local Government Act (LGA) 1972 General Disposal Consent, provides Local Authorities discretion to dispose of surplus property at less than best consideration (within a £2m maximum variance “unrestricted value”) where the transaction will promote economic, social and/or wellbeing within the local area. The feasibility report and the covenant within the transfer to use the property for community purposes demonstrate that the proposed transfer will support all 3 requirements of the General Disposal Consent.

The Council is required to provide an independent valuation of the to determine the “unrestricted value” of the site , I am in the process of arranging a valuation of the land to the rear of the former Clocaenog school so if we could combine both valuations this will assist with the cost. The land will still be transferred for £1 regardless of valuation.

My report recommending the above will be presented to the Council’s Asset Management Group at their next meeting. The deadline for my report is 15th December and they will meet early in the new year. In the interim I am happy to forward proposed heads of terms, we can negotiate these while we are awaiting the AMG formal approval and valuation.

Once both parties agree the heads of terms, following AMG approval and the independent valuation we will be able to instruct our Legal Department to prepare the contract for the transfer.

APPENDIX 2.

Appointment of Community Youth Representatives Statutory guidance issued in accordance with section 120 of the Local Government (Wales) Measure 2011 Introduction 4.1. The Aberystwyth Study identified that the composition of community councils in Wales did not proportionately reflect the composition of the population as a whole. In particular, the study identified a need to engage with young people, both to gain their input into the areas of the councils' responsibilities which affect them and to encourage them to further participate in local government when they are old enough to stand for election. 4.2. Chapter 4 of Part 7 enables community councils to appoint up to two individuals to act as community youth representatives. It addresses the need to give notice of the intention to appoint a community youth representative to the public; the head teacher or proprietor of any school with premises in the area; and the principal and governing body of any further or higher education establishment with premises in the area. The Measure Provisions 4.3. The Measure does not require community councils to appoint youth representatives, but sets out what they are required to do if they choose to do so. These requirements ensure that, when the decision is made to appoint youth representatives, the opportunity to become a youth representative is made available to all eligible young people in the community. The requirements to give notice and information about the appointment of youth representatives also help parents, guardians and education professionals to best support young people in their campaign for election and in their work with the council after election. 4.4. A community council may appoint no more than two individuals to act at any one time as community youth representatives. The Measure defines a "community youth representative" as an individual who: • is over the age of 15 but under the age of 26; and • is considered by the council to be suitable to represent the interests of individuals under the age of 26 who live, work or receive education or training in the community area. 4.5. Youth representatives do not necessarily have to live, work or receive education or training in the community area themselves, provided the council considers them suitable. This may be particularly applicable where a neighbouring community does not have a community council. 4.6. A community council may not appoint any individual as a youth representative unless they have complied with the notice requirements in section 119 of the Measure. Under section 119, councils are required to give notice in 12 accordance with the requirements of section 232 of the 1972 Act, modified as follows: (a) by posting the notice in some conspicuous place or places within the council's area; (b) by giving notice to the head teacher and proprietor of any school which has any part of its premises situated in the area of the community council; (c) by giving notice to the principal and governing body of any institution of further or higher education which has any part of its premises situated in the area of the community council; and (d) by giving notice in any other manner that appears desirable to the community council for ensuring that as many eligible young people as possible are aware of the intention to appoint youth representatives. 4.7. The public notice must contain the following information: • the contact details of an individual from whom further information about the appointment of youth representatives, and the process of their appointment, may be obtained; • any other information the community council considers appropriate; and • any other information required to be included in the notice by any regulations made by the Welsh Ministers. At present, there are no intentions to issue regulations under this section. Statutory Guidance 4.8. This statutory guidance has been issued by Welsh Ministers in exercise of their powers under section 120 of the

Measure. 4.9. By virtue of section 120(1) of the Measure, local authorities must have regard to this guidance in exercising their powers to appoint community youth representatives.

4.10. The Measure sets out minimum requirements for giving notice in relation to the appointment of youth representatives. However, in considering where and how to give notice, councils should have regard to the need to reach out to as wide a range of young persons within their community as possible. In addition to giving notice to educational establishments as required by the Measure, councils should consider whether there are other youth organisations in the area which should also be consulted.

4.11. It is for councils to determine the selection process, the terms of appointment and the nature of the role that youth representatives will play. The latter might include, for example, participation in relation to the consideration of specific facilities for young people, or it could extend to providing a “youth view” on all matters before the council.

4.12. Although these provisions in the Measure are specifically aimed at encouraging the involvement of young people as council representatives, they do not preclude the council’s use of other methods of engaging young people such as youth councils and other youth fora.

4.13. Community youth representatives are not members of the community council that appoints them and, consequently, they may not vote on council matters.

4.14. Welsh Ministers have powers to provide through regulations that community youth representatives are to be treated as members of the council for prescribed purposes. There is currently no intention to make such regulations, but this will be reviewed in light of implementation of the legislation over time.

4.15. It should be noted that individuals are eligible to become full community councillors from the age of 18. Individuals between the ages of 18 and 26 who are elected or co-opted as community councillors must assume the full duties and privileges of a councillor and must represent the interests of the whole community, not only young people. Therefore, individuals between the ages of 18 and 26 who become community councillors, either through election or cooption, cannot also be community youth representatives.

Disclosure and Barring Service Checks (formerly Criminal Records Bureau checks)

4.16. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority were merged in December 2012. The Disclosure and Barring Service (DBS) was created in place of the two bodies. CRB checks are now referred to as DBS checks.

4.17. As the appointment of youth representatives and their role is at the discretion of the individual community or town council, it will be for the council itself to determine whether they are entitled to ask for a DBS check, and at what level, for councillors, clerks and staff working with youth representatives, given the individual circumstances of the council. If the role of the youth representatives changes, the council would need to reconsider its position regarding DBS checks.

4.18. Community and town councils can obtain further information about DBS checks from <https://www.gov.uk/disclosure-barring-service-check> or by emailing the DBS at customerservices@dbs.gsi.gov.uk In addition, the Home Office has produced guidance on eligibility for DBS checks <https://www.gov.uk/government/publications/dbs-check-eligible-positionsguidance>

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