

Towyn & Kinmel Bay Town Council

Minutes of the Full Council GDPR (Additional) held on Wednesday 26th September, 2018 at 7pm at the Community Resource Centre Kinmel Bay

Present Cllrs: T Bibby, G Corry, D Dickin, B Griffiths, D Johnson, M Jones (Deputy Mayor)
J McKenna, B McLoughlin, P Miller & K Redhead

Clerk: D Thomas

1. Apologies

Apologies of absence were received from Cllrs: T Curran, L Knightly & N Smith. Cllrs A Hodgson & M Smith were absent without apology.

2. Declaration of Interest

The following declarations of interest were received: -

- a) Cllr G Corry declared an interest in agenda item 6 Planning – Application 0/45541 & 0/45540-Gors Farm, Gors Road, Towyn as the applicant is known to him and he left the room whilst these planning applications were being discussed.
- b) Cllr D Johnson declared an interest in agenda item 6 – Planning – Application 0/45541 & 0/45540 – Gors Farm, Gors Road, Towyn as he supported the original application, and he left the room whilst these planning applications were being discussed.

3. Public Participation

Fourteen residents called to express their concerns regarding – Agenda Item 6 Planning – Planning Reference 0/45493 – Biz Parks Limited and also the parking issues on Cader Avenue.

The Residents stated that they felt that the main issue was down to Tilery Garage parking numerous vehicles on Cader Avenue, which they felt was having an adverse effect/causing major issues for the local residents and the two schools. The residents stated that they were concerned that the present parking issues were a major H & S concern and could easily result in a serious road traffic accident.

Cllrs assured the residents that the Town Council has been in consultation with Conwy and many other Agencies such as VOSA, DVLA, NRW, North Wales Police and North Wales Fire Service, however such things take time.

Cllrs confirmed that they were aware of the parking issues at the schools, and enforcement officers have visited on a relatively regular basis, however there are only a limited number of enforcement officers within Conwy.

Cllrs suggested to the residents, that they report any issues that they identify regarding parking on the Conwy Website.

Residents were also concerned that they proposed change of use at Cader House, would lead to further issues with Traffic and Parking.

The Councillors confirmed that they shared similar concerns, however Conwy have been very specific, what information they require from the Town Council, regarding this change of use.

A Resident advised that he wished to discuss:- 4 weekly bin collections, Recently introduced Charges at the Waste Recycling Site & and the state of the roads at Lyndon Drive, as these items were not on the agenda for this evenings meeting, Cllr Corry advised that resident, that whilst he did not agree with 4 weekly bin collections, now that they have been rolled out for the whole of

Conwy, they are here to stay, however he would be happy to take forward the other two issues which the resident raised, directly with Conwy.

4. Minutes

Resolved that: The minutes of the Full Council meetings held on 27/06/18, 02/07/18 and 29/08/18 be approved and signed.

5. Matters Arising

180627/19 Day Time Music Event

Resolved that: The Clerk will invite Peter Kenway to the Environmental Committee meeting in November, to undertake a presentation regarding a proposed 2019 Day Time Music Event in Towyn.

180627/21 – Internal Accounts

Refer to Agenda Item 13.

180702/4 – Sandy Cove

Noted that the Town Council is still awaiting a reply from Conwy regarding a proposed meeting between Conwy, TKBTC Council, NW Police, representatives of SCRA and the Community Pay Back Team Leader, so that priorities can be discussed and a plan of action can be agreed.

180829/4 – GDPR Audit & Action Plan

Noted that the Action Plan is still being worked on, and that the Clerk will present, once complete, to Council at a suitable future meeting.

180829/9 – Data Sharing & Processing Agreement

Noted that all but one of the required agreements have been signed and returned.

180829/11 – TKBTC Cllr Email Footer

Resolved that: The clerk would contact the Cllrs who have yet to update their footer/sent an email to the assistant.

180829/14 – Cllr Upskilling

Noted:

- a) The reply from the GDPR Auditor regarding Data Access requests, a copy of which was sent to all Councillors on 03/09/2018.
- b) Noted that no Cllrs who were absent from the Full Council meeting on 29/08/18, have contacted the Clerk to request training.

Resolved that: The Clerk would contact the Councillors who have not updated their ipad/pin code and/or called in with a copy of their new individual pin.

6. Planning

0/45520 – Erection of single storey pitched roof extension at side of roof extension at side of dwelling.

Resolved that: No Objection subject to clarification/confirmation that there is suitable/sufficient off street parking available.

0/45532 – Retention of fence

Resolved that: Objection on the basis that the fence is not in keeping with the other properties in the area, and we are also concerned that the fence may be in excess of 2 metres.

0/45541 – Approval of matters required by conditions 12, 14, 16, 18, 27, 29, 30, 32, 35, 20 & 21 of planning consent **0/45157** (Variation of condition no. 10 of planning consent) **0/44389** (Outline planning application for the erection of a manager’s house for Travelling Showmen site, covered barn for maintenance of equipment, restoration of former granary to garden store, and green and other infrastructure, demolition of former house and outbuildings. Point of access not reserved.) to allow for the finished floor levels of the workshop to be a minimum of 4.5m and the managers house 5.65m)

Resolved that: No Objection subject to the compliance process being fully followed.

0/45540 – Approval of matters required by conditions 8, 11, 14, 16, 18, 20, 28, 30, 31, 33, 34, 36, 39, 22 & 23 of planning permission **0/44390** (Full planning application for change of use of site (Benefitting from extant consent (1/16320) for motel rooms and lodges (20) to form 18 bed hotel/motel, conversion of granary to restaurant and landscaping and access) to site for 13 park homes for Travelling Showmen families, area for resident only touring caravan storage, external storage area, access and other infrastructure, demolition of former house and outbuildings.)

Resolved that: No Objection subject to the compliance process being fully followed.

0/45482 – Erection of flat roofed extension to side of premises.

Noted that: The application has been withdrawn.

0/45493 – Certificate of lawfulness for the proposed demolition of part of building, subdivision to self-contained units, creation of means of access to a highway, creation of access way and change of use from class B2 to class B1.

Noted Cllr Griffiths’s draft document relating to Cader House, which will be discussed/considered in the event of a planning application being submitted for this site.

Whilst acknowledging the Residents’ concerns recorded in Agenda Item 3 – Public Participation, at this stage we have been advised by Conwy, as per their recent email (text of email copied below), that they only require the following information: -

Certificate of Lawfulness

Further to your email below and subsequent phone call, I confirm that an extension until the 30th September 2018 is acceptable.

I would like to confirm that this is not an application for planning permission. I apologise that this was not made clear in the standard letter that accompanied the consultation.

The applicant is seeking confirmation that the uses / operations described in the application do not need planning permission. The applicant considers that the site has the benefit of a B2 (general industrial) use on the basis of its previous use as ‘The Elizabeth Anne’ factory. The Supporting Planning Statements states that this use ceased trading around 2000.

The application seeks confirmation that the change of use of the site from B2 to B1 (business) does not need planning permission on the basis that such a change of use is permitted by The Town and Country Planning (General Permitted Development) Order 1995.

We need to establish whether the former B2 use remains lawful, in order to determine whether the proposed change to a B1 use is permitted development. If any of the town councillors have local knowledge of the site, it would be useful if they could clarify the following points:

- i) What use was made of the site when Elizabeth Anne were the occupiers? (i.e. was it used predominantly for manufacturing or as a warehouse, and were any noisy or unneighbourly processes involved)
- ii) When did Elizabeth Anne cease occupying the site?
- iii) What uses have been made of the site since Elizabeth Anne ceased occupation?

Please note that there are statutory provisions relating to representations on applications for Certificates of Lawfulness, which are detailed in the link below. It is therefore important that anyone who makes such a representation is satisfied that the information provided is accurate.

<http://www.legislation.gov.uk/ukpga/1990/8/section/194>

I trust this clarifies the matter, but if not, please revert to me.

Regards,

Conwy Planning Department

Resolved to forward the following information to Conwy: -

Cader Industrial Estate

Main Unit

- Elizabeth Ann – Kitchen Manufacturer - Closed around circa. late 1970's/early 1980's.
- MK Electronic Products – Manufacturer/ Assembly of Switches/Junction boxes, plus Warehousing and Distribution – From approx. mid 1980's to approx. 1992/1993
- PVC Powders – Manufacturer & Distribution - Plastic Extrusion - Cables/Trunking/Conduit - From approx. 2004 to approx. 2006.
- Main Office - Fitness Gym - From approx. 2014 to 2018.
- Left hand side of main building - Car Dismantlers – from approx. 2014 to 2018.

Second Unit

- Marshalls – Wholesalers of Fancy Goods – From approx. Late 1990's to approx. 2015.
- Unit Empty - 2015 to date.

Third Unit (at rear)

- J Kenyan & Sons – Car Engine Refurbisher - From 1960's through to the 1990's

7. Policies

Resolved that: The following policies be approved, as presented, with no amendments required.

- **Local Resolution Protocol & Policy**
- **Complaints Policy**

8. Councillor, Mayor and Deputy Mayor Allowances 2018-19

The Clerk advised that all Cllr, Mayor & Deputy Mayor allowances for 2018-19 will need to be paid via payroll, as per HMRC guidelines.

All Councillors will need to complete an opt in/opt out confirmation form, and if opting in, will also need to complete a new starter form for our Payroll Company.

All new allowances paid will be subject to Basic Rate Tax, and any adjustments/enquiries regarding overpayment/underpayment of tax, will need to be undertaken by the individual Councillors directly with HMRC.

Resolved that: The Clerk will forward the above mentioned forms to all Councillors over the next couple of weeks, for completion and return by the end of October 2018.

9. Lamp Post Commando Sockets

Resolved that:

- a) Conwy will be instructed to install a further 5 Lamp Post Commando Sockets on Towyn Road in Towyn, at a cost of £295 per socket.**
- b) The Clerk will liaise with the Towyn Cllrs to agree the location of the 5 proposed lamp post sockets.**
- c) The Clerk will contact Festive Lighting to request a further 5 matching lamp post motifs (estimated at approx. £250 each) to be added to the existing 3 year contract.**

10. Budgets

The Clerk presented the two 2018-19 year to date budget and report to Councillors. The Clerk also presented various proposed changes to the budgets and explained the reasons for the required changes. The proposed change would result in a £380 overall reduction to the movement from General Reserves (From £1338 to £958) for the 2018 -19 Budget.

Resolved that:

- a) The two Year to Date Budget Reports, be approved as presented.**
- b) The proposed budget changes to the 2018-19 budget, be approved as presented.**

11. Payments from 01/06/18 to 31/08/18

Resolved that: The payments for the period 01/06/18 to 31/08/18, be approved and signed by Cllr Morris Jones as Chairman.

12. Bank Reconciliations

Resolved that: The balances at 30/06/18, 31/07/18 and 31/08/18, be approved as presented, and be signed by Cllr Morris Jones, as Chairman.

13. External Audit 2017-18

The Clerk presented/explained in detail the following documents: -

- a) The Auditor General for Wales Audit Certificate and Report for the year ending 31/03/2018 and the Issues Arising Report for the External Audit for the year ending 31/03/2018.
- b) Draft completed External Audit Action Plan for the year ending 31/03/18.
- c) Draft completed Internal Audit Action Plan for the year ending 31/03/18.
- d) Draft Internal Control Policy and Statement/Report regarding the effectiveness of the 2017-18 Audit.

Resolved that: all 5 documents be approved as presented, without the need for any amendments, and that the Clerk and Chair both sign the Statement/Policy on Internal Control for the year ending 31st March, 2018.

14. Community and Town Council Reviews

Noted the recent review undertaken by the independent Review Panel.

15. Royal British Legion

Resolved that:

- a) A Donation for the sum of £25 be made to the local branch of the Royal British Legion, to cover the cost of the 2018 RBL Remembrance Wreath.
- b) That any decision to purchase a Tommy Figure and/or Tommy Bench would be made after the proposed road works have been completed.
- c) That Cllr Peter Miller be appointed as a second Towyn and Kinmel Bay Town Council Representative on the Local RBL Branch Committee.
- d) That the Clerk would write to all Councillors to stress the importance that they attend the 2018 Remembrance Service.

16. Committee Members

Resolved that Cllr Jean McKenna be added to the PFR and Planning Committee.

17. Salt Bags Partnership

Resolved that:

- a) The Clerk will approach the Town Council's Insurance provider to obtain Legal Advice/Clarification regarding the Town Council organising a Salt Bag Partnership Scheme.
- b) That the Clerk would contact Conwy, to ascertain if Residents/businesses can pick up the Salt Bags from the Conwy Storage Depot, or whether the Town Council would need to collect/pick up.
- c) Once the position regarding a & b above have been clarified, the Mayor and Deputy Mayor would be delegated the decision regarding whether to participate in the partnership in the Salt Bag Partnership Scheme this year.

18. Flooding

Resolved that the Councillor Flood Warden Guidance note be added to the TKBTC Website.

19. Abergele Joint Burial Board

Noted Cllr B Griffith's update document.

Cllr Bernice McLoughlin (Chairman of the Abergele Joint Burial Board) , covered/clarified the following points:-

- a) Draft minutes relating to Abergele Joint Burial Committee should not be shared with either of the two Town Councils, until they have been approved by the Abergele Joint Burial Committee.
- b) Conwy have confirmed to AJBB that they have operated within their remit/rules when they recently co-opted two members onto their Committee.
- c) There are only three Independent Burial Boards in Wales, and the Abergele Joint Burial Board is one of them.
- d) The Board have to keep a healthy reserve balance, as they are obliged to maintain the Cemetery for 100 years after the last burial is undertaken at the site.
- e) The Board was set up in 1894, and was changed/updated in 1972 following a reorganisation.
- f) There would be no precept request from the Burial Board for either 2018-19.
- g) Should TKBTC decide to the withdraw from the Joint Burial Board, this would result in increased burial costs for TKBTC residents.

Resolved that: Any decisions regarding the way forward, would be undertaken once the Welsh Audit Office have fully clarified/investigated the setting up of the board and its transition over time to its current form.

Cllr David Johnson left the meeting early at 9pm.

20. Minutes of Committee

Noted the minutes of the: -

- a) PFR & Planning Committee meeting minutes 13/08/18 and 03/09/18.
- b) Environmental Improvements Committee meeting minutes dated 20/08/18 and 10/09/18.

**21. Railings at the back of the Community Centre and Community Resource Centre
Resolved that the Clerk writes to Conwy to confirm that the Railings are required as part of the new road scheme on Foryd Road, and also confirms that a gate is not required.**

Meeting Closed at 9:15pm

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Signed by the Chairman of the meeting 28/11/18