



AGENDA

for a meeting of the Executive to be held on
Friday 11th March 2016 at 10.30am
at Rhyl Town Council Offices

- 1. Apologies for absence**
To receive any apologies for absence.
- 2. Minutes of the last meeting**
To approve the minutes of the last meeting.
- 3. Welsh Government Consultation held in Llandudno**
To consider a report on the consultation held in Llandudno regarding the Local Government (Wales) Bill.
- 4. Consultations**
To receive notice that the following consultations have been presented to the Welsh Government:
 - Rail Franchise Consultation
 - Local Government (Wales) Bill Consultation
- 5. Financial Report**
To consider a short financial report.
- 6. Agenda for next Quarterly Meeting**
To consider the agenda for the next quarterly meeting.
- 7. Any other business**
To consider any other business.
- 8. Date of next meeting**
Friday 10th June 2016 10.30am to be held at Rhyl Town Council Offices.



AGENDA

for the Quarterly Meeting of the Association to be held on
Friday 22nd April 2016 at 10.30am
at the Royal Oak The Cross Welshpool

1. **Welcome by the Mayor of Welshpool**
To receive a welcome from the Mayor of Welshpool Cllr Malcolm Douglass.
2. **Notice of the meeting**
To receive the notice of the meeting.
3. **Apologies for absence**
To receive any apologies for absence.
4. **Minutes of the last meeting**
To approve the minutes of the last meeting. (see appendix A)
5. **Actions taken since the last meeting**
To consider actions taken since the last quarterly meeting.

Meeting with the Minister

To receive a report on a letter to the Minister expressing grave concern that the Association's views which represented 36 councils, was not considered a high enough number of responses and to further request a meeting with the Minister.

Speaker for Annual Meeting

To receive a report on a speaker for the annual meeting:

Betsi Cadwaladr Health Board for this first choice
Welsh Local Government Minister
Welsh Health Minister
New Police Commissioner North Wales

Consultations

To note the consultations presented to the Welsh Government:

Rail Franchise Consultation
Local Government (Wales) Bill Consultation

- 6. Financial Report**
To consider the financial report from the secretary. (see appendix B)
- 7. Local Government Re-organisation**
To receive an update and in particular a report from the Welsh Government meeting held in Llandudno on the subject.
- 8. Boundary Commission for Wales (Local Government (Wales) Bill)**
To consider a report on a meeting between the Boundary Commission, the Cllr E Butler, Cllr B Roberts and Robert Robinson Secretary.
- 9. Understanding the powers and duties of the County and Town Councils**
To consider the Powers and Duties of both Principle and Local Councils.
To consider how this affects the decision making of Local Councils with regard to the protection of public services. (see appendix C)
- 10. Understanding how the County Finances work**
To information on how the County Council finances work and why the cut in funding at Welsh Government is so crucial. (see appendix D)
- 11. Montgomeryshire Canal re-opening Plans**
To consider an update on the re-opening of the canal and proposals to take the project forward. This would link Llangollen with Welshpool.
- 12. Policing issues in Mid and North Wales**
To share knowledge on crime and antisocial behaviour in each area and how the police go about delivery of their services within this area.
- 13. Health Studies**
To receive a report on progress with:
The North Wales Health Study
The Mid Wales Health Study
- 14. Wind Farms update**
To receive an update on the following:
The new regulations and approval process
Subsidies and the future
Transportation and works taking place
The current position on proposed wind farms
- 15. A consultation example**
To receive information on the Welshpool Public Services Consultation and their results.

16. Service Delivery

To compare the various County Council approaches to funding of service delivery. (see appendix E)

To consider alternative methods of delivering local services.

17. Any other relevant business

To consider any other business notified to the Chair or Secretary prior to the start of the meeting.

18. Dates of future meetings

To notice the dates of future meetings as follows:

Quarterly Meetings

15th July 2016 (annual meeting) at Connah's Quay Civic Halls at 10.30am

Executive Meetings

10th June 2016 at 10.30am at Rhyl Town Council Offices.

APPENDIX A

NORTH AND MID WALES ASSOCIATION OF LOCAL COUNCILS



CYMDEITHAS CYNGHORAU TREFI A CHYMDEITHASAU MWYAF GOGLEDD CYMRU



MINUTES

of the quarterly meeting of the Association held on
Friday, 22 January 2016 at 10:30 AM at Llandudno.

The record of attendance is:

Council	Present	Apologies
Officers	Cllr Eve Butler (Chair) Cllr B C Roberts (Vice Chair) Cllr Joan Butterfield (President)	Robert Robinson (Secretary & Treasurer)
ABERGELE TOWN COUNCIL	Cllr R Waters	Cllr John A MacLennan
ARGOED COMMUNITY COUNCIL	R Hampson Jones Cllr J Taylor	Cllr J Holiday Cllr J Norwood
BANGOR CITY COUNCIL	I Jones Town Clerk	Cllr Derek Hainge
BAGILLT COMMUNITY COUNCIL	Cllr C R Williams	
BAY OF COLWYN TOWN COUNCIL	Cllr Mrs H Meredith	Tina Earley Clerk Cllr Lindsay Griffiths Cllr Mrs Roy
BUCKLEY TOWN COUNCIL	Cllr A Woolley	Cllr J Woolley Cllr A Williams
CAERWYS TOWN COUNCIL	Cllr J Webb	
CAIA PARK COMMUNITY CONCIL		
CONNAH'S QUAY TOWN COUNCIL	Cllr P Attridge S Goodrum (Clerk)	Cllr R Hill Cllr C Grainger
CONWY TOWN COUNCIL	Cllr H Roberts H Barritt Town Clerk	Cllr R Parker
DENBIGH TOWN COUNCIL	Cllr R Bartley	
FLINT TOWN COUNCIL	Cllr David Cox A Loveridge Town Clerk	Cllr L Jones Cllr Terry Renshaw
HAWARDEN COMMUNITY COUNCIL		
HOLYWELL TOWN COUNCIL	Cllr P Curtis	C Pierce Clerk

		Cllr Karin Davies Cllr P York
LLANFAIR CAEREINION TOWN COUNCIL		Viki Griffiths Clerk Cllr K Astley
LLANDUDNO TOWN COUNCIL	Cllr B Bertola L Mernes Deputy Clerk	
LLANASA TOWN COUNCIL		
LLANFAIRFECHAN TOWN COUNCIL	Cllr C Gell	
LLANDRINO & ARDLEEN COMMUNITY COUNCIL		C Davies (Clerk)
LLANDYSILIO COMMUNITY COUNCIL		C Davies (Clerk) Cllr Frances Buckingham
LLANGOLLEN TOWN COUNCIL		
MEINAI BRIDGE TOWN COUNCIL	Cllr D M Davies	Cllr H Hunt
PENMAENMAWR TOWN COUNCIL	Cllr M Baines Mel Ab-Owain Town Clerk	
PRESTATYN TOWN COUNCIL	N Acott Clerk Cllr J Szabo	
RHUDDLAN TOWN COUNCIL	Cllr M Kermode	
RHYL TOWN COUNCIL	Cllr J Chamberlain-Jones G Nickels Clerk	Cllr A Jones
RUTHIN TOWN COUNCIL	Cllr G Woolford Cllr A Roberts	
SHOTTON TOWN COUNCIL		
ST ASAPH CITY COUNCIL		Cllr Elsie Powell Cllr Barbara Rust Cllr P G Morton Helen Stewart Clerk
TOWYN AND KINMELL BAY TOWN COUNCIL	Cllr B McLaughlin Cllr B Darwin Cllr M Roberts	Cllr K Stone Hayley Parkes Clerk
WELSHPOOL TOWN COUNCIL		Cllr Ann Holloway Cllr Hazel Evans Cllr Estelle Bleivas

1. Record of attendance

The record of attendance and list of apologies is as above.

The meeting was informed of various members who were unwell. It was agreed that get well cards would be sent to each of the 4 members.

It was reported that the Secretary was unable to make the meeting due to an unfortunate breakdown of his car. In his absence the Assistant Secretary Ian Jones agreed to take the minutes and forward actions from the meeting.

2. Welcome by the Mayor of Llandudno

The meeting was welcomed by Councillor F Bradfield Mayor of Llandudno Town Council.

3. Minutes of the last meeting

The Minutes of the previous meeting were approved subject to one alteration on the attendance list.

4. Actions taken since last meeting

A short and concise report was received on the actions taken since the last meeting in relation to the following:

1. Responses to consultation to the Welsh Government regarding General Practice Doctors
2. Meeting the Minister for Local Government
3. Letter to remind clerks of the need for a new Secretary from July 2017.

5. Financial report

The meeting received the accounts for the period 2/31 of the third 2016 which was approved.

6. Minutes of the Executive meeting

The meeting was held on 11th of December 2015.

The meeting received the Minutes of the above meeting and noted in particular the current issues relating to boundary changes, devolved services from principal authorities, issues relating to staff i.e. TUPE, pensions and the fact that the budget from principle authorities did not necessarily follow the devolved service.

Concern was expressed that having written to the Local Government Minister requesting a meeting about proposed Local Government reform in Wales, the Minister had refused due to the "lack of appropriate responses to the consultation".

The meeting **AGREED** that the Secretary writes to the Minister expressing grave concern that the Association's views which represented 36 councils, was not considered a high enough number of responses and to further request a meeting with the Minister; the Secretary to report back once the response of been received from the Minister.

7. Local Government Reorganisation

The meeting considered the main points from The Draft Local Government (Wales) Bill headline which was published and was planned to progress soon after the May 2016 Welsh Government elections. The Bill had several sections directly affecting Town Community Councils was due out during the autumn of 2016.

Members discussed the various sections of the Consultation Paper and agreed the following statements be submitted as part of the Associations response to the consultation documents.

- i) Delete Mayors from Counties keep at local level
- ii) Concern at Clerk's qualification as only about 13 CiLCA qualified in Wales, other qualifications should be recognised especially professional -

Accountants, Lawyers, Chartered Secretaries, Surveyors etc. as well as experienced Clerks.

iii) Concern at policing of Powers of Competence and Council's declaring themselves but only paying lip service, this needs careful thought.

iv) Concern as to transfer of services and TUPE - if no money follows to service T&CCs may not take them over. Council's should not 'be held to ransom' with TUPE. All in all members felt that for this to be at all workable it needed careful consideration and the General Powers of Competence (GPOC) needed reviewing.

8. Experiences from Local Councils

i) public toilets Councillor Bertola of Llandudno Town Council made a statement in support of the community public toilet scheme which had been successful in his town. He said that businesses were encouraged to open up their convenience for the

general public usage supported with a grant of up to £600.

ii) two other case studies were to be given by the Secretary and would now be deferred.

9. North Wales Health Study Update

The Assistant Secretary Ian Jones updated the meeting on developments with the North Wales Health Board. He had been in conversation with the Interim Head of Engagement at Betsi Cadwaladr Health Board regarding engagement activities and partnership arrangements. The Assistant Secretary reported that a representative of Betsi Cadwaladr Health Board would at some point in the near future like to request in the meeting with the Association as part of its Community Engagement priorities which had been cited as lacking direction when the Board went into Special Measures. Members at the meeting by pleased to receive this news.

10. Conference and Annual Meeting 2016

Members asked that the speaker be invited to attend the Annual Meeting.

A preference was for Betsi Cadwaladr Health Board for this first choice

Second shows Welsh Local Government Minister

Third choice Welsh Health Minister

Fourth choice New Police Commissioner North Wales

11. Freedom of Information Act

A proposal was tabled by Brian Bertola of Llandudno Town Council to oppose any the changes to the Freedom of Information Act which would water down the current legislation, and the Association would support any campaign against this.

The meeting **AGREED** to support this.

12. Proposals at Future Meetings

The meeting agreed that any future proposals which are tabled at future meetings should be circulated on paper, preferably in advance

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13. Bale-In Directive 2014

Cllr E. Woolley of Buckley Town Council informed members that the new Bale-in Directive 2014 gave the of banks the power to take money from accounts with over £100K deposits, should they be in danger of collapsing. The UK was fully compliant with this legislation.

14. Dates Of Future Meetings:

Quarterly Meetings

22nd April 2016 Welshpool

15th July 2016 (annual meeting) – Connah's Quay.

10.30am start in all cases.

Executive Meetings

11th March 2016

10th June 2016

10.30am start in all cases. Meetings held at Rhyl Town Council Offices.

APPENDIX B

FINANCIAL REPORT – APRIL 2016

NORTH & MID WALES ASSOCIATION OF LOCAL COUNCILS											
ANNUAL ACCOUNTS YEAR TO 31.3.2016											
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER		
INCOME	615.00	75.00	30.00	540.00	185.00	1025.00	535.00	390.00	35.00		
Membership & Meals											
Interest											
Debtors											
Other											
TOTAL	615.00	75.00	30.00	540.00	185.00	1025.00	535.00	390.00	35.00		
COSTS											
Meals		660.00			600.00			435.00			
Expenses											
Administration				400.00							
Bank charges											
Gavel				165.00							
Web hosting											
Web site											
Translation											
Other											
TOTAL	0.00	660.00	0.00	565.00	600.00	0.00	0.00	435.00	0.00		
BALANCE	615.00	-585.00	30.00	-25.00	-415.00	1025.00	535.00	-45.00	35.00		
BANK											
Start	5781.20	6396.20	5811.20	5841.20	5816.20	5401.20	6426.20	6961.20	6916.20		
End	6396.20	5811.20	5841.20	5816.20	5401.20	6426.20	6961.20	6916.20	6951.20		
Balance	-615.00	585.00	-30.00	25.00	415.00	-1025.00	-535.00	45.00	-35.00		

APPENDIX C

NORTH AND MID WALES ASSOCIATION OF LOCAL COUNCILS

Principle Authorities

All principle authorities must set a budget, precept, hold regular meetings and appoint such staff as is needed to meet their statutory obligations.

The principle Councils also collect Council Tax, Business Rates (and then pass them onto the Welsh Government) and administer the benefits system.

The following are the usual services carried out by a Principle Authority, however some are not statutory duties.

Principal service	Includes
Children's services	<ul style="list-style-type: none">• schools – nursery, primary, secondary and special (but not academies or free schools)• pre-school education• youth, adult and family and community education• children's and families' services – including welfare, fostering and adoption and child protection• youth centres• youth justice – secure accommodation and youth offender teams

Highways, roads and transport	<ul style="list-style-type: none"> • highways – non-trunk roads and bridges • street lighting • traffic management and road safety • public transport – discounted travel schemes and local transport co-ordination • some airports, harbours and toll facilities.
Adult services	<ul style="list-style-type: none"> • services for older people including nursing, home, residential and day care and meals • services for people with a physical disability, learning disability or mental health need • asylum seekers.
Housing	<ul style="list-style-type: none"> • social housing • housing benefit and welfare services • homelessness • housing strategy.
Cultural services	<ul style="list-style-type: none"> • culture and heritage, including museums and galleries • recreation and sport, including leisure centres and sports facilities • open spaces – parks, playgrounds and allotments • tourism – visitor information, marketing and tourism development • libraries and information services.

Environmental services	<ul style="list-style-type: none"> • cemetery, cremation and mortuary services • community safety – including consumer protection, coastal protection and trading standards • environmental health – including food safety, pollution and pest control, public toilets • licensing – including alcohol, public entertainment, taxis • agricultural and fisheries services • waste collection and disposal, recycling and street cleaning.
Planning and development	<ul style="list-style-type: none"> • building and development control • planning policy – including conservation and listed buildings • economic investment and regeneration.
Protective services	<ul style="list-style-type: none"> • fire and rescue services • court services such as coroners.
Central and other services	<ul style="list-style-type: none"> • local tax collection – council tax and business rates (business rates set centrally) • registration of births, deaths and marriages • election administration – local and national, including registration of electors • emergency planning • local land charges and property searches.

However, the County Councils have not got to provide services in a particular way and therefore the following examples are not statutory services:

Public Toilets
Day Centres
Libraries in all locations
Local buses

Tourist Information Centres
Street lighting in all locations
Youth Services for each area
Free school transport

Often the level of service delivery delivered is greater than their statutory duty. I.e Street cleaning, litter bins etc are not statutory duties, however 'keeping the streets environmentally safe' is.

Town and Community Councils

All Town and Community Councils have a statutory duty to set a budget & precept, hold 3 meetings per annum, adopt the code of conduct and standing orders along with provision for financial management.

What can local councils do?

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para. 2
Baths (public)	Power to provide public swimming baths	Public Health Act 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Sections 9 and 10 Local Government Act 1972, s.214 Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: Places of public recreation Cycle parks Public swimming baths Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s.164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities Power to act as charity trustees	Charities Act 2011, ss.298-303 Local Government Act 1972, s.139 (1)
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2

Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to Inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government (Miscellaneous Provisions) Act 1976 s.19 Local Government Act 1972, s.133
Crime prevention	Power to spend money on crime detection and prevention measures	Local Government and Rating Act 1997, s.31
Ditches and ponds	Power to drain and maintain ponds and ditches to prevent harm to public health	Public Health Act 1936, s.260
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Environment	Power to issue fixed penalty notices for litter, graffiti and offences under dog control orders	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general Power of competence	Localism Act 2011, ss.1-8
Gifts	Power to accept	Local Government Act 1972, s.139

Highways	<p>Power to repair and maintain public footpaths and bridle-ways.</p> <p>Power to light roads and public places</p> <p>Power to provide parking places for vehicles, bicycles and motor-cycles.</p> <p>Power to enter into agreement as to dedication and widening.</p> <p>Power to provide roadside seats and shelters.</p> <p>Power to consent to a local highway authority stopping maintenance of a highway or stopping up/ diverting a highway</p> <p>Power to complain to district council about the protection of rights of way and roadside waste</p> <p>Power to provide certain traffic signs and other notices</p> <p>Power to plant trees and shrubs and to maintain roadside verges</p>	<p>Highways Act 1980, ss.43, 50</p> <p>Parish Councils Act 1957, s.3; Highways Act 1980, s.301</p> <p>Road Traffic Regulation Act 1984, ss.57, 63</p> <p>Highways Act 1980, ss.30, 72</p> <p>Parish Councils Act 1957, s.1</p> <p>Highways Act 1980, ss.47, 116</p> <p>Highways Act 1980, s.130</p> <p>Road Traffic Regulation Act 1984, s.72</p> <p>Highways Act 1980, s.96</p>
Honorary titles	Power to admit to be honorary freemen/ freewomen of the council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area.	Local Government Act 1972, s.249
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11

Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139
Litter	Provision of bins	Litter Act 1983, ss.5, 6
Lotteries	Powers to promote	Gambling Act 2005, s.252, 258
Markets	Power to establish or acquire by agreement markets within the council's area and provide a market place and market buildings	Food Act 1984, s.50
Mortuaries and post-mortem rooms	Powers to provide mortuaries and post-mortem rooms	Public Health Act 1936, s.198
Neighbourhood planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order.	Localism Act 2011, Schedule 9; Town and Country Planning Act 1990, ss.61E-61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire and maintain land for public recreation Power to acquire and maintain land for open spaces	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to receive and retain Duty to deposit certain published works in specific deposit libraries	Local Government Act 1972, s.226 Legal Deposit Libraries Act 2003, s.1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s.133

Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to provide a wide range of recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s.19
	Provision of boating pools	Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority.	Localism Act 2011, ss.81-86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss.87-108
Town and Country Planning	Right to be notified of planning applications if right has been requested	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to encourage tourism to the council's area	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1
Water	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s.125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142

In addition the Town and Community Councils have powers under various statutory rules to run the following:

Street cleaning, litter bins, graffiti and fly tipping.
Day Centres.
Grant aid for local bus services.

APPENDIX D

County Council Finances

