



Rhuddlan Town Council Meeting

Dear Councillor

8th July 2019

Your attendance is requested at a meeting of Rhuddlan Town Council at the Community Centre, Rhuddlan on Thursday, 11th July 2019 at 7.00 p.m. Any planning applications can be viewed at 6.30 p.m. Members of the public are welcome to attend.

AGENDA

1. Apologies.
2. Reverend Brian Jones to attend the meeting.
3. A presentation by Ruth Williams on the work of Menter Iaith Sir Ddinbych and to present ideas on working with the Town Council.
4. Urgent Items - having been advised to the Mayor 24 hrs in advance.
5. Police matters —to receive a report.
6. Minutes – to approve minutes of the 8th June – pre-circulated.
7. Correspondence from:
 - a. The Mayor.
 - b. The Deputy Mayor.
 - c. The Town Clerk.
 - d. DCC – Local Development Plan 2018 – 2033
 - e. Allotments Society – request to erect tents on Admirals
 - f. Citizens Advice – Denbighshire
 - g. Theatr Bara Caws Productions
 - h. J. Carrier – Clwyd Girls Football League
8. Admirals Field Access Lane – to consider the attached report.
9. County Council Members Report.
10. Budget/Finance matters
 - a. To approve the payments listing due.
 - b. To receive Internal Auditors Report.
11. Planning Applications for comment:
44/2019/0477
Rose Cottage, Church Street, Rhuddlan – Erection of extension to existing garage.
12. **Community Matters**

13. Part 2. Exclusion of press and public.

By virtue of The Public Bodies (Admission to Meetings) Act 1960, the press and public are excluded from discussions on the following items on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

a. **Request for financial Assistance**

- Rhuddlan History Society
- Rhuddlan Nature Reserve
- Ysgol y Castell

b. **Multi Use facilities** – to receive an update on the Town Council meeting held on the 8th July.

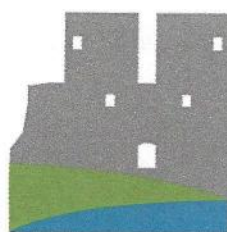
c. **Town Council Vacancy** – to consider applications.

d. **Aelwyn Morgan Award** – to consider applications.

14. **Date of next meeting** - Next meeting scheduled for September 12th 2019

Sian Mai Jones

Town Clerk - 07775 673706



Cyngor Tref
Rhuddlan
Town Council

Rhuddlan Town Council – DRAFT Minutes of the meeting on the 13th June 2019

Present:

Cllr Arwel Roberts (Mayor in the Chair)
Cllr Gareth Smith (Deputy Mayor)
Cllr Gareth Rowlands
Cllr Mike Elgin (late arrival)
Cllr Reg Davies
Cllr Syd Gaskin
Cllr Ann Davies
Town Clerk
Clerical Assistant/Minute Clerk
PCSO Phil Roberts

1. Apologies

Cllr Mike Kermode
Cllr Andrew Smith

Eight members of public were present

2. Reverend Brian Jones

Cllr Arwel Roberts informed the meeting that the Rev Brian Jones will be attending the next meeting.

3. Declaration of Interest.

Cllr Ann Davies – 12a, b – member of DCC Planning Committee

4. Urgent Matters

a. Cllr Arwel Roberts had been approached by Jackie Burnham asking if Rhuddlan Town Council would support a Pay & Display refund scheme in the town. Rhuddlan Businesses are investigating creating a split ticket which could be used to redeem the cost of the pay & display ticket when shopping locally. Cllr Gareth Rowlands could see no issue in supporting the scheme. Cllr Reg Davies proposed that it is supported and Cllr Syd Gaskin seconded the proposal. **All voted in favour.**

b. Cllr Arwel Roberts made the Council aware of local concern about a recent planning application that allegedly had not followed due process. The application is 44/2019/0341 Princes Park, Rhuddlan. The concerns are that Rhuddlan Town Council had not received a copy of the application documents in time for any comments from the Town Council to be

made. A complaint had been made by a resident of Rhuddlan about the application and they discovered that DCC planning had already granted permission. The complainants were present at this evenings Council meeting and had employed a Planning Agent to act on their behalf.

A discussion followed around the date line of the application documents being sent out, the same being received by the Town Clerk, and the length of days for consultation before decision was taken.

Cllr Ann Davies who sits on the Planning Committee reported that DCC had followed the correct procedure of the statutory 14 days for comments.

Town Clerk explained that she visits the PO Box every Friday to collect Town Council mail and that there was no mail on Friday 17th May. The Town Clerk was on annual leave on Friday 23rd May and on Friday 31st May there was several items of mail including the planning application documents. On 6th June the Town Clerk asked DCC for an extension of the consultation period, which had been granted at other times, so that the Town Council meeting on June 13th could make comments. The extension was refused on this particular application but extensions were given to two older applications.

A PO Box is used for Rhuddlan Town Council mail as there is lot of bulky mail which will not go through a domestic letter box.

The Town Council resolved to ask for planning applications to be sent to Rhuddlan Library in the future and that notification be sent to the Town Clerk & Deputy Mayor by email.

Cllr Reg Davies asked if there was anything that could be done about application 44/2019/0341. **The Council resolved to write formally to DCC Planning Department outlining their disappointment with the timetabling of the application not allowing time for comment from the Town Council during its regular Council meeting on the second Thursday of each month.** Cllr Ann Davies abstained from voting on this resolution.

5. Police matters

Incident Report from 12/4/19 to 13/5/19.

- Burglary dwelling. Enquiries still on going. Possible suspect ex-partner.
- Theft of moped. Enquiries still on going.
- Arson. Wooden shed next to St Marys church. Arson reduction team aware and also trying to establish who owns property.
- Common assault. Suspect identified and charged.

PCSO Phil Roberts was present and was able to answer any questions about his report

There had been a serious assault on the Rhuddfest site and a suspect apprehended. PCSO Roberts commented that out of an estimated 11,000 people attending the festival only one serious incident was considered. This is considered by police protocols as a very good result. An investigation into an arson attack on a wooden shed adjacent to St Mary's church led to no leads as to who actually owned the shed.

There was then question invited from the members:

- a. Cllr Reg Davies commented on a set of traffic lights not working one morning and that a local resident had tried to access the police station to inform them with no luck. They believed that the police should have been at the traffic lights directing traffic whilst DCC Highways were awaited to rectify the situation. Cllr Davies asked what people should do in such situations. There then followed a discussion on how to use the police station intercom system to report incidents to the central control room, and where it is situated when no officers are present.
- b. Cllr Ann Davies reported she believed that a resident may have CCTV footage from their own personal CCTV equipment that may be of use to investigations. PCSO Roberts asked for the resident's contact details so he could confidentially and anonymously speak to them and view any footage.
- c. Cllr Syd Gaskin enquired if Rhuddlan police station is actually described as a police station. PCSO Roberts confirmed it was a satellite post where there were always 2 response officers and the community policing team on duty 24/7. But there was no public access front desk like can be seen in Rhyl police station. The intercom on the front door is a direct link to the control room. There is no public access due to the sensitive nature of information on walls and the desks.
- d. Cllr Gareth Rowlands thanked PCSO Roberts for his excellent work and the fact that he can always be seen around the town.
- e. Cllr Arwel Roberts commented that he had witnessed a cyclist and pedestrian having an argument about the fact that the cyclist was riding his bike on the pavement. The cyclist was particularly aggressive and asked that the police be aware of cyclists riding on the pavement as it is not permitted and could lead to a more serious incident.

6. Minutes

Cllr Mike Kermode stated that Item 6h should include Admirals Playing Field - Rhuddlan Dragons Football Club. Also, a clearer description of the Dragon's proposal is required. Cllr Kermode's proposal was to refuse the development and to offer a site for a storage container by the MUGA not a porta-cabin.

Cllr Mike Kermode wanted to include the text "access to water and other facilities have been provided near to the end of Clos David Owen by the firm that built the houses and these could be used in any toilet facilities for all users but who would be its custodian?"

Cllr Ann Davies asked that the following amendments be made: In response to Cllr Andy Smith's comment that having a toilet block on Admirals Playing field would encourage youths to congregate Cllr Ann Davies commented "What's wrong with Youths congregating at the playing field, they need somewhere to meet." Toilet facilities would be an advantage not just for young people but people of all ages. A gentleman in his late seventies enjoys using the green gym daily. Individuals living with dementia would also benefit from such

facilities. Therefore, Cllr Ann Davies supported Cllr Mike Elgin's proposal for toilet facilities to be built on Admirals Play field.

Cllr Gareth Smith wanted the reference to Parliament Square changing to Parliament Street.

Cllr Gareth Rowlands proposed that the minutes be so amended with the above changes and **all voted in favour.**

Matters Arising

a. Princes Road Cleaning

The Town Clerk will discuss developments with Cllr Gareth Smith.

b. Rhuddlan Surgery

The Town Clerk had written to BCUHB to attend a future Rhuddlan Town Council meeting to discuss the matter and GP recruitment.

c. No Fly Signing

The Town Clerk reported that the No-Fly Signing signs are ready to be collected

d. Election of Town Councillor

The Town Clerk has sought advice from the DCC Electoral Officer on the matter of having followed the correct procedure and can confirm that it has.

e. Memorial Bench outside Odyn

Mr Richard Williams has now signed the bench agreement and all is progressing well. Questions were asked about the proposed seating benches in Admiral's Field. Cllr Gareth Rowlands had spotted the contractors operatives preparing an area for the bench and that recent bad weather had stopped further progress. Cllr Ann Davies thought the process had gone on for too long and asked if a date was available for the work to be completed. Cllr Davies suggested that if it is not completed by the Council's next meeting, we should instruct someone else to do it

f. The Guardians of St Asaph & St Kentigern

Cllr Arwel Roberts informed the meeting that he could no longer attend the event and suggested that the Deputy Mayor attend with a companion. **Resolved to send Cllr Gareth Smith to the event as the representative of Rhuddlan Town Council**

g. Planting of Trees – Rhuddlan Community Group

The Mayor has met with Alan Chadwick and are looking at potential sites – Castle Field and the Nature Reserve.

h. Twt Hill Bench

It was reported that Glascoed Timber is going to see the issue of water "pooling" on the bench and try and resolve it.

i. Play Equipment Storage Box

The Mayor and the Town Clerk have emptied the box and delivered the equipment to Ysgol y Castell. The Head had been disappointed that there were no portable goals and enquired if the Town Council could help purchase a set. **Resolved that the school complete a grant application for portable goals.**

j. Rhuddlan Community Group Grant Application

A letter of thanks had been received from Rhuddlan Community Group for the grant.

7. Correspondence from:

7a. The Mayor.

Cllr Arwel Roberts presented his report of events attended:

15/05/2019	<i>Mayor Making in Rhyl Town Council</i>
18/05/2019	<i>Gwledd Fwyd Rhuddlan.</i>
19/05/2019	<i>Invitation to the Rhuddlan Bowling Club.</i>
25/05/2019	<i>Rhuddlan Music Fest.</i>
03/06/2019	<i>Fresh Air Gym Session</i>
06/06/2019	<i>Laid a wreath on behalf of the Town Council at a D Day event on Rhyl Beach near the Lifeboat Station</i>
10/06/2019	<i>Fresh Air Gym Session</i>
12/06/2019	<i>Clwb Golf Gallt Melyd - Clwyd Scout Council</i>

Cllr Roberts said he had particularly enjoyed the Clwyd Scout AGM. A special prize was given to 2 local residents, Malcolm & Carol Boyton, for their 20 years of service. The event was attended by the Mayors of Rhyl, Prestatyn, and Denbigh.

Cllr Roberts had received a very late invitation for the D Day Commemoration event on Rhyl beach and was very pleased to have been able to attend, lay a wreath, and represent Rhuddlan Town Council.

The report was accepted

7b. The Deputy Mayor.

Cllr Gareth Smith presented his report

18th May 2019

Rhuddlan Food, Drink and Craft Festival

• I thoroughly enjoyed attending this food festival and witnessing the great event put on by the organisers and the tremendous support it receives from stall holders and visitors. I tasted some very scrumptious cheese and fudge! As part of my role as Secretary of the Rhuddlan Community Group, I also volunteered at their stall where the group were able to raise funds for the wonderful work they do for our town.

25th and 26th May 2019

Rhuddfest

• For the 5th year running, I was very proud to be volunteering at this music festival across the whole of the weekend. 1000s of people turned out for the festival. My volunteering duties included stewarding, emptying bins, cleaning toilets, car park duties – all the best jobs! My thanks to the organisers for their invite.

The report was accepted

7c. The Town Clerk.

The Town Clerk's report was accepted. In addition, the Town Clerk reported the following:

- a. The Town Clerk stated the times of the Fresh Air Gym sessions which have now started on May 13th.
- b. The Cupcake & Coffee event in Rhuddlan library on 11th June had 38 people attend and raised over £140.
- c. The Town Clerk reminded all members on the Code of Conduct requirement to register the receiving of all goods, gifts etc up to a value of £25. **It was resolved** to register the tickets with the Monitoring Officer in DCC for: Cllrs Syd Gaskin, Reg Davies, and Mike Elgin all reported having received 2 tickets each.

7d. Anwyl Homes at Tirionfa

An update on the proposed works and the timings had been circulated with the agenda. Cllr Ann Davies had noted that the workers were very nice and polite when speaking with residents. Cllr Davies suggested that if any problems were being reported they should contact the Construction Director directly.

Cllr Gareth Rowlands proposed that a letter should be sent to Anwyl thanking them for the update but also stating the Town Council's disappointment that the groundworks contractor on site was from over the border even though they had a policy of using local contractors. Cllr Reg Davies seconded the proposal and **all voted in favour.**

7e. Cylch Meithrin Rhuddlan

Letter distributed for information about the event on 21st June 2019. The Mayor and his Consort are invited and are attending to represent the Town Council

7f. J Webster – request for more dog bins

E-mail correspondence for more dog bins in the Heol Hendre/ Grenville Avenue area of Rhuddlan.

Cllrs Arwel Roberts and Cllr Ann Davies as County Councillors had discussed that having new dog waste bins was acceptable to the County, but the Town Council would have to pay for it and to be emptied. Cllr Gareth Rowlands listed where dog waste bins are currently situated and made comment that once dog waste is put in litter bins it renders it hazardous waste, which is more expensive to collect and deal with. Cllr Rowlands added that there were dog waste bins in Heol Hendre/Grenville Avenue area already.

Cllr Syd Gaskin noted that there are bins at the cemetery so why not empty any bins in Heol Hendre/Grenville Avenue areas at the same time.

The members **resolved** that a response was required to the email stating that the Town Council do not agree to supply dog waste bins, as Rhuddlan is well served already with several dog bins, and as a consequence the Town Council would not be supporting any new dog waste bins.

7g. Ysgol y Castell – School Council Survey

A letter has been received from the school informing the Town Council of the results of a school pupil survey. Items such as more plants & flowers in Rhuddlan, participating in a community clean-up, a bench on Twt Hill, and more exercise equipment for children on Admiral's Field.

Cllr Gareth Rowlands was keen to take the offer of help and invite them to the community clean-up on 22nd June. Cllr Rowlands noted the existence of a bench on Twt Hill, and child friendly exercise equipment by the library and Admiral's Field.

It was resolved that the Mayor attend a future School Council meeting to draw out more ways of working with the children on projects.

7h. Age Concern – New Services

A leaflet has been received about a new service called "Home Life" which is a holistic approach to supporting people to live in their own home for as long as possible. Could members please be aware of this important service and the **Council resolved to place the leaflet on the Town Council website.**

7i. DCC – Temporary One-Way System

Information had been received and circulated for information about the temporary one-way system proposed to facilitate the reconstruction and resurfacing of a section of Marsh Road.

Cllr Arwel Roberts and Cllr Ann Davies as County Councillors had met with Highway officials to discuss this item and described to the members the route being suggested during the temporary one-way system. Cllr Ann Davies explained that the works were complicated due to many services being in this area and that a one-way system was required to work around those services.

7j. CCTV Partnership

The Town Clerk had circulated for member's information a copy of an operational update on the provision of CCTV reactive monitoring services, to the Denbighshire CCTV Partnership. The Remoter Evidence Management System (REMS) is generally working well but not all officers seem aware of the REMS procedures so an email is to be sent to all officers stating what the procedure is.

Cllr Gareth Rowlands proposed that the Council write formally expressing the Town Council's concern on the length of time it has taken to replace 2 cameras in Rhuddlan and that an explanation be given as to why they need replacing. Cllr Gareth Smith seconded the proposal. **All voted in favour and so resolved.**

8. Admiral's Field Access Lane

A report was tabled by the Town Clerk on several items of correspondence of legal advice from the Town Council solicitor. It recommends that Member's invite the solicitor to the next Town Council meeting.

Cllr Arwel Roberts vacated the Chair of the meeting as he lives nearby the access lane. Cllr Ann Davies moved that Cllr Gareth Smith as Deputy Mayor takes the Chair and Cllr Mike Elgin seconds the motion. **All vote in favour.**

Cllrs Reg Davies and Cllr Gareth Rowlands declare interest in the item and so the meeting is not quorate. As no decision can be made, the item is deferred by Cllr Gareth Smith to the next meeting.

Cllr Gareth Smith vacates the chair in favour of Cllr Arwel Roberts.

9. County Council Members Report

Cllr Ann Davies

a. MARSH ROAD

The much-needed work to resurface this road will start late June/ July. There is also a need to upgrade the drainage.

During the excavation of the carriageway the link into Marsh road from the Morfa Lodge roundabout direction will be closed. Residents will be duly informed.

b. ANWYL HOMES at TIRIONFA

Contractors will start work on the Tirionfa site on the 10th June. The first phase of the works is to start the road and sewers, they hope to complete this in 12 weeks.

Ground work contractors will be starting work on the plots that front on to Tirionfa on the 17th June., this area will be fenced off. To ensure disruption is kept to the minimum deliveries must only arrive between 9:30 and 2:30pm, sub-contractors and delivery drivers are not permitted to park on Tirionfa. Road sweepers will be used on a regular basis.

c. VICARAGE LANE

The water leak in Vicarage Lane continues to be a hazard for residents, there is water almost constantly seeping through the surface of the footway. Welsh water has carried out several tests and deemed it not to be a leak on their line or with their apparatus. Lack of drainage in this area is a problem and I will continue to press highway officers for a solution.

Vicarage Lane response confirm Welsh Water investigations and tests have shown no leak of water on their line or apparatus. Cllr Davies declares frustration and is concerned that a lack of drainage in the vicinity is the problem and will continue to press Highway officers for a solution.

Cllr Arwel Roberts added that he had spoken to Tim Towers and wondered if there was a spring coming up in the area. Cllr Roberts suggested that the issue should be reported again because of the risk to pedestrians of falling.

Cllr Gareth Rowlands highlighted that this problem arises time & again recalling that it took 12 years for a similar problem in Abbey Road.

Resolved that the Town Council write to DCC Chief Executive, and Tony Ward, to complain on the grounds of Health & Safety, and fulfilling their duty of care to members of the public using the footway.

d. CLWYD AVENUE/ MAES Y BRYN.

Due to the condition of these roads I requested road scores -

Maes y Bryn 300

Clwyd Avenue 287.5

Both are on the list for resurfacing.

e. ST KENTIGERN HOSPICE

I was recently invited to be a trustee of St Kentigern hospice , having worked there 24 years ago the hospice is very close to my heart. I was delighted to accept the post.

Are you caring for a loved one or do you need practical guidance or extra care for yourself? Support is available at St Kentigern Hospice. They run weekly Carers Mornings from 10- 12 noon each Friday.

Lost in art sessions are held each Monday for patients and their Carers.

Bereavement counselling drop in sessions are also available.

During the hospice expansion these will be held at 101 Bowen Court, St Asaph Business Park, LL170JH.

Other exciting innovations that will be included in hospice services after the reopening will be a youth group for youngsters "growing out" of Children's Hospices. St Kentigern are in the early stages of planning for a specialist drama group for young people who are coming to terms with death dying and grief.

St Kentigern will be employing an Admiral Nurse to develop links with Carers and people living with dementia in the community.

Cllr Ann Davies has recently been invited to be a Trustee of St Kentigern Hospice and had accepted the post. In her report she informs members of several services and guidance that the Hospice provides and wanted all to be aware of them.

Cllr Arwel Roberts

- a. This is my report as you see below, I have enquired through the customer services many aspects which affects our town. A copy of all the enquiries made to Customer Services was presented in a spreadsheet template but not repeated in these minutes.*
- b. You will notice that Castle Street overgrown bushes are reported to me from residents causing health and safety problems to pedestrians. All the County can do is to send a letter to the owners to cut the bushes. The trees that are causing problems on Marsh Road are owned by either the County or Natural Resources Wales.*
- c. The barrier requested in front of the New Inn has been promised but many a slip between the cup and lip.*

- d. *Bins have been reported to me. The blue bin full of food rubbish had been reported to me twice by a resident who lives in Vicarage Lane. It has been removed and now someone within the town had no blue bin.*
- e. *I have been trying to be of assistance to the Rhuddlan Bowling Club. Have organised a meeting with the Club officers and Town Cllr Elgin to assist their aim of having a proper disability toilet.*
- f. *Next week I'm meeting an officer from Natural Resources Wales regarding trees that need to be planted in Station Road. This is an ongoing problem and I still feel that the town has been let down.*

Cllr Roberts added that the blue bin in Item e above has now been removed and that he and Cllr Mike Elgin had met with the bowling club to assist them with their aim of having a disabled toilet facility. In addition, Cllr Roberts will be meeting a representative of DCC Countryside and NRW to discuss the siting of trees on the bund.

Cllr Gareth Smith enquired about the Parliament Street car park overgrown bushes being cut back. Cllr Arwel Roberts will enquire with Mike Jones in the car park department.

10. Deputy Mayors Chain

The Town Clerk had provided a quote for a Deputy Mayor's chain which offered design options, constructed in metal gilt and/or silver gilt, and provision of a carrying case.

Cllr Gareth Rowlands had prepared a medal & ribbon example to show members which he said would be cheaper than the quote received.

Cllr Ann Davies stated she didn't like to ribbon example and would prefer a chain so as to show Rhuddlan Town Council in a positive light, adding that several Town Councils have chains so why not Rhuddlan.

Cllr Gareth Rowlands replied that not all Town Councils have chains and listed some of them to demonstrate his point. This Council had considered a chain before and had concluded no so why revisit the issue again especially as the price is so high. In these austere times we should be saving money to better help our community.

Cllr Ann Davies thought that a chain would last for many years and the money should be spent on a chain for longevity.

Cllr Syd Gaskin thought the quote was too much and asked if we could get a comparative quote from other suppliers.

Cllr Ann Davies said that there was an urgency on purchasing a chain.

Cllr Mike Elgin agreed that the cost was high but believed that as it was a "one off" purchase, and the fact that it would last for a long time merited a chain purchase.

Cllr Reg Davies wished to purchase the expensive option which will last forever.

Cllr Arwel Roberts reminded the Members of the costs involved. The chain cost would be £1244 for the metal gilt option and the silver gilt option would be £2562.

Cllr Mike Elgin proposed that the silver gilt chain should be purchased. This was seconded by Cllr Ann Davies. Cllr Gareth Rowlands asked for a recorded vote.

Cllr Gareth Smith abstained from the vote, Cllrs Arwel Roberts, Mike Elgin, Reg Davies, Ann Davies and Syd Gaskin all voted in favour and Cllr Gareth Rowlands voted against the proposition. **Resolved to purchase the silver gilt chain option.**

11. Budget/Finance Matters

a. Approve accounts due – Cllr Mike Elgin asked if CiLCA expenses should be listed under salary. Town Clerk confirmed that this had been done.

It was reported by the Town Clerk that a cheque was needed for the Guardians of St Asaph & St Kentigern event on Saturday and that Cllr Ann Davies remains a signatory to the accounts.

Cllr Mike Elgin proposed the approval of the accounts, seconded by Cllr Reg Davies and it was **so resolved.**

b. Consider report on Rhyl & Rhuddlan in Need Fund – A dormant account which was set up to help those in need e.g. effected by the flooding which is not in fact a Town Council account. Out of the four Trustees listed, two are no longer Trustees, namely Mr Stephen Rafferty & Rev Peter Allsworth and the Town Clerk has been made a Trustee. Cllr Gareth Rowlands & Cllr Reg Davies remain Trustees. The report recommends that the account be closed down and the monies paid into the Community Account under its own budget heading for future use.

Cllr Gareth Rowlands informed the meeting that this fund was registered as a Charity about 12 months ago and explained what the charity aims are. He believed that the current Trustees should meet to put the funds into the Town Council's Account and that it has its own budget under the Rialtas financial system.

Cllr Reg Davies said that it was first created by the church to support OAP's in need.

Cllr Arwel Roberts suggested that this matter be left in the hands of Cllr Gareth Rowlands, Cllr Reg Davies, & the Town Clerk as Trustees. **Resolved.**

c. Reconciliation up to May 31st 2019 – Members noted the healthy balance and resolved to approve the reconciliation on a quarterly basis in line with Standing Orders. Cllr Gareth Rowlands proposing and seconded by Cllr Gareth Smith. **Resolved.**

12. Planning Applications & Comment

a. 44/2019/0402 Erection of a single storey extension to front of dwelling, Gwenallt, Abbey Road, Rhuddlan.

Cllr Mike Elgin declared an interest as the dwelling owner and left the chamber.

As is the usual custom in Rhuddlan Town Council the Deputy Mayor Chairs the planning items.

Cllr Gareth Rowlands asked if the development is within the permitted development line. If it is then he has no objection. If it's not then he objects. **Resolved to make enquiries as to the development's proximity to the development line.**

Cllr Elgin re-joins the chamber.

b. 44/2019/0418 Erection of extension & alterations to dwelling Kelston, Rhyl Road, Rhuddlan. No comments were made.

13. Community Matters

a. Pengwern College had written to the Town Clerk to ask permission to place hanging baskets within Rhuddlan town this year. It was agreed that a letter be sent saying thank you for the kind offer but maybe another year when we enter the Wales in Bloom competition again. **Resolved.**

b. Cllr Gareth Smith asked about the corner of the library entrance for some planting that the Town Council were offered.

Cllr Gareth Rowlands confirmed that the Town Council were offered some plants for this area but DCC are going to plant with aggressive sustainable plants. He suggested we should remove the wooden board and give back to the County.

c. Cllr Gareth Smith referring to fence banners advertising the opening of the new Aldi store asked if they can be removed. In his opinion they are obstructing vehicle and pedestrians' views around the junction on the roundabout. Asking if they have planning permission for them?

Resolved to write to DCC Planning Department asking if Aldi has permission for the banners. Proposed by Cllr Gareth Rowlands. Seconded by Cllr Gareth Smith.

d. Cllr Reg Davies had received a complaint about the blue bin collection service. The complainant's blue bin had not been collected and DCC replied that bins must be left on the pavement for collection. The bin was on Gwindy Street and there is no pavement in this street so how can it be left for collection on the pavement.

Cllr Arwel Roberts asked that the complainants contact himself and Cllr Ann Davies as County Councillors so they can raise this matter with waste collection officers.

14. Part 2 Exclusion of Press & Public

By virtue of The Public Bodies (Admission to Meetings) Act 1960, the press & public are excluded from discussions on the following items on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

a. Request for Financial Assistance

Ysgol y Castell PTA – Application for £1000 to help with staging for the "Castell Beats" music festival. Cllr Arwel Roberts proposed the application be approved, seconded by Cllr Reg Davies and all voted in favour. **Resolved.**

Shelter Cymru – Application for a £200 donation towards the Helping More People service for the homeless.

There was a discussion on the clarity of where the donation would be spent. Would it help the homeless in the Rhuddlan area? Was it towards a Denbighshire wide service? Or was it to support their work all over Wales? Members thought that assistance would be given if a session was

to be held in Rhuddlan. **Resolved to write back and ask for clarification on the above points before further discussion.**

b. Dragons F.C. Request for Facilities

Members considered the report and resolved that a special meeting be arranged for the 8th July to explore this further.

c. Councillor Vacancy – The Town Clerk updated the Members that seven people had expressed interest in the vacancy and that two had so far applied. The closing date is July 3rd 2019. Further discussion at the next meeting under Part2.

Due to Cllr Heather Ellis having resigned there is another vacancy which will require a repeat of the process for councillor vacancy.

13. Date of Next Meeting – July 11th 2019

Signed..... Cllr Arwel Roberts (Mayor)

Date.....

Events attended by the Mayor

June

- 5th Dementia Aware Denbighshire Breakfast Meeting in Ruthin
- 16th Special Dementia Service at St Mary's Church
- 21st Cor Meibion Trelawnyd Concert in Ebeneser Chapel
- 23rd Penmaenmawr Town Council Civic Sunday
- 29th Strawberry Tea, Urdd Appeal in Rhuddlan
- 30th Signing of WW1 Peace Treaty, Rhuddlan Methodist Chapel
- 30th Rhuddlan Allotment Society BBQ

July

- 6th Castell Beat
- 7th Denbigh Town Council Mayors Civic Sunday
- 7th Abergele Town Council Mayors Civic Sunday
- 11th Pengwern College Memorial Football Tournament

Town Clerk's Report – June 2019

Meetings / events attended in June:

- 3rd Fresh Air Gym Session
- 6th Meet with Auditor in DCC Denbigh
- 11th Cupcake Day to raise money for Alzheimer's in Library – 38 attended and £140 raised.
- 13th Town Council Meeting
- 25th Meet with Auditor in DDC Denbigh
- 25th AGM – Dementia Steering Group



Eich cyf/Your ref

Ein cyf/Our ref

Dyddiad/Date **11/06/2019**

Rhif union/Direct 01824 706916

dial

e-bost/e-mail polisicynllunio@sirddinbych.gov.uk

planningpolicy@denbighshire.gov.uk

Annwyl Syr / Fadam

**Cynllun Datblygu Lleol Sir Ddinbych 2018-2033
– Ymgynghoriad ynghylch y Strategaeth a
Ffefrir Ddrafft**

Fe wyddoch fod y gwaith wedi dechrau o baratoi Cynllun Datblygu Lleol newydd Sir Ddinbych ar gyfer 2018-2033. Y cam ymgynghori mawr cyntaf ydi'r Strategaeth a Ffefrir Ddrafft neu CDLI cyn ei archwilio gan y cyhoedd. Mae'r cam yma'n nodi:

- y prif faterion y mae'r Sir yn eu hwynebu;
- y Weledigaeth ac Amcanion ar gyfer yr CDLI newydd;
- lefelau twf ar gyfer cyflogaeth a thai
- bras leoliadau o dwf (does dim safleoedd penodol wedi'u nodi eto)
- prif bolisïau
- Cofrestr Safleoedd Ymgeisiol
- asesiadau amrywiol a dogfennau cefndir

Cafodd y Strategaeth a Ffefrir ddrafft ei chymeradwyo ar gyfer ymgynghoriad gan y Cyngor ar 14 Mai 2019, mae copi o'r brif ddogfen i'w ganfod yma

<https://moderngov.denbighshire.gov.uk/ieListDocuments.aspx?CId=134&MId=5740&LLL=1>

Bydd ymgynghoriad ffurfiol ar y gyfres lawn o ddogfennau'n dechrau yn nes ymlaen ym mis

Dear Sir / Madam

**Denbighshire Local Development Plan (LDP)
2018 – 2033 - Consultation on draft Preferred
Strategy**

As you will be aware work has started on the new LDP for Denbighshire to cover the period 2018 – 2033. The first major consultation stage is the draft Preferred Strategy or Pre-Deposit. This stage sets out:

- key issues facing the County;
- the Vision and Objectives for the new LDP;
- growth levels for employment and housing
- broad locations of growth (no specific sites identified as yet)
- key policies
- Candidate Sites Register
- various assessments and background documents

The draft Preferred Strategy was approved for consultation by Council on 14th May 2019, a copy of the main document can be found here

<https://moderngov.denbighshire.gov.uk/ieListDocuments.aspx?CId=134&MId=5740&LLL=0>

Formal consultation on the full suite of documents will commence later in June and

Mehefin a bydd ar agos am 8 wythnos, a
chewch wybod am hyn trwy lythyr ar wahân.
Bwriad y llythyr hwn yw rhoi rhagrybudd i chi
o'r ymgynghoriad er mwyn i'ch cyngor
gychwyn edrych ar brif ddogfen Strategaeth a
Ffeirir ddrafft.

will run for 8 weeks, you will receive
notification of this by separate letter. This
letter is to give you advance notice of the
consultation and to enable your council to
make a start on looking at the draft Preferred
Strategy main document now.

Os oes gennych chi unrhyw gwestiwn mae
croeso i chi gysylltu ag unrhyw aelod o'r ffin
CDLI ar 01824 706916 neu
polisicynllunio@sirddinbych.gov.uk

If you have any questions, please do not
hesitate to contact the LDP team on 01824
706916 or via
planningpolicy@denbighshire.gov.uk

Yn gywir / Yours faithfully



Angela Loftus

Rheolwr Cynllunio Strategol a Thai/ Strategic Planning and Housing
Manager

Cynllunio Strategol a Thai, Cyngor Sir Ddinbych, Blwch Post 62, Rhuthun, LL15 9AZ Strategic Planning and Housing, Denbighshire County Council, PO Box 62, Ruthin, LL15 9AZ

Subject:

FW: Request permission to erect tents on Admiral playing Field.

Sent: 26 June 2019 16:13

To: clerk@rhuddlantowncouncil.gov.uk

Subject: Request permission to erect tents on Admiral playing Field.

Good afternoon Sian,

The committee for the Rhuddlan Allotment Society met last night to discuss an open day at the allotments. We are pursuing a policy of involvement within the community and this is the first time with this venture. We are inviting children and local people following our implementing of Strive2 Thrive. The open day will be on Saturday 17 August 2019 from 1pm to 4pm and will involve crafts, competitions and refreshment. The committee have asked me to seek permission to erect Gazebos adjacent to the allotment /bowling club path on the Admiral playing field.

I look forward to your reply in due course.

Regards Eldon,

Eldon Jones

(Secretary RAS)

cyngor ar
bopeth

citizens
advice

Sir Ddinbych
Denbighshire

Item 7f

11 Stryd y Dwr
Y Rhyd

Sir Ddinbych
LL18 1SP

11 Water Street
Rhyd
Denbighshire
LL18 1SP



01745 334568



rhyl@dcab.co.uk



@DenbighshireCAB



@CADenbighshire

Rhuddlan Town Council

17/6/19

Dear Sir/Madam,

As you may be aware, the purchasing of school uniform is often a huge worry for families on low or limited income and you may recall in 2018 we launched a very successful school uniform recycle scheme here in Rhyd resulting in an estimated conservative saving of over £5,500 to participating families, freeing up significant cash benefits to the local economy.

This year, we want to extend our project further to include Rhuddlan and the outlying area together with additional offerings; one of renting school blazers. Essentially this would mean the purchasing of blazers at retail price, then renting out the same to families at a cost of £15. Once the child has outgrown the garment the family can return the blazer provided it is in good wearable condition allowing the family the opportunity to rent a replacement or if returning and obtain a refund. The second is the possibility of providing the neediest families with a footwear voucher to contribute to the cost of school shoes

Prif Weithredwr Lesley Powell

Citizens Advice Denbighshire yn enw gweithredol ar
Cyngor Ar Bopeth Sir Ddinbych

Rhif elusen Gofrestredig 1109852
Cwmni Cyfyngedig Trwy Warant
Rhif 5446940

Swyddfa gofrestradig
23 Y Stryd Fawr
Dinbych
Sir Ddinbych
LL16 3HY

Chief Executive Lesley Powell

Citizens Advice Denbighshire is an operating name of
Denbighshire Citizens Advice Bureau

Charity registration number 1109852
Company limited by guarantee
Registered number 5446940

Registered office
23 High Street
Dinbych
Denbighshire
LL16 3HY



ARIENNIR GAN Y LOTERI
LOTTERY FUNDED



Awdurdodir a rheoleiddir gan yr Awdurdod Ymddygiad Ariannol
FRN 617581

Authorised and regulated by the Financial Conduct Authority
FRN 617581

In order to be able to start the extended project we estimate our costs to be in the region of £1,000 and wonder if the council would be kind enough to consider working with us by providing or contributing towards the funds to be able to progress and enhance our recycle scheme.

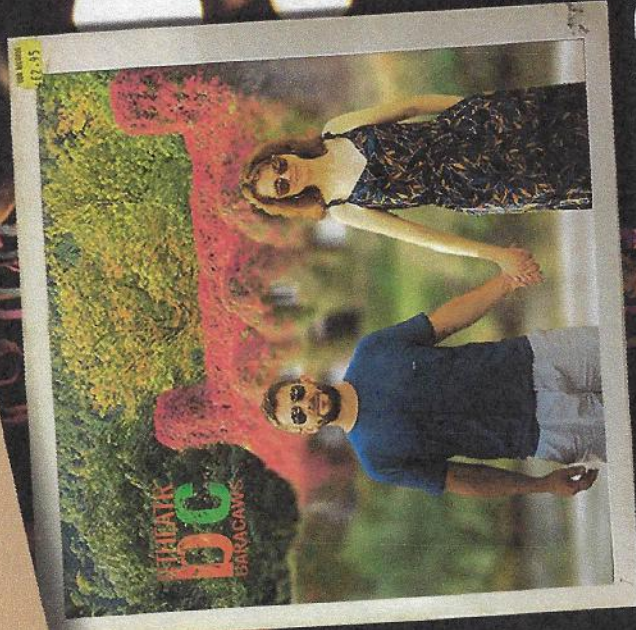
Your consideration would be most appreciated and I look forward to hearing from you in the near future. As a matter of course councillors and the Mayor are invited to attend and formally open the recycle scheme which will be held 30, 31st July and 1st August 2019 at the ASK centre Rhyl between 10.00am & 2.00pm

Thank you for your consideration in this matter

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Sue Parry', with a stylized flourish at the end.

Sue Parry (Office manager)



GAIR O GARIAD

Gwahoddiad i ddigwyddiad mwyaf rhannantus yr wythnos yng nghwmni:

Rhodri Siôn a Llewelyn Steffan

Dewch i gynnig llwncdestun i gariadon o bob math...
cariadon hen a newydd.
Cariad rhwng dau, rhwng dwy, rhwng plant a'u rhieni,
rhwng frindiau, rhwng perchnogion a'u hanifeiliaid...

Nos Fawrth	8:00	https://www.wegottickets.com/event473134
Nos Fercher	8:00	https://www.wegottickets.com/event473135
P'awn Iau	2:00	https://www.wegottickets.com/event473137
Nos Iau	8:00	https://www.wegottickets.com/event473138
Nos Wener	8:00	https://www.wegottickets.com/event473140

COSTA BYW

Actorion:
Iwan Charles
Llyr Edwards



Mewn cydweithrediad â
Cwmni Tebot

Bara Caws, mewn cydweithrediad â Cwmni Tebot, yn cyflwyno Costa Byw - rifyn hwyliog sy'n dychmygu sut le fydd Gwynedd mewn blynyddedd i ddod.
Cewch ambell gip ar broblemau cyfoes - mewn fudo, diffyg swyddi, cost tai, gwleidyddion, newid hinsawdd, crîm egs yn mynd yn llai bob gafeael, hyn oll a mwy.
Ymunwch â ni i weld be'n union ydi a be fydd costa byw 'di mynd!

P'awn Llun	2:00	http://www.wegottickets.com/event/474305
Nos Lun	8:00	http://www.wegottickets.com/event/474308
P'awn Mawrth	2:00	http://www.wegottickets.com/event/474310
P'awn Mercher	2:00	http://www.wegottickets.com/event/474313
P'awn Gwener	2:00	http://www.wegottickets.com/event/474315

Item 7g



From: John Carrier <donotreply@wordpress.com>
Sent: 28 June 2019 10:23
To: "clerk"
Subject: Rhuddlan Town Council - Website enquiry

Name: John Carrier

Comment: I am doing research on Women's/Girls football in Wales, I came across an initiative by Rhuddlan Borough Section Recreation Officer called David Dares or Darts? Who ran a session in October 1993 that helped to create The Clwyd Girls Football League whose Chairman was Eddie Lloyd (who passed away some time ago) Two other names I have are Phil Roberts and Andy Hutchinson, any information would be most appreciated.

Time: June 28, 2019 at 10:23 am

IP Address: 92.4.38.79

Contact Form URL: <https://rhuddlantowncouncil.gov.uk/your-council/your-feedback/>

Sent by an unverified visitor to your site.

Admirals Field.

1. At the Town Council on the 11th April 2019, correspondence had been received from Eiry Lane, a resident on Rhyl Road who stated: *I understand the council is responsible for the maintenance of the access lane bordering the Admirals Playing Field, the condition of the lane has deteriorated considerably over time since lorries were given access during the construction of the houses in Clos David Owen. The lane is now littered with big, deep potholes posing a danger to tyres, springs, suspensions of our cars. I sincerely hope this situation can be rectified in a more permanent fashion other than by merely filling in the potholes!*

The Town Council resolved to gain legal advice on the Town Council's responsibilities and users access permission over this access lane and if residents need to contribute financially towards upkeep and maintenance of the road. Letter dated 17th April 2019 is attached. **Appendix 1.**

The Solicitor replies dated 29th April 2019 (**Appendix 2**) which raises more questions. The letter asks in section 6 for details on Title Deeds from Land Registry. The Town Clerk replies to Solicitor by phone giving the address of Eiry Lane and also the address of two properties along the Rhyl Road.

The Solicitor follows up with a letter dated 21st May 2019 (**Appendix 3**) which does not give a definitive answer. Reference is made on a Deed dated 11th November 1903 that the Deed clearly makes no provision for the upkeep of the right of way and the rule would, therefore, be that the responsibility for maintenance falls on the persons who use it rateably, according to the extent of their use. Reference is also made to the 1946 Conveyance which places the obligation to maintain the access way on the Council.

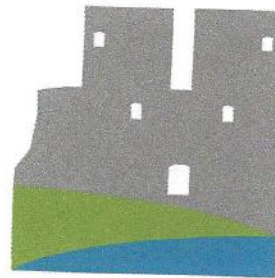
The Solicitor has offered to attend a Town Council meeting to "consider together what would be practical and what is unlikely to work".

2. At the Town Council meeting on 9th May 2019 correspondence had been received from the Dragon's Football Club proposing to locate 1 portacabin, 1 container, and 1 toilet within the Admiral's Field to continue their work with local young people.

The Town Clerk writes to the solicitor (**Appendix 4**) to seek clarification on whether the Town Council could grant a long-term lease to a club/organisation and whether the Field can be used for the consumption of food & drink.

A reply dated 5th June (**Appendix 5**) is attached which states that the "Council should approach this proposal with caution.

Recommendation - That the Town Council invite the solicitor to the next Town Council meeting.



John Owens
John Owens Solicitor
13 St Asaph Business Park
St Asaph Business Park
St Asaph
Denbighshire
LL17 0LJ

17/04/2019

Dear John

Access Lane Bordering Admiral Playing Field

The Town Council has received correspondence from a resident living on Rhyl Road complaining about the condition of the "access lane" in Admirals. The resident uses this road to access her property.

It was agreed at the last Town Council that clarification is needed on the Town Council's rights with regards to this road. Please can you supply the following clarification:

Do residents and allotment holders have right of access across land that belongs to the Town Council? If they do, do they need to contribute financially towards upkeep and maintenance of the road?

Also, in the event of an accident, is the Town Council liable?

I have enclosed relevant documents relating to the access Lane on Admirals Playing Field.

I look forward to hearing from you

Yours sincerely

Sian Mai Jones

Town Clerk – Rhuddlan
07775 673706



JOHN OWENS SOLICITORS

Our Ref: JO:MR:02274/1
Your Ref:

29 April 2019

Ms Sian Mai Jones
Rhuddlan Town Council
PO Box 224
Llandudno
LL30 9GJ

John T. E. Owens LL.B.
Solicitor: Cyfreithiwr

Unit 13 Ffordd Richard Davies
St Asaph Business Park,
St. Asaph/Llanelwy
Denbighshire
LL17 0LJ
Tel: 01745 582333
Fax: 01745 582777
SRA Number: 323556

John Owens LL.B (HONS)
Principal

Sent by email only: clerk@rhuddlantowncouncil.gov.uk

Dear Sian

Re: Access Lane Bordering Admiral Playing Field

Thank you for your letter of 17th April 2019 with its enclosure.

I believe that the best way to answer the questions raised in your letter is as follows:

- 1) The Council should understand that the land shown yellow and green on the Plan, annexed to the 1946 Conveyance, belongs to the Town Council as successor in Title to the Rhuddlan Parish Council. As such there is no need to clarify what rights the Council has, as the Council is the absolute owner of the property. The real question is, therefore, what rights other people have over the land.
- 2) Clause 4 of the 1946 Conveyance states the purposes for which the land is to be used, mainly as a public recreation ground. I did sent a copy of the 1937 Act to you in August 2018 but I attach a further copy for your information. On the face of it, it may seem a little confusing, however visitors to the Admiral Field are on land belonging to the Town Council from the moment they enter the access road. The same responsibilities will apply as to them on the access road as it would apply during to their use of the Admiral Field. This responsibility is called Occupiers Liability. There should be cover for all these liabilities in the Council's Policy of Insurance. It would be wise for the Council to check its Policy and to make sure that the Insurers understand the extent of the Council's land and, in particular, that the land shown yellow and green on the 1946 Plan is included with all the rest.
- 3) Clause 4 of the 1946 Conveyance makes a provision that the Council should 'at all times...be responsible for the upkeep and maintenance of the said strips of land' – that is the land coloured yellow and green. However, on the face of it, the benefit of this obligation lies with the

Bodrhuddan Estate. Anyone else seeking to assert this right would need to show that they either represent the Estate or are successors in title of the Estate and have the right to enforce this obligation.

- 4) As regards to the Council's liability, apart from the obligation in the 1946 Conveyance to maintain the yellow and green land, the Council needs to take reasonable care to ensure that visitors do not suffer injury. This obligation clearly extends to everyone who uses the Admiral Playing Field. It would be advisable to obtain a Report from an expert in health and safety to assess the risks for the whole extent of the land, including the areas coloured pink, blue, yellow and green on the 1946 Plan. The Council should also meet with a representative of its Insurance Company to make sure that the insurers would indemnify if any accident were to occur.
- 5) Interestingly enough, the resident who uses the access lane to get to his property does not fall within the category of visitors to the Admiral Field! Unless we can establish that he has a legal right of way over the land coloured yellow, he is, in effect, a trespasser. This does not necessarily mean that he falls outside the ambit of the Council's Occupiers Liability. Again, this is something to discuss with your Insurers.
- 6) It may be that the resident does have a legal right of way over the land coloured yellow. A right of way can arise in three ways; firstly, it can be granted by deed; secondly, it can be acquired by operation of law; and thirdly, it can be acquired by prescription (continual use of a period of 20 years or more). I suspect that the properties in the terrace did originally belong to the Bodrhuddan Estate. It may well be that when they were sold, the estate did grant rights of way (though if the properties were sold after 1946, the estate would not have been able to grant this right of way as it had already sold the land). However if the properties were sold after 1946, then they would have formed part of the estate prior to the sale to the Town Council. The right of way reserved in the 1946 Conveyance would therefore apply to these properties.

It is more likely than not that this property has been privately owned for more than 20 years. The likelihood is that the owner could establish a prescriptive right of way over the land coloured yellow, as this is the only access to the rear and will have been used for many, many years.

It is important to ascertain which of these three scenarios applies to this particular resident, as this will guide us as to how to deal with his request. If he was granted a right of way by the estate, then clearly he should contribute to the maintenance of the access way, as maintenance is the responsibility of the persons who use an access. I will explain this further later on in the letter. If he can rely on the right of way reserved in the 1946 Conveyance, then that Conveyance places the responsibility for maintenance on the Council and he will not need to contribute. If he acquired the right of way by prescription then, again, he will need to contribute. If his Title is registered, we will be able to find the information we need from the Land Registry. If you would give me his name and address (or at least the address of his property) I can get obtain this information online. If the title is not registered, then it would be appropriate to ask the resident to provide copies of his deeds to enable the Council to take legal advice.

- 7) The extent of an obligation to maintain a right of way depends on the way in which it arose. If the right of way has been granted by deed, then the deed can often make provision for responsibility of maintenance. More often than not, however, deeds are silent on the question of maintenance and, in those circumstances, the responsibility falls on the persons who use the access based on the proportion of that use. The concept of 'user' is not a scientific one but a qualified surveyor would be in a position to give guidance. I suspect that the Council will always bear the lion's share of responsibility for maintenance because more people use the access way to visit the Admiral Field, than to go to and from the properties which adjoin it.

I am sorry that this letter is lengthy and I am sure it will give rise to more questions. I would be glad to meet you to offer further explanation and answer any questions that you may have.

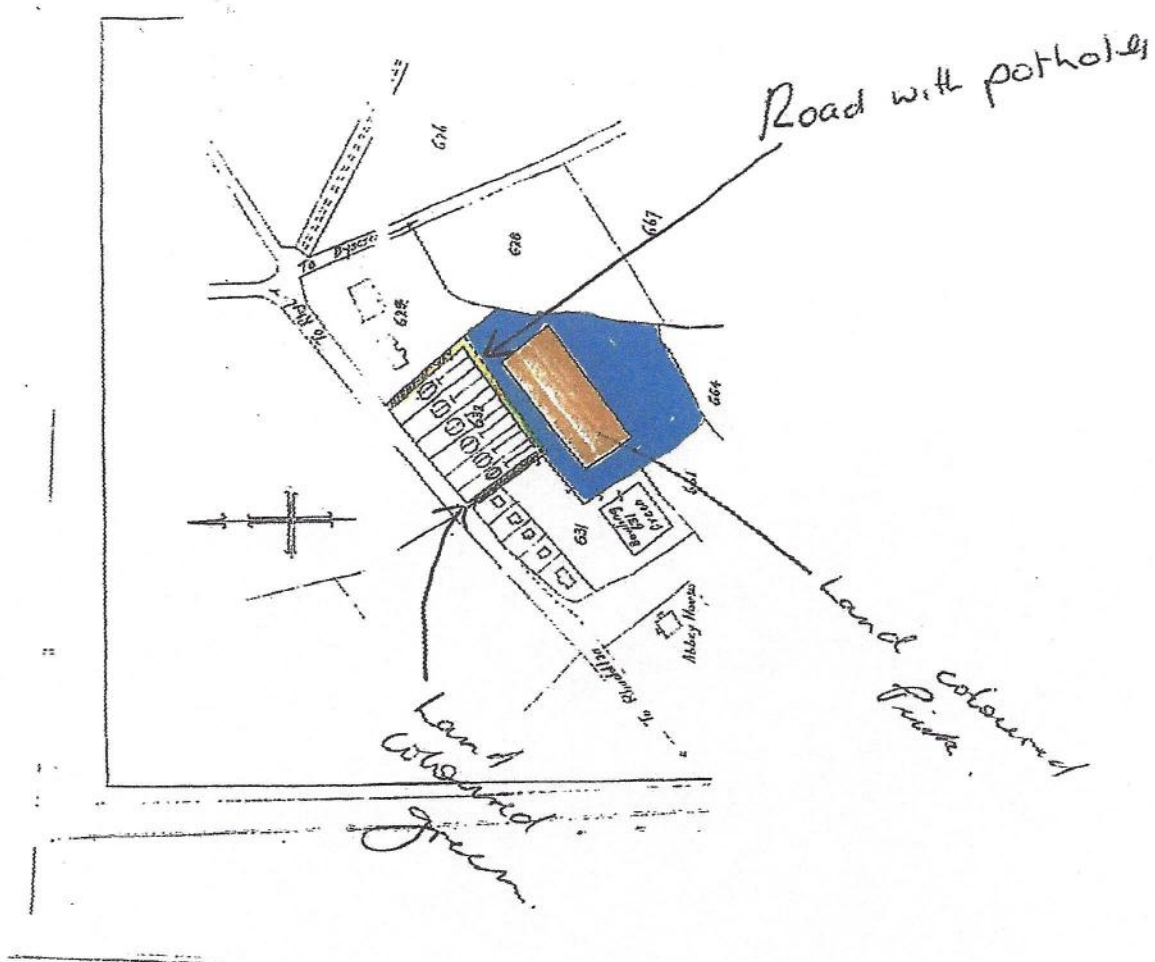
I attach a copy of the 1946 Conveyance and I have highlighted a number of sections which are relevant and I have annotated the Plan.

I look forward to hearing from you.

Yours sincerely

John Owens Solicitors

Email: john.owens@johnowenssolicitor.co.uk





JOHN OWENS SOLICITORS

Our Ref: JO:MR:02274/1
Your Ref:

21 May 2019

Rhuddlan Town Council
PO Box 224
Llandudno
LL30 9GJ

John T. E. Owens LL.B.
Solicitor: Cyfreithiwr

Unit 13 Ffordd Richard Davies
St Asaph Business Park,
St. Asaph/Llanelwy
Denbighshire
LL17 0LJ

Tel: 01745 582333
Fax: 01745 582777
SRA Number: 323556

John Owens LL.B (HONS)
Principal

Sent by email only: clerk@rhuddlantowncouncil.gov.uk

Dear Sian

Re: Access Lane bordering Admiral Playing Field

Further to my letter of 30th April 2019, I have followed up the information that you gave me.

Mrs Lane of Springwood, Rhyl Road, Rhuddlan has clearly lived at that property for many years. Her title is not registered and we cannot, therefore, find out the contents of her title deeds.

However, you were able to give me the names of two other properties which belong to Councillors, namely 'Woodland' and 'Springfield'. Both of these titles are registered. Woodland is registered under title number WA745491 and Springfield under title number CYM566995.

I attach copies of the Registers of Title for both and also a copy of a Conveyance dated 12th December 1926, which relates to Springfield.

These documents enable me to understand the picture, far better.

You will see that the titles of both properties refer to a Conveyance dated 11th November 1903 made between Marian Rowley Conwy and Mary Catherine Barnett. It is safe to assume that Ms Barnett purchased the block of properties and that they were within her ownership for a number of years.

The copy Conveyance that comes with the title to Springfield is dated 12th February 1926. The seller is Mary Catherine Barnett, who purchased the other properties in 1903. She is described as 'the wife of Herbert Barnett of Fernlea, Rhuddlan in the County of Flint'. Fernlea is the most northerly property in the block.

This Conveyance recites that Mary Catherine Barnett purchased Springfield and other properties by virtue of the 1903 Conveyance. This reinforces my belief that she probably owned all these properties and that each of them, therefore, benefits from the right of way granted in 1903.

Of the full text of the right of way, this simply states 'together with a right of way over and along a side and back passage 10 ft. wide'. The Land Registry helpfully identifies this as being the road to the side and the rear – no surprises there!

All these documents predate the Conveyance of 8th March 1946 in favour of the Town Council. Therefore, the Town Council took the land subject to those existing rights of way.

In these circumstances, the rights of way over various properties in the block arise from having been granted by the Deed dated 11th November 1903. That Deed clearly makes no provision for the upkeep of the right of way and the rule would, therefore, be that the responsibility for maintenance falls on the persons who use it rateably, according to the extent of their use.

The position is completed by the fact that the 1946 Conveyance does place the obligation to maintain the access way on the Council. I doubt, however, that any of the residence in the block could rely on that as they are not parties to the 1946 Conveyance. It is unlikely that the benefit of the Covenant vests in those residence. It is highly unlikely that the Bodrhyddan Estate would have transferred their interest because the sale of the block predates the transfer of the Playing Field by more than 40 years.

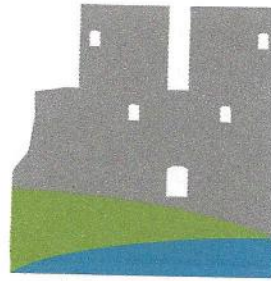
It is my belief that it would be very difficult for any of the residence, who use the access way, to deny any part of the liability for maintenance.

How this translates into practical terms will be a matter for discussion by the Council. I repeat my offer to attend some part of the meeting, so that we can consider together what would be practical and what is unlikely to work.

Yours sincerely

John Owens Solicitors

Email: john.owens@johnowenssolicitor.co.uk



Appendix 4

Cyngor Tref
Rhuddlan
Town Council

John Owens
John Owens Solicitor
13 St Asaph Business Park
St Asaph Business Park
St Asaph
Denbighshire
LL17 0LJ

05/06/2019

Dear John

Admirals Playing Field

The Town Council has received a request from a local junior football team proposing to locate a portacabin, container and a toilet on Admirals Fields to cater for players, volunteers, parents and general public.

The work proposed would most likely mean the football club securing grants. Many grant funders would require a long-term lease before committing any financial contribution towards any capital projects.

Please can you confirm whether the Conveyance would allow the Town Council to give a long-term lease to an organization for such projects.

Also, the Town Council seeks clarification on the consumption/sale of food and drink on the playing field. One Town Council member is sure that this is forbidden in the Conveyance. Please can you provide clarification.

I look forward to hearing from you

Yours sincerely

Sian Mai Jones

Town Clerk – Rhuddlan
07775 673706



JOHN OWENS
SOLICITORS

Our Ref: JO:JO:02274/1
Your Ref:

5 June 2019

Rhuddlan Town Council
PO Box 224
Llandudno
LL30 9GJ

John T. E. Owens LL.B.
Solicitor: Cyfreithiwr

Unit 13 Ffordd Richard Davies
St Asaph Business Park,
St. Asaph/Llanelwy
Denbighshire
LL17 0LJ

Tel: 01745 582333

Fax: 01745 582777

SRA Number: 323556

John Owens LL.B (HONS)
Principal

Dear Sian

Re: Admiral's Fields, Rhuddlan

Thank you for your letter of 5th June.

When the property was purchased by the Council in 1946 the Conveyance included the following words:

"The Council shall hold the land hereby assured for the purpose of a Public Recreation ground for the said Parish of Rhuddlan..."

This is therefore the trust upon which the land is held - for the benefit of the Parish of Rhuddlan as a *public* recreation ground.

The 1946 Conveyance does not strictly preclude the granting of a lease. However, granting a lease would give the tenant exclusive occupation of the land comprised in the lease. This would, in turn, curtail the use of that land by the public and this would contravene the trusts upon which the land is held.

For this reason I believe that the Council should approach this proposal with caution.

Yours faithfully,

John Owens Solicitors

Email: john.owens@johnowenssolicitor.co.uk

Date: 05/07/2019

Rhuddlan Town Council

Page 1

Time: 15:59

Current Bank A/c

Item 10a

List of Payments made between 11/07/2019 and 11/07/2019

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
11/07/2019	Goodsigns & Print	102258	30.96		No Flyposting Stickers
11/07/2019	Ysgol y Castell PTA	102259	1,000.00		Grant
11/07/2019	HMRC	102260	244.98		HMRC - August
11/07/2019	Town Clerk	102261	164.90		Expenses - June
11/07/2019	Scottish Power	DD	51.00		Electricity
11/07/2019	Staples UK Ltd	DD	112.79		Stationery
11/07/2019	NEST Pension	DD	112.28		Period 18 June - 17 July 2019
11/07/2019	Town Clerk	SO	1,150.00		Salary
11/07/2019	Clerical Assist / Minute Clerk	SO	175.00		Salary
Total Payments			3,041.91		

Internal Audit Report 2018-19: Rhuddlan Town Council

July 2019

Background Information:

Rhuddlan Town Council agreed that Denbighshire Internal Audit Services would perform this Internal Audit review of their financial propriety and governance arrangements in accordance with the One Voice Wales/SLCC publication "Governance and accountability for local councils in Wales - A Practitioners' Guide (2011)".

Audit Opinion

Overall, we identified effective governance and financial controls for Rhuddlan Town Council and its financial statement for the financial year 2018-19. There was a good standard of record keeping, where the combined paper system and the electronic financial system 'Rialtas' was being used.

Comprehensive policies and procedures are in place, examples include Financial Regulations, Code of Conduct and Retention and Disposal policy. Testing confirmed that policies were reviewed regularly and complied with, in particular the monitoring of the budget and approval from the Town Council when expenditure has exceeded the specified financial limit as stated in the Financial Regulations. There are no documented procedures in place to cover key tasks carried out by the Town Clerk, which weakens the business continuity arrangements (See Risk/Issue 1)

Our testing confirmed there were effective controls in place over income and expenditure, including the treatment of VAT. Where variances were identified, valid explanations were provided to support the variances. Periodic reconciliations are being carried out and presented at Town Council meetings, which are minuted. There was evidence of the appropriate deductions being paid e.g. national insurance, income tax and pension payments in relation to the salary of the Town Clerk.

There is a comprehensive risk assessment and asset register in place, detailing the key risks and assets the Town Council has responsibility for and the controls implemented to address the risks identified. The Town Council has sufficient insurance to cover the assets identified in the asset register

Action Plan – Rhuddlan Town Council Accounts 2018-19

Issue 1	There are no written procedures in place for the duties carried out by the Town Clerk to ensure continuity of service should there be a prolonged absence.		
Background Detail	Rhuddlan Town Council's policies are available on their website for the public to view. However, there are no written procedures in place for the tasks that the Town Clerk carries out. This would be beneficial for service continuity to ensure the key tasks can continuity to be performed should the Town Clerk be unavailable for a prolonged period e.g. sickness absence.		
Action (Ref)	Agreed Management Action	Responsibility	Deadline
1.1	Procedures to cover key financial tasks to be completed and submitted to the Town Council in September/October 2019.	Town Clerk	31/10/2019