

MINUTES OF HARLECH COMMUNITY COUNCIL MEETING HELD AT THE OLD LIBRARY, HARLECH AT 7.30 P.M. ON 03.02.25

APOLOGIES

Cllr. Christopher Braithwaite (Chairman), Ceri Griffiths, Gordon Howie,

PRESENT

Cllrs. James Maxwell (Vice Chairman), Edwina Evans, Wendy Williams, Rhian Corps, Mark Lewis, Simon Turner, Martin Hughes, Reg Chapman, and Cllr. Annwen Hughes and Gwynfor Owen (Gwynedd Council).

In the absence of the Chairman the Chair was taken by the Vice Chairman

There were 15 members of the public present at the meeting

CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that the Way Forward Committee had met and considered the recommendations of both the Hanks report and the those of the Audit Sub-Committee. The Way Forward Committee recommended that in the March Council meeting the Council accepts the recommendations in full together with the time line drawn up to achieve them. While a number of the recommendations will take time to achieve the Way Forward Committee members strongly advised that the new website is established with some urgency.

MINUTES

The minutes of the meeting held on January 6th and 27th 2025 were found to be correct.

Cllr. Reg Chapman did not accept the minutes from the 6th January meeting as correct because the matter relating to the Council's budget for the 2025/26 year is not correct because these figures have not been accepted. He had sent an amendment to be included in the minutes but this had not been accepted. The Clerk stated that the Chairman had decided that the minutes were correct as they were. The Members that were present accepted that the minutes were correct apart from Cllrs. Reg Chapman and Martin Hughes.

MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes

DECLARATION OF INTEREST

Cllr. Mark Lewis declared an interest regarding the matter with HAL and he signed a personal Declaration of Interest form and he was not present when the matter was discussed.

Cllr. Simon Turner declared an interest regarding the matter with HAL and he signed a personal Declaration of Interest form and he was not present when the matter was discussed.

Cllr. Reg Chapman declared an interest regarding the matter with HAL and he signed a personal Declaration of Interest form and he was not present when the matter was discussed.

GWYNEDD COUNCIL MATTERS

The following report was received from Cllr. Annwen Hughes and Gwynfor Owen. Cllr. Annwen Hughes reported that since the last meeting that she had noted that during December, a sign had been placed on the payment machine displaying that the parking lot at Min y Don was free because the nearby toilets had closed. She had contacted the relevant Officer at Gwynedd Council about this and was informed that the sign was fake and not an official sign from Gwynedd Council. She had received several complaints regarding the untidy condition of the town when coming in from the Llanfair direction and had discussed this matter with an Officer from the National Park as the area being within the town's Conservation Area. She had received complaints that down beach road had not been gritted during the cold weather at the beginning of last month and she had contracted the Highways Department with regards to this matter.

Cllr. Gwynfor Owen stated that he had received complaints about the site of the old school and that Gwynedd Council had commissioned a report to develop the site. Gwynedd Council's financial situation is very fragile as their settlement they received was the next to the bottom in Wales but the Welsh Government budget has yet to be decided and the Council tax will rise be around 8.9%. He had visited the Ffridd Rasus site and there are exsiting development going ahead there but he had received complaints that private rubbish lorries were travelling through Harlech.

MATTERS ARISING

Budget Plan

It was reported that the Council had spent £58,723.75 (which included bank charges) since the start of the new financial year and this was £39,801.80 less expenditure than what was earmarked in the budget for the year (This is after the budget has been revised).

The Chairman stated that this matter would be discussed at the end of the agenda

HAL Update and Resolution

The following report was received from Cllr. Mark Lewis on behalf of the HAL Board Members

Finances:

£8,455 General account £6,321

Lottery grant for swimming lessons, publicity etc. £14,776

Total funds £6,943

HSBC loan. Due on 22nd April.

£12,000 owed to Gwynedd Council for electricity.

£18,943 Total debts

We have one more payment to close out the electricity (now shut off). Afte that the burn rate is £0 until July when the insurance policy expires. Our aim is to complete the asset transfer and do a voluntary strike off of the company by then. Gwynedd Council has agreed to write off the entire £12,000 owed if we decide on a community oriented outcome for the site before the end of February. If the decision slips beyond that then Gwynedd has to return the budget and HAL is bankrupt. If bankrupt, HAL is not allowed to transfer the asset and it will return to the crown. The National Lottery has agreed that if we decide on a community oriented outcome for the site then the balance of the lottery grant does not need to be repaid. The team recommends that HCC make the February and March precept payments to HAL. This money will be used to pay legal fees associated with the asset transfer and any insurance costs if it is not possible to complete the transfer by July. When HAL is struck off, any unspent money will be returned to HCC.

Planning:

The team met with Aled Lloyd head of Snowdonia Planning. He said he is likely to support any option that improves on the visual appeal of the current building. Acceptable options discussed include a new gymnastics center, a hotel, a hospital, a care home or new housing.

Risk reduction:

Both community oriented options under consideration are dependent on securing grants. That funding is uncertain. It is crucial that we avoid the scenario where the asset is transferred to a third party who then fails to win sufficient grants, goes out of business and returns the asset to the crow They might also sit on the asset for years and eventually sell it. To ensure this does not happen, we propose that HCC receives the asset then leases all or part of it to the third party. If that third party either fails financially or fails t deliver the promised benefits to the community then the lease can be broke and HCC can redeploy the asset as best meets the needs of the community. Gwynedd Council have agreed to work with HCC on a legal framework that enables HCC to sell the asset for the best possible

price on the open market and split the proceeds 50/50 if a community oriented project fails. This ensures that HCC is not stuck paying liability insurance for a decaying building that no-one wants and we cannot sell. The remaining options on the table are:

- * Sell the asset on the open market and donate Harlech's share of the proceeds to HCC who use them to fund community projects. We have confirmed that the asset has commercial value and are working to quantify that. We need to confirm the terms of a sale with Gwynedd Council
- * Transfer the site to HCC who will lease part of it to Moelwyn Gymnastics Academy ("MGA"). They will demolish the existing building to build a new north Wales national gymnastics center with an attached community wellness hub. HCC will retain control of the car park, access road and fence. MGA's lease will cover their share of the maintenance of those common parts. The lease agreement will define timelines for fundraising construction and opening as well as the community facilities that will be provided. MGA is open to working with HCC on the siting of the new building, opening the possibility of other community group(s) constructing football changing rooms, a smaller pool or other facilities as part of a broader leisure hub owned by HCC.
- * Transfer the asset to HCC who will lease part or all of it to a new entity ("HAL2") set up by a group of locals led by Laura Sanderson. They propose to apply for grants to repair and re-open the pool and climbing wall, and to introduce new facilities such as a sauna. Control of the car park and common spaces and potential support from HCC via the precept are still to be agreed. This team has done great work in the last month making emergency fixes to the building to stop leaks getting worse.

Timeline:

The interested groups must provide their proposal and financial plan by February 7th and then present to the HAL / HCC team on February 12th. All options will be presented at the public consultation meeting on February 19th. The HAL / HCC team will make a final decision on February 21st and communicate this to Gwynedd Council in time to write-off the £12,000 debt.

Justification of Timing of Decision

By providing human and capital resources, HCC has given us nearly 3 months to investigate and select the best way forward for the swimming pool site. In December we were faced with the asset going to the crown estate by the end of the week. Three members of the previous HAL board resigned after their first meeting with us because we did not rubber stamp their preference of a rapid transfer to Moelwyn Gymnastics and instead insisted on evaluating all options. We requested ideas from the public in December and early January.

We plan to make a decision before the end of February because:

1. Gwynedd council will only write off the £12K owed for electricity if we choose a community oriented option in February.
2. The next insurance payment is due in July. This will be £6K plus. We need to complete the legal transfer of the asset by then. That means initiating the legal process ASAP. We have to negotiate alterations to the deeds with Gwynedd, the transfer to HCC and a lease with the new tenant.
3. Moelwyn Gymnastics wanted a decision months ago. They have warned us that they are developing other options and their patience is stretched.
4. The 2 previous HAL board members that stayed on have committed their time until March. The whole team is burnt out. Personally, I cannot dedicate this much time to the project much beyond February.
5. More time and information is always nice, but the team voted and decided that by the end of February we will have enough information to make a decision. This information is always going to be incomplete. For example, we don't know if the bidders will actually be awarded the grants they are aiming for. We don't know if the promised visitor numbers will materialize. We don't know if we will be able to agree and sign a lease agreement with the new tenant. We don't know if the chosen management team will deliver on its promises. We have to make a decision by balancing potential benefits and risk.

The 5 HAL company directors have a legal obligation to pay off our creditors before making any asset transfer. Delaying by only a month might cost us £18K and make it impossible to transfer the asset. We would then be obligated to sell it to clear our debts

Resolution:

To move forward with the plan outlined above, the HCC sub-committee responsible for HAL request that HCC Members approve the following resolution

Before starting a conversation regarding the below the Chairman asked the HCC sub committee who are responsible for HAL and members of the public that were present to leave the room so as to safeguard Members of the Community Council. A vote was had regarding this and Cllrs. James Maxwell, Rhian Corps, Edwina Evans and Wendy Williams were in favour of the public to leave and Cllr. Martin Hughes was against the public to leave.

Harlech Community Council agrees to take ownership of the assets of HAL and lease the property to the third party chosen by the HAL / Harlech Community Council joint team. That third party will pay to redevelop all or part of the site. The property and all improvements will remain the property of Harlech Community Council. To protect the community from a stalled or failed project, the lease will specify milestones that must be met or the lease will be subject to termination, at which point Harlech Community Council can dispose of the asset as best meets the needs of the community. This arrangement is subject to Gwynedd Council negotiating a legal framework that enables Harlech Community Council to sell the asset for the best possible price on the open market with the proceeds split 50/50 between Harlech Community Council and Gwynedd Council. Harlech Community Council will pay the balance (if any) of HAL's running costs, legal costs and debts to ensure HAL is free of debt at the time of the transfer. The Harlech Community Council sub-committee responsible for HAL is authorized to negotiate the legal agreement with Gwynedd Council and to negotiate the lease agreement with the chosen third party. The sub committee is authorized to engage professional legal advice at the expense of Harlech Community Council.

Cllr. Martin Hughes requested an amendment to the above resolution by adding the following – that a risk register both structural and financial is created. The Members that were present agreed to this amendment.

Council's Financial Risk Assessment Policy

The Clerk reported that the above item as a rule is included in the January agenda of the Council meeting, but unfortunately there was not enough time to discuss it at that meeting. The Clerk had forwarded a copy of this policy already to the Members. Everybody accepted the above policy.

Council's Website

The Clerk reported that she had contacted four companies regarding creating a new website for the Council and that two had been in contact. After a discussion it was agreed to ask Mr. Owen Brown to create a website for the Council and for the Clerk to contact him regarding this matter.

Council's Assets Register

It was reported that the above register had been sent to every Member some time ago and after a discussion it was agreed to accept it.

Allotments

Cllr. Reg Chapman reported that a meeting had taken place on the above site with the present tenants last Saturday the 1st of this month and that another meeting is been held with the ones that are interested in renting an allotment next Saturday the 8th of this month. It was made known there was a need to create a path through the middle of the site and also some of the tenants will be taking over the running of the site. It was stated that the piece of land near the allotments needed to be reinstated to its original state.

Nature trail management plan

The Clerk reported that she had received two reports from the Tree and Woodland Officer, Snowdonia National Park regarding the trees on the above nature trail and stated that it was recommended for the Community Council to close the woodland path until the necessary work required on some trees had been carried out. Also a report on the ancient woodland survey was received from the same Officer and he stated that money is available for any capital works so they can pay for the work needed to control the Laurel which is been recommended in the report and they can also contribute up to 50% towards the work of making the trees safe (up to £2,500). It was agreed to ask the Tree and Woodland Officer to borrow the "footpath closed" signs and also get some red and white tape from him. Also it was agreed to ask Mr. Tom Edwards to carry out the necessary work on the trees as outlined in both reports as soon as possible.

Penygraig Land

The Clerk reported that she had received a letter of terms from Mr. Dylan Edwards, Solicitor from the firm Guthrie Jones & Jones, regarding the above matter and asking the Council to pay £2,400 as Adult Education Wales legal costs as had been agreed for the transfer of this land to the Council. They were also asking the Council to pay £800 in order for them to carry out land searches. The Council had received a letter of terms from Guthrie Jones & Jones explaining the relationship between them and the Council, and asking the Council to sign it if they were happy with its contents. It was agreed that these payments were paid and also it was agreed that the Vice Chairman and Clerk sign the letter of terms on behalf of the Council.

PLANNING APPLICATIONS

Non-Material amendment to NP5/61/479C dated 08/12/2023 to reduce the size of the proposed garage and removal of windows and rooflights Bryn Gwylan, Ffordd Uchaf, Harlech (NP5/61/479D).

Support this application.

Erection of a rear and side balcony with glass balustrades, new bridge to access upper garden and erection of new timber pergola to terrace Afallon, Ffordd Pen Llech, Harlech (NP5/61/670)

Support this application.

Demolition of existing steel balcony and erection of new steel and glass balcony on rear (West elevation), block up two windows and installation of 'bee post' Treflan, 32 Heol y Bryn, Harlech (NP5/61/671)

Support this application.

Discharge Condition 17 (Street names & associated signage) attached to Planning Permission NP5/61/654 dated 17/01/2025 Land adjoining Pen yr Hwylfa, Harlech (NP5/61/654E)

Support this application.

RESPONSIBLE FINANCIAL OFFICER

The Responsible Financial Officer reported that there was £11,880.73 in the current account and £103,816.06 in the reserve account.

Invoices needing payment since last meeting

One Voice Wales	- £40.00	- Councillor's training
Gwynedd Council	- £210.00	- election costs
Gwynedd Council	- £1,143.07	- erect and take down Christmas lights
Signs Workshop Ltd	- £474.00	- small noticeboard for King George V playing field
Signs Workshop Ltd	- £1,624.80	- large noticeboard for King George V playing field
Guthrie Jones & Jones	- £2,400.00	- legal costs regarding purchase of Penygraig land
Guthrie Jones & Jones	- £800.00	- Searches of Penygraig land
Old Library Committee	- £216.00	- hire of meeting room
Welsh Water	- £486.06	- water for the toilets near the castle
Welsh Water	- £17.53	- water tap in the allotments

Applications for financial contributions

Harlech & Ardudwy Leisure - £1,824.75 – precept proposal (monthly payment)

The above payments were processed by Cllr. Simon Turner and Cllr. Edwina Evans approved the payments and permission was granted to the Clerk/Treasurer to make payment on line or by cheque at the end of the meeting. The Responsible Financial Officer was given permission to transfer £20,000 from the deposit account into the current account.

Monies received since last meeting

Customs & Excise - £280.10 – reimbursement of VAT

Pritchard and Griffiths - £945.00 – burial of the late Mrs Olwen Muriel Lloyd

Pritchard and Griffiths - £945.00 – burial of the late Mrs Gweneth Mair Evans

Invoices paid since the last meeting

Catrin Soraya Williams – none - translation services

The Responsible Financial Officer stated that it was time to ask Ms Luned Fon Jones from the Finance Department, Gwynedd Council if she would be willing to act as an Internal Auditor for the Council again this year. It was agreed that the Responsible Financial Officer send this letter asking to act on our behalf again this year.

CORRESPONDENCE

Gwynedd Council – Environment Department

A letter had been received from the Building Regulations Department informing the Council that the developer of the new housing estate near Pen yr Hwylfa has suggested the following name for the development: Gwel y Castell, and that they would appreciate the Council's feedback on the name as soon as possible. They also state that if the Council opposes the suggested name, the objection must be a valid one, i.e., a similar name in the area. The Clerk reported further that she had received an email from Mrs Annwen Parry Williams, Headteacher of Tan y Castell Primary School, stating that the pupils of the school had suggested some names for the new estate, with Llys Meillion being their favourite. The Clerk had already forwarded this letter to the Members. It was agreed to reply stating that the Council would be glad to see the estate named as Llys Meillion or Cae Meillion

Gwynedd Council – Environment Department

Received a letter from the above informing the Council that Ffordd Uchaf from a point near Brig y Don would be closed on the 24th of this month due to the need on health and safety grounds to the public during a communication pipeline restoration on behalf of Welsh Water. The Clerk had already forwarded this letter to the Members.

Gwynedd Council – Housing and Property Department

Received a letter from the above regarding the Art Work Licence at Bron y Graig Park, Harlech and asking the Council to confirm its agreement to the terms and conditions of the Licence by signing and returning a copy of this letter. The Clerk had already forwarded this letter to the Members. It was agreed that the Vice Chairman would sign this Licence on behalf of the Council.

One Voice Wales

Received an e-mail from the above together with a questionnaire regarding area committees and asking for the Council to complete this by the 28th of this month. The Clerk had already forwarded this e-mail to the Members. It was agreed that Cllr. Martin Hughes and the Clerk would complete this on behalf of the Council.

One Voice Wales

Received a letter from the above informing the Council that the One Voice Wales annual general meeting will be held on line on Tuesday March 11th between 4.00 and 6.00 p.m. The Clerk had already forwarded this letter to the Members. Cllr. Martin Hughes agreed to attend this on behalf of the Council.

Sian Gwenllian AS

A letter was received by the above asking for the Council's support in developing a Dental School in Bangor and to send a letter to Jeremy Miles AS stating their support. It was agreed to support this development.

Mr. Giles Bentham

It was reported that the Chairman had received an e-mail from the above informing him that he was resigning as a member of the Council. It was decided to forward this e-mail to the Electoral Department of Gwynedd Council.

SIGNED.....Chairman

DATE..... 828.