

**CYNGOR CYMUNED CWMLLYNFELL COMMUNITY COUNCIL**

**MINUTES OF THE MEETING HELD AT RHIWFAWR HALL  
ON THURSDAY 18<sup>th</sup> APRIL 2013 AT 6.30 pm.**

**PRESENT:** Councillor D Lloyd (Chairman) presided  
**COUNCILLORS:** R M Davies, R P Morgan, D C Phillips, J C Rees, D B Thomas and S Williams.

**142. APOLOGIES**

Apologies for their absence were received from Councillors M Evans, R Evans T H J Kendrick and C E Richards (Neath Port Talbot County Borough Council).

**143. CONDOLENCES - THE LATE MRS HANNAH DAVIES**

The Chairman referred with deep regret to the fact that Mrs Hannah Davies, mother of former Councillor Mari Jones had passed away. Letters conveying the Council condolences had been sent to family members.

All present stood in silent tribute as a token of respect.

**144. DECLARATIONS OF INTEREST**

No declarations of interest were made at this juncture.

**145. MINUTES**

**Resolved** that the Minutes of the Meeting of the Council held on the 21<sup>st</sup> March 2013 be confirmed and signed as a correct record.

**146. MATTERS ARISING**

**(a) Minute 135(a) - Parc Cymunedol Llynfell Community Park**

It was reported that details of the signs had been agreed with Image Design and Print, Ammanford who had quoted £1,158.50 plus VAT for providing and installing a double sided name sign and a double sided safety advice sign. This exceeded the budget provided for signs by £364.85. The equivalent signs from Wicksteed would however have cost £3,300.40 plus VAT. As such an order had been placed with Image Design and Print in accordance with the authority granted in minute 135(a) of the last meeting.

The Clerk also reported that he had met that morning with Wicksteed's Installation Manager who had been carrying out an inspection of the skate park in order to measure the depth of standing water in various locations. It had been concluded that the depth of puddles varied between 3mm and 5-6mm. A discussion had taken place on what was deemed to be acceptable and what should be expected as a satisfactory standard of workmanship with an emphasis on the implications of anyone using the skate park when there was standing water or when there had been frost.

The Installation Manager had indicated that their sub-contractors Gravity Skateparks would be seeking further clarification from RoSPA on standards that were considered acceptable in such circumstances.

**Resolved** that:

1. the action taken in accepting the quotation in the sum of £1,158.50 plus VAT from Image Design and Print for supplying and installing signs be ratified;
2. the situation concerning the skate park be noted and further information be awaited.

**(b) Minute 13(b) – Policy on making Grants to Voluntary Bodies and Other Organisations**

Consideration was given to ratifying the policy on the making of grants to voluntary bodies and other organisations.

**Resolved** that the policy as shown in the appendix hereto be approved and adopted.

**(c) Minute 137 - Request to Address the Council - Bethan Jenkins AM**

It was reported that as Ms Bethan Jenkins had a prior engagement she had been unable to attend this meeting. An invitation had accordingly been extended to Ms Jenkins to attend the meeting on the 20<sup>th</sup> June 2013.

**Resolved** that Ms Jenkins be invited to attend at 7.00pm on the above date, and that the meeting be convened at 6.15pm to enable members to formulate matters to be discussed.

**147. GELLINUDD HOSPITAL – PUBLIC CONSULTATION**

A letter dated 27<sup>th</sup> March 2013 was received from the Abertawe Bro Morgannwg University Health Board together with a consultation document on the proposal to close Gellinudd Hospital. The Health Board claimed that the closure would enable the resources associated with the 30 beds at Gellinudd to be transferred to where patients would be cared for in future. The Board believed that most of the patients were suitable for home care packages which would be supported by around 12 new full-time equivalent posts which were to be created such as healthcare support workers and nursing, physiotherapy and occupational therapy staff. The new arrangements would be funded from £340,000 of the monies currently used to provide Gellinudd Hospital services. The changes would be carefully monitored in order to ensure that the Board's services were the best that they could be.

**Resolved** that the Health Board be informed that the Council objects to the proposal to close Gellinudd Hospital as it is concerned about the implications of the changes and questions whether there is the capacity to cater for patients especially when some patients that would have been cared for in Gellinudd will need to be treated in other hospitals where there is often a shortage of beds.

**148. MID AND WEST WALES FIRE AND RESCUE AUTHORITY – ANNUAL IMPROVEMENT PLAN 2013-2014**

**Resolved** that it be noted that the Fire and Rescue Authority had published its annual plan which outlined the range of initiatives and performances undertaken to date, together with proposed improvements for the future in key areas.

**149. CASUAL VACANCY – PENRHIWFAWR WARD**

A notification was received from the Returning Officer, Neath Port Talbot County Borough Council that he had not received a request for an election to be held to fill the above vacancy and as such the Community Council could co-opt to fill the vacancy. An obligation had been introduced by the Local Government (Wales) Measure 2011 for a public notice to be displayed advertising a vacancy which would be filled by co-option. As such a notice had been displayed and an item would appear on the agenda of the next meeting to enable the Council to co-opt a person to fill the vacancy.

**Resolved** that the matter be noted.

**150. WELSH LANGUAGE SOCIETY – “A LIVING MANIFESTO”**

**Resolved** that the invitation received from the Welsh Language Society for the Council to respond to their “Living Manifesto” be noted.

**151. WELSH GOVERNMENT CORRESPONDENCE – FREEDOM OF INFORMATION REQUEST**

The Clerk reported that a communication had been received from the Planning Division of the Welsh Government indicating that they had received a request for information under the Freedom of Information Act asking for all correspondence between the Welsh Government and any third party organisation over the previous five years regarding the Oak Regeneration owned Margam and East Pit sites. As the Council had been in communication regarding the East Pit Site it had been enquired whether the Council had any views on whether the information should be disclosed. As a response had been required by the 2<sup>nd</sup> April the Clerk had responded indicating that there was no objection to the disclosure.

**Resolved** that the matter be noted and the action taken ratified.

**152. WALES RURAL OBSERVATORY – SERVICES SURVEY 2013**

A services survey was received from the Wales Rural Observatory which was a Welsh Government funded research centre. The Observatory sought the Council’s co-operation in completing the survey which would be used to develop a broader understanding of service provision across Wales to assist One Voice Wales and to inform the policies of the Welsh Government.

**Resolved** that the survey as completed at the meeting be submitted to the Wales Rural Observatory.

## **153. FINANCIAL MATTERS**

### **(a) Audit of Accounts for the Year Ended 31<sup>st</sup> March 2013.**

A letter dated 28<sup>th</sup> March 2013 was received from Mazars the Council's Auditors in which a notification was given of the arrangements for the audit of the Council's accounts for the year ended 31<sup>st</sup> March 2013. The appointed date for the exercise of electors' rights in respect of the audit was the 22<sup>nd</sup> July 2013. The initial certification of the Annual Return would have to be completed by the Council by the 30<sup>th</sup> June 2013

**Resolved** that:

1. the necessary arrangements be made for the audit and the submission of the Annual Return;
2. Mr A Pedrick be appointed as the Council's Internal Auditor.

### **(b) Summary Receipts and Payments Statement and Balance Sheet 2012/2013**

The Summary Receipts and Payments Statement and Balance Sheet for the year ended 31<sup>st</sup> March 2013, showing the following totals was presented to the Council. The figures reflected the fact that the Parc Cymunedol Llynfell Community Park Scheme was being undertaken and that grant receipts as at the 31<sup>st</sup> March exceeded the sums that had been expended at that date:

	£
Balance Brought Forward 1 <sup>st</sup> April 2012	53,830.40
Add Total Receipts	114,701.11
Deduct Total Payments	72,278.78
Balance Carried Forward 31 <sup>st</sup> March 2013	96,252.73

**Resolved** that the Summary Receipts and Payments and Balance Sheet for 2012/13 be approved and signed by the Chairman and the Clerk.

### **(c) Application for Financial Assistance**

Consideration was given to applications for financial assistance that had been deferred until the current financial year.

**Resolved** that:

1. the report and accounts for Cwmllynfell Hall's accounting period ending 30<sup>th</sup> September 2012 having been examined and the Council having taken into consideration the fact that during the last financial year a grant of £6,000 had been made towards the cost of running the hall and an additional £500 towards the 10<sup>th</sup> Anniversary celebrations it was decided that a grant in the following sum be made towards the running costs for 2013/14:

Cwmllynfell Hall -	£7,000
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2. a grant in the following sum be made to the under mentioned organisation:

Powys Citizens' Advice Bureau, Ystradgynlais	£200
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#### **(d) Car Park, Gwilym Road, Cwmllynfell**

It was reported that the owners of the above site had enquired with regard to the payment of rent and had also requested reimbursement for maintenance work carried out during 2011 and 2012. The rent that had been agreed was £1,000 per annum to be paid in equal monthly payments by bank transfer. The owners had however not demanded payment or supplied details of the bank account into which payments should be made. They had however submitted invoices in January 2011 for maintenance work which had been paid by the Council in lieu of rent.

Following the recent demand for payment, the Clerk had written to the owners to indicate that according to the terms of the agreement negotiated in respect of the site the sum which was calculated to be due up to the 31<sup>st</sup> March 2013 was £2,452.98, made up as follows:

1 <sup>st</sup> September 2009 to 31 <sup>st</sup> March 2013 – 3 years and 7 months @ £1000 per annum =				£3,583.33
Payments in lieu of rent to Mr B Dennard February 2011	Charge	VAT	Total	
	230.00	40.25	270.25	
	732.00	128.10	860.10	<u>1,130.35</u>
Payment now due				<u>2,452.98</u>

The owners had however submitted an invoice for rent in the sum of £2,851.33 made up as follows together with an invoice from Mr B Dennard in the sum of £420.00 for the maintenance work, making £3,271.33 in total:

1 <sup>st</sup> September 2009 to 31 <sup>st</sup> March 2013 – 3 years and 7 months @ £1000 per annum =	£3,583.33
Payment made	<u>732.00</u>
Payment now due	<u>2,851.33</u>

Maintenance	
Strimming and spraying Cwmllynfell Car Park for summer 2011 and 2012 plus fill pot holes with tarmac fillings	£300.00
5 litres of roundup	<u>50.00</u>
	350.00
VAT	<u>70.00</u>
Total	<u>420.00</u>

**Resolved** that consideration of the matter be deferred until the next meeting to seek the views of Councillor C E Richards who had negotiated the tenancy of the car park on behalf of the Council.

#### **(e) Grass Cutting 2013 Season**

A communication dated 16<sup>th</sup> April 2013 was received from Neath Port Talbot County Borough Council quoting the sum of £3,899.35 plus VAT for carrying out the Council's grass cutting requirements for the 2013 season, made up as follows (4 cuts during season other than as indicated below):

1	Cemetery including herbicide alongside roadway	£2,619.43
2	Cwmllynfell Chapel Grounds (inc Watcyn Wyn memorial)	355.05
3	Rhiwfawr Park (Note: – Former bowling green and play area - fortnightly cut), (Remainder excluding wildflower meadow but including Wetland area alongside paths – 4cuts), Wildflower meadow 2 cuts	755.87
5	Litter Picking and herbicide application	169.00
	<b>Total</b>	<b>3,899.35</b>

**Resolved** that the quotation received from Neath Port Talbot County Borough Council in the sum of £3,899.35 plus VAT be accepted;

**(f) Payment of Accounts**

**Resolved** that the following accounts be paid:

No			£
1638	Cwmllynfell Hall	Grant	7,000.00
1639	Powys CAB Ystradgynlais	Grant	200.00
1640	Cancelled	-	-
1641	Payroll	Salary March	265.14

**(g) Banking**

It was reported that a high interest bond that had been held by the Council had recently matured.

**Resolved** that the sum that had matured be reinvested in accordance with the Council's Investment Strategy approved Minute 115(b) of the meeting of the Council held on the 17<sup>th</sup> January 2013.

**154. PLANNING MATTERS**

**(a) Planning Application**

**Resolved** that:

1. no objection be raised to the following planning application:

App No:

P2013/0096 Two storey extension at 1 Prospect Place, Cwmllynfell.

**(b) East Pit East Revised Opencast Coal Site**

A notification was received from Neath Port Talbot County Borough Council of the following matter:

App No:

P2013/0291 Scoping request under regulation 10 of the Town and Country Planning Environmental Impact assessment (England & Wales) Regulations 1999 as amended – Section 73A – application to seek retrospective planning permission for continued coaling at East Pit east Revised Opencast Coal Site.

It was also reported that an invitation had been received from SLR Consulting Ltd for members of the Council to attend a forum at Tai'rgwaith Community Centre on Thursday 25<sup>th</sup> April 2013 at 7.00pm jointly with members of Gwaun Cae Gurwen and Quarter Bach Community Councils to discuss the planning application to regularise the planning situation at East Pit in accordance with the requirements of Neath Port Talbot County Borough Council's Planning Committee

**Resolved** that the invitation be accepted.

### **(c) Tidal Lagoon Swansea Bay**

A request was received from Oriel Price Public Affairs Coordinator of "Tidal Lagoon Swansea Bay" for permission to make a presentation to the Council about the proposed tidal power plant.

**Resolved**, in view of the community's location in relation to the site of the proposal, the request be noted.

## **155. REPORTS**

The following matters were reported:

South Wales Police Statistics	All Crime (see categories below)	February	3
	Anti Social Behaviour		2
	Other theft		1

Police Neighbourhood News

PACT – Minutes 21<sup>st</sup> February / Notification of meeting on the 18<sup>th</sup> April 2013;

- Water taps Cwmllynfell Cemetery;
- Council's website;
- Library opening times;
- Rhiwfawr Park dislodged coping stones.

**Resolved** that the work that is required at Rhiwfawr Park be discussed with Mr Paul Fox.

The meeting terminated at 9.10pm.

**Cyngor Cymuned Cwmllynfell Community Council****Grants Policy****Policy Statement**

A grant or subsidy is any payment made by Cwmllynfell Community Council to be used by an organisation for a specific purpose in the furtherance of the wellbeing of the community, either generally or for a specific purpose, which is not directly controlled or administered by the Council. The community of Cwmllynfell is understood to encompass both the villages of Cwmllynfell and Rhiwfawr.

**Guidelines for Grant Applications**

- 1) It is a condition of any grant application that the group or project must bring direct benefit to the residents of the community of Cwmllynfell. All applications must clearly demonstrate how this will be achieved.
- 2) Grant applications will be considered only upon completion of a Grant application form which is available from the Clerk or from the Council website. All questions on the application form must be fully answered, and any further information requested in support of an application must also be provided.
- 3) Grant applications cannot be made retrospectively.
- 4) Under the grants scheme, start-up awards are considered for new as well as existing organisations.
- 5) Applications WILL NOT be considered from:
  - Organisations intending to support or oppose any particular political party.
  - Individuals. (*See section 22 for more details*)
  - Organisations that discriminate on grounds of disability, age, sex, race, religion, belief, or sexual orientation.
  - Organisations operated as a private business to make a profit or surplus.
  - "Upward funders", i.e. local groups whose fundraising is sent to their central headquarters for redistribution.
  - National Charities, unless the grant is being used exclusively for the benefit of the residents of Cwmllynfell and Rhiwfawr or to support a local service that residents of Cwmllynfell and Rhiwfawr can access
- 6) Applications will not normally be considered from national organisations or local groups with access to funds from national "umbrella" or "parent" organisations, unless funds are not available from their national bodies, or the funds available are inadequate for a specified project.

- 7) Schools will be eligible for grant aid for activities or items that are outside their statutory obligations and for which there is no State funding. Applications that would benefit the wider community would also be considered.
- 8) Applications from educational, health or social service establishments will be considered where the organisation can demonstrate that it is working in partnership with other groups and where there are benefits to the wider community within the community of Cwmllynfell.
- 9) It must be understood that any grant must only be used for the purpose for which it was awarded unless the written approval of the Council has been obtained in advance for a change in use of the grant monies, and that any unspent portion of the grant must be returned to the Council by the end of the financial year in which it was awarded.
- 10) Although the Council will, at its choosing, provide advice, the administration of and accounting for any grant or subsidy shall be the responsibility of the recipient.
- 11) The Council reserves the right to request any further information that it deems necessary to assist the decision making process. Account will be taken of the amount and frequency of previous awards and of the extent to which funding has been sought or secured from other sources or own fund-raising activities. The names of any other organisations to which an application for grant aid has been submitted must be declared as part of the application process.
- 12) Ongoing commitments to award grants or subsidies in future years will not be made. A fresh application will be required each year.
- 13) The amount of any grant awarded is at the sole discretion of the Council.
- 14) The Council will make the award of any grant or subsidy subject to such additional conditions and requirements, as it considers appropriate.
- 15) The Council reserves the right to refuse any grant application which is considered to be inappropriate or against the objectives of the Council.
- 16) In the event that the Council does not consider presented documented evidence to be satisfactory, i.e. in accordance with the Council's Policy on Grants, the relevant grant will be withheld. The final decision on the eligibility of presented documented evidence rests with the Council.
- 17) Any grant which the Council offers is made on the understanding that the applicant is responsible for obtaining any necessary legal permissions and the offer of a grant should not be taken as authorisation.
- 18) In any publicity given to the specific purpose for which the grant is requested, the organisation is required to acknowledge the contribution that has been made by the Council.

## Consideration of Grant Applications

- 19) Applications will be considered throughout the current financial year.
- 20) The Council requires a copy of the previous full year's accounts before the grant is released. These accounts must be presented fully audited, approved without reservation based on complete records and signed by a suitably qualified, independent person – a person independent of the body submitting the application. These must be for the most recent yearly accounting period. Organisations should allow sufficient time for the Clerk to be satisfied that this condition has been fully met prior to its inclusion on a Council meeting agenda. Meeting dates are available from the Clerk or the Council's website.

Organisations are advised to submit their accounts as soon as is practicable. The Council, however, recognises that because organisations' accounting years vary, it is not possible for them all to submit their accounts on the same date.

- 21) In the event of the repetition of a grant the Council also requires sight of:
- Documented evidence giving clear indication of how the previous year's grant was spent. The 'previous year' refers to the Accounting Year immediately preceding the year for which accounts are required.
  - Where applicable, documented evidence giving clear indication that the expenditure of the previous year's grant was made for the funding of the specific purpose/s stipulated by the Council.
- 22) The powers of the Council are defined and it must justify every item of expenditure within legislation. Section 137 of the Local Government Act 1972 enables local councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure including the awarding of grants. The council cannot use the power to benefit a single individual. It might be possible for the council to help an organisation to which the individual belongs, thus releasing funds for the organisation to help individuals. The Expenditure Limit is determined annually and is expressed as a unit rate per head of population. The relevant population is the number of persons on the electoral roll for the wards as at 1 April.

The Council might rely on other powers including those permitted under Section 144 of Local Government Act 1972 (Power to contribute to encouragement of Tourism)