

CYNGOR CYMUNED CWMLLYNFELL COMMUNITY COUNCIL

**MINUTES OF THE ANNUAL MEETING HELD AT CWMLLYNFELL HALL
ON THURSDAY 16th MAY 2013 AT 6.30 P.M.**

PRESENT: Councillor D Lloyd (Chairman) presided pro-tem
COUNCILLORS: R M Davies, M Evans, R Evans, T H J Kendrick, R P Morgan,
D C Phillips, J C Rees, and D B Thomas.

ATTENDING: Councillor C E Richards (Neath Port Talbot County Borough Council)

1. ELECTION OF CHAIRMAN FOR THE YEAR 2013/14

Resolved that Councillor Ruth Evans be elected Chairman of the Council for the ensuing Municipal Year.

Councillor R Evans then subscribed the Declaration of Acceptance of Office.

Councillor R Evans (Chairman) presiding

The Chairman thanked Councillor D Lloyd, on behalf of the Council for his leadership and service to the Community during his year of office.

2. APPOINTMENT OF VICE CHAIRMAN FOR THE YEAR 2013/14

Resolved that Councillor Richard M Davies be appointed Vice Chairman for the ensuing Municipal Year.

Councillor R M Davies then subscribed the Declaration of Acceptance of Office.

3. APOLOGIES FOR ABSENCE

An apology for his absence was received from Councillor S Williams.

4. DECLARATIONS OF INTEREST

No declarations of interest were made at this juncture.

5. DAY, HOUR AND VENUE FOR FUTURE MEETINGS

Resolved that:

1. future ordinary meetings during the ensuing municipal year be held at the following venues at 6.30pm. (6.15pm. when the Council is due to receive a presentation or address) on the third Wednesday at Rhiwfawr and the third Thursday at Cwmllynfell of each month, other than the month of August when there is no meeting;

Rhiwfawr Hall
(Third Wednesday of the month)

June 2013
September 2013
November 2013

April 2014

Cwmllynfell Hall
Third Thursday of the month)

July 2013
October 2013
December 2013
January 2014
February 2014
March 2014
May 2014 (Annual Meeting)

2. the above arrangements be varied if necessary, as circumstances require, at the discretion of the Clerk in consultation with the Chairman.

6. APPOINTMENT OF COMMITTEES

Resolved that:

1. a Cemetery and Environment Committee be appointed comprising six Members, as follows:

Councillors:

M Evans

R Evans

R M Davies

Councillors:

D Lloyd

D C Phillips

D B Thomas

2. a Rhiwfawr Park Liaison Committee be appointed comprising the following members to promote the use of the facilities at the park and to liaise with local organisations and individuals to encourage voluntary effort in managing and monitoring the use of facilities:

Councillors:

Chairman

Cllr R P Morgan

Councillors:

Vice-Chairman

7. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

(a) Governing Bodies of Local Schools

Resolved that it be noted that the under-named school governor had been appointed to represent the Council on the governing body of the following school and that the term of office was as follows:

Cwmllynfell School - Councillor R M Davies - term of office expires May 2016

(b) One Voice Wales

Resolved that:

1. the Council be represented on the above-mentioned association by the Chairman, Councillor R Evans and the Vice-Chairman Councillor R M Davies;
2. Councillor D B Thomas be appointed to deputise in the event of either representative being unable to attend;
3. Councillor R P Morgan be appointed as the Council's Training Champion to liaise with One Voice Wales on training matters.

(c) Neath Port Talbot County Borough Council - Liaison Forum

Resolved that:

1. the Council be represented on the above Liaison Forum by the Chairman, Councillor R Evans and the Vice-Chairman Councillor R M Davies;
2. Councillor D B Thomas be appointed to deputise in the event of either representative being unable to attend.

(d) Cwm Nant Lleici Site Liaison Committee

Resolved that the Council be represented on the above Committee by Councillor R P Morgan.

(e) South Wales Police - Spotlight on Police Meetings & Partnerships and Communities Together (PACT) Meetings

Resolved that the Council be represented on the above by Councillor R P Morgan.

(f) East Pit East Revised Opencast Site Liaison Committee

Resolved that the Council be represented on the Liaison Committee by Councillor D C Phillips.

Note: There are also three Residents' representatives from the Community who had been appointed to serve on the Committee.

(g) Aman Group of Local Councils

Resolved that the Council be represented on the above group by the Chairman, Councillor R Evans and the Vice Chairman Councillor R M Davies.

8. VACANCY – PENRHIWFAWR WARD

Confirmation had been received from the Returning Officer that the Council could co-opt a person to fill the vacancy in the office of Councillor to represent the Penrhiwfawr Ward. The vacancy had been advertised in accordance with the Local Government (Wales) Measure 2011 and one expression of interest had been received.

Resolved that Mr Neil Leslie Arthur Price, Parc Coedffaldau, Coedffaldau Road, Rhiwfawr be co-opted to fill the vacancy.

9. MINUTES

Resolved that the Minutes of the Ordinary Meeting of the Council held on the 18th April 2013 be confirmed and signed as a correct record.

10. MATTERS ARISING

(a) Minute 146(a) - Parc Cymunedol Llynfell Community Park

The Clerk reported on the following matters and the discussions and negotiations that had taken place with Wicksteed:

i. Issues concerning unauthorised access

Children had been climbing the close boarded timber fence in order to gain access to the park and although Wicksteed had initially agreed for the park to be opened for use whilst still under contract to them they had subsequently indicated that the park should remain closed until the contract had been completed and outstanding payments had been made by the Council. The owner of adjoining premises had drawn attention to an incident that had occurred when a boy had fallen towards a precipice whilst climbing the fence and had to be saved from

falling into the adjoining stream. The timber fence and the land over which unauthorised access was being gained were under the control of Neath Port Talbot County Borough Council and the attention of officers had been drawn to the matter.

ii. Inspection by representative of Wales Government

The Welsh Assembly's Aggregate Levy Fund Wales Manager had inspected the park on the 25th April and he had confirmed that he was satisfied that the Council had fulfilled the terms of the grant;

iii. Negotiations with Wicksteed regarding defects in the skate park

Discussions had continued with Wicksteed over the perceived defects in the skate park whereby puddles of standing water were forming at various locations after rainfall. The water was not draining away and would remain on the surface until it had evaporated or had been brushed away. Following a meeting between the Clerk and Wicksteed's Installation Manager on the 18th April, Wicksteed had continued to discuss the matter with their sub-contractors Gravity Skateparks who had in turn sought the views of Mr David Yearly, RoSPA's Head of Play Safety on the matter. Mr Yearly had in his final conclusion on the 10th May stated as follows:

"It is the case with concrete skate parks that some water will remain standing on the impermeable concrete surface after rainfall. This will evaporate in due course, but may be swept away by ardent users who are keen to get skating. The surface should generally be smooth and level, with some variation expected due to the nature of the installation techniques. It is rarely possible to achieve perfect falls such that rain does not settle. Such variations of up to 5 mm are generally acceptable and this appears to be the case here".

Wicksteed had therefore suggested that Mr Yearly's advice should conclude the matter and had requested a meeting in order to officially hand over the park. The Clerk had indicated in response that he would seek the instructions of the Council on the matter. He had also stated in writing to Wicksteed that for the sake of correctness and just in case there was any injury or claim in the future that the measurements that Mr Sewell, Wicksteed's Installation Manager, had taken on the 18th April had indicated that in places the depth of standing water exceeded 5mm. The attention of Wicksteed had also been drawn to the fact that in his response Mr Yearly had not indicated whether his assessment had taken into account the possibility of someone inadvisably using the park when there had been frost when ice would form in the puddles including those on the raised plateau.

iv. Complaint

Letters dated 3rd, 7th, 9th and 13th May 2013 were received from Ms Susan Wyatt of Railway View, Gwilym Road, Cwmllynfell in which she complained that children had been gaining access to the park, that she was being disturbed by noise emanating from the park and that litter was being deposited in the park. Additionally, cars were being parked at the side of the road near the park causing an obstruction to other road users and a disturbance by playing loud music.

v. Monitoring Arrangements outside Hall opening hours

Attention was drawn to the fact that arrangements would have to be introduced to open and close the park at times when Cwmllynfell Hall was closed such as weekends and bank holidays.

Resolved that:

1. it be noted that the issues concerning the close boarded fence and the possible need to extend the fencing had been drawn to the attention of Neath Port Talbot County Borough Council;
2. it be noted that the Welsh Assembly's Fund Manager had completed his assessment of the facility and that he had been satisfied with the scheme;
3. Wicksteed be informed that in light of the discussions that had taken place and the observations that had been made by RoSPA's Head of Play Safety that the Council although dismayed by Wicksteed and Gravity Skatepark's lack of commitment to rectify the defects, the Council does not wish to deny potential users of the park its use whilst the matter is pursued any further and as such the Council will accept hand over of the park as soon as practicable;
4. Ms S Wyatt be informed that it is anticipated that the park will be opened for use in the near future, when arrangements that have already been agreed to monitor usage of the park will be implemented and as such the Council hopes that the issues that had given rise to her concerns will diminish;
5. a rota of key holders be drawn up.

(b) Minute 153(d) – Car Park, Gwilym Road, Cwmllynfell

Further consideration was given to the claim for rent and maintenance costs that had been received from the owners of the above site.

Resolved that the rent due up to the 30th April 2013 only as calculated below be paid and that the owners be informed that the Council wishes to convey its appreciation for the co-operation that they have shown in making the land available for use as a car park but the Council is of the view that the rent should cover routine maintenance work but if work that is directly attributable to the use of the land as a car park is required in the future the Council is prepared to consider making a contribution subject to it being consulted on the matter before the work is carried out.

1 st September 2009 to 30 th April 2013 –				
3 years and 8 months @ £1000 per annum =				£3,666.66
Payments in lieu of rent to Mr B	Charge	VAT	Total	
Dennard February 2011	230.00	40.25	270.25	
	732.00	128.10	860.10	<u>1,130.35</u>
Payment now due				<u>2,536.31</u>

(c) Minute 153(g) – Banking

It was reported that the interest rates currently being offered for reinvesting balances were not favourable but the matter would be pursued.

Resolved that the situation be noted.

(d) Minute 154(b) – East Pit East Revised Opencast Coal Site

Further consideration was given to submitting comments on the scoping request that had been submitted to Neath Port Talbot County Borough Council in connection with the retrospective planning application for continued coaling at the

above site. Members of the Council that had been present at the briefing meeting for community councils held on the 25th April 2013 reflected on the issues that had arisen at the meeting and the unsatisfactory responses that had been given by SLR Consulting.

Copies of correspondence that had taken place between Dr S Jordan of Ochrywaun and Neath Port Talbot County Borough Council in connection with the continued unauthorised operations at the site and problems caused by blasting were also received for the information of the Council.

Resolved that Neath Port Talbot County Borough Council be informed that the Council is of the view that the applicants should be informed in response to the scoping request that the retrospective planning application should comply fully with the conditions imposed in the 2004 planning permission for the site, that a bond to cover the full restoration costs should be deposited with the County Borough Council and that the proposals should comply with Mineral Technical Advice Notes 2.

11. SUMMER PLAYSCHMES 2013

A letter dated 26th April 2013 was received from Neath Port Talbot Children and Young People's Partnership indicating that they wished to hold a play scheme at Rhiwfawr Park over four weeks from the 5th to 30th August 2013. They had also enquired whether the community hall could be utilised as a wet weather venue

Resolved that:

1. the permission be granted to use the Rhiwfawr Park for the Summer Playscheme subject to the Partnership indemnifying the Council against any injury or damage that may occur whilst the park is being used;
2. the Partnership be advised to seek permission from the Rhiwfawr Community Association to use facilities at Rhiwfawr Community Hall.

12. RoSPA – ANNUAL INSPECTION – RHIWFAWR PARK

Resolved that:

1. it be noted that the annual inspection of the park by RoSPA would take place in June;
2. arrangements be made to replace a damaged coping stone on the wall near the BMX track.

13. TOWN AND COMMUNITY COUNCILS – DEVELOPMENT OF WEBSITES

A letter dated 1st May 2013 was received from Neath Port Talbot County Borough Council in which it was indicated that the Welsh government had now requested principal councils not to proceed with the distribution of funding to assist town and community councils in the development of websites until further discussions with One Voice Wales had fully concluded.

Resolved that the situation be noted and further information awaited.

14. SOCIAL AND ENVIRONMENTAL GUIDANCE TO OFWAT

Resolved that the invitation received from the Welsh Government to participate in the consultation on the above draft guidance to Ofwat be noted.

15. POWER TO PROMOTE OR IMPROVE ECONOMIC, SOCIAL OR ENVIRONMENTAL WELL-BEING

Resolved that the statutory guidance received from the Welsh Government on the above powers be noted.

16. SOUTH WALES POLICE – FORTHCOMING ISSUES AND PERFORMANCE UPDATE

A letter dated 26th April 2013 was received from Chief Inspector Andrew Kingdom as the Operational Chief Inspector for Neath Port Talbot in which he provided an update on their performance during the year ended 31st March 2013 and also outlined forthcoming issues and plans including the intention to recruit Police Constables from within the organisation by promoting Police Community Support Officers. The Chief inspector also provided additional contact details.

Resolved that the information be noted and the contact details circulated to members of the Council.

17. “PWERYD IAITH AMMAN UCHAF – OPEN SESSION

Resolved that the invitation received for the Council to be represented at the above open session at Brynaman Rugby Club on the 20th May 2013 be noted.

18. FINANCIAL MATTERS

(a) Insurance

It was reported that the Council’s Insurance was due to be renewed on the 1st June 2013 and following negotiation with the Council’s present insurers a renewal premium of £758.44 had been quoted which was a reduction on the premium for the current year and it also included additional cover in respect of Parc Cymunedol Llynfell Community Park.

Resolved that the quotation received from Zurich Municipal Insurance in the sum of £758.44 for the renewal of the Council’s Insurance be accepted.

(b) Payment of Accounts

Resolved that the following accounts be paid:

No			£
1642	Mr D Davies & Ms D England	Rent Car Park – Gwilym Road	2536.31
1643	Zurich Municipal Insurance	Insurance Premium	758.44
1644	Image Design Print	Signs Parc Cymunedol Llynfell	1390.20
1645	Payroll	Gross salary April	265.14

(c) Application for Financial Assistance

Resolved that the following application for financial assistance be noted:

West Glamorgan Council on Alcohol and Drug Abuse Ltd

19. PLANNING MATTERS

Resolved that:

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

App No:

P2013/025 Variation of condition 18 of P2008/0775 for the resiting of the
5 proposed dwellings at Lewis Avenue

2. an objection be raised to the following application on highway grounds and that Neath Port Talbot County Borough Council be requested to carry out a comprehensive assessment of the highway implications of the planning permissions in force and applications that are awaiting determination which have an impact on the roads leading to Rhiwfawr and that particular regard be given to the fact that Bryn Road which is devoid of footways and narrow in places is the route used by children travelling to and from Cwmllynfell School and the playgroup

App No:

P2013/0212 Proposed surface coal mining (opencast coal development) and
associated reclamation of abandoned opencast coal site, Fforch
Egel Farm, Gwrhyd Road, Pontardawe

20. REPORTS

The following matters were also reported:

South Wales Police Statistics (within 1 mile of centre of Cwmllynfell)	All Crime (see categories below)	March	7
	Anti Social Behaviour		5
	Criminal damage and arson		1
	Vehicle crime		1

- Wind Farm Betws Mountain – Community benefits – Cwmllynfell not included
- Trees – Heol Daniel
- Footbridge defective – off Lewis Avenue
- Defective surface water drain near 33 Gwilym Road
- Break-in Co-operative Chemist
- Fracking (Hydraulic Fracturing) implications
- Trees Rhiw Road, Rhiwfawr

Councillor C E Richards also reported on the following matters:

- Drainage – Is y Bryniau
- Road markings – Bryn Road
- Drainage issues – Samuels Road
- Improvements to land adjoining Parc Cymunedol Llynfell Community Park
- Rhiwfawr School – sale of premises
- Animal trespass scheme Bryn Road

The meeting terminated at 9.00pm.