

# **CYNGOR CYMUNED CWMLLYNFELL COMMUNITY COUNCIL**

## **MINUTES OF THE MEETING HELD AT RHIWFAWR HALL ON THURSDAY 20<sup>th</sup> JUNE 2013 AT 6.15 P.M.**

**PRESENT:** Councillor R Evans (Chairman) presided  
**COUNCILLORS:** R M Davies, M Evans, T H J Kendrick, D Lloyd, R P Morgan,  
N L A Price, D C Phillips, J C Rees, D B Thomas and S Williams.

### **21. COUNCILLOR N. L. A. PRICE – PENRHIWFAWR WARD**

The Chairman welcomed Councillor N. L. A. Price to his first meeting following his co-option and completion of the Declaration of Acceptance of Office and Undertaking to comply with the Code of Conduct.

### **22. APOLOGIES FOR ABSENCE**

An apology for his absence was received from Councillor C E Richards.

### **23. DECLARATIONS OF INTEREST**

No declarations of interest were made at this juncture.

### **24. MS BETHAN JENKINS AM**

The Council had discussed matters that were causing concern within the community and it had been decided that the main issues relative to the Welsh Assembly which should be raised with Ms Jenkins were the future of the East Pit Opencast Site and the extension to the Animal Trespass Scheme in the Bryn Road and Coedffaldau area.

The Chairman welcomed Ms Bethan Jenkins and invited her to address the Council.

Ms Jenkins announced that she had convened a public meeting to discuss the proposals concerning the East Pit site which would be held at Cwmllynfell Hall on the 27<sup>th</sup> June 2013. Representatives of Oak Regeneration, the owners of the site and the Land Trust who had agreed with the owners to manage the site following restoration would be present at the meeting. Ms Jenkins also outlined her concerns about the inadequacies of certain aspects of Mineral Technical Advice Notes 2.

Ms Jenkins also outlined the other issues that she was making representations in connection with which included proposals concerning Health Service changes – Abertawe Bro Morgannwg Health Board, ambulance service, minor injuries service, Cystic Fibrosis drug prescriptions. Ms Jenkins also invited comment on other matters affecting the community and questioned whether public transport was an issue.

Members raised various issues with Ms Jenkins, including the following:

- Concerns regarding the proposals for the East Pit Site;
- The urgent need for fencing to combat animal straying in the Bryn Road/Coedffaldau area;
- Fracking for shale gas
- The future of Gellinudd Hospital
- The desirability of the Air ambulance being government funded

The Chairman thanked Ms Bethan Jenkins for her attendance.

**Resolved** that a copy of the previous decision by an official of the Welsh Assembly to refuse the application relating to fencing under section 194 of the Law of Property Act 1925 be provided to Ms Jenkins

## **25. MINUTES**

**Resolved** that the Minutes of the Annual meeting of the Council held on the 16<sup>th</sup> May 2013 be confirmed and signed as a correct record.

## **26. MATTERS ARISING**

### **(a) Minute 6 – Appointment of Committees – Cemetery and Environment Committee**

**Resolved** that the Cemetery and Environment Committee be granted plenary powers to discharge the functions of the Council in respect of matters relating to the proposed improvements to Cwmllynfell Cemetery.

### **(b) Minute 10(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. Transfer of responsibility from Wicksteed (Contractors) to the Council**

A meeting had taken place with Wicksteed's Installation Manager on the 29<sup>th</sup> May 2013 to accept transfer of responsibility of the park back from the contractors to the Council in accordance with the decision taken in Minute 10(a) of the Annual Meeting. Following the meeting Wicksteed had confirmed that nothing further would be done to the park or the ball court as they claimed that both had been completed to the standards required by RoSPA. They also confirmed their acceptance that 90% of the remaining contract sum would be paid now with 10% being retained by the Council for six months.

The Clerk had responded subsequently as follows in order to place on record that the following matters had been raised on the 29<sup>th</sup> May so that there could be no dispute if problems occurred in the future:

- "The quality of the painted finish on the ball court seemed to be defective as it appeared that the paint had been applied without the surface being cleaned properly. I am also led to believe that only one coat of paint was applied despite the fact that from our discussions on a former occasion I had understood that two or three coats would be applied.
- I queried the fact that rust stains were appearing on the shear bolts that hold the panels in place on the ball court and whether this could lead to staining in the future.
- It was noted that the repair to the Playscape Wetpour had been carried out."

#### **ii. Complaint**

A further letter had been received from Ms S M Wyatt of Railway View complaining about issues that had occurred on the 20<sup>th</sup>, 21<sup>st</sup> and 26<sup>th</sup> May. A

response thereto had been included in a letter dated 7<sup>th</sup> June 2013 that had been sent in response to Ms Wyatt's previous complaints.

iii. Rota of key Holders

The question was raised of establishing a rota of key holders who would be responsible for opening and closing the park on days and at times when Cwmllynfell Hall would be closed. It was indicated that the park had been left unlocked at all times recently.

iv. Official Opening

An enquiry had been sent to the First Minister Mr Carwyn Jones to ascertain whether he would accept an invitation to officially open the park but as yet a response had not been received.

v. Signage

A discussion ensued on the name "Parc Cymunedol Llynfell Community Park" that had appeared on the signs that had been erected. It was questioned how the name had been selected and whether it was appropriate. The Clerk reported that the name had emerged during the consultation exercises that had taken place prior to the submission of grant applications and as such the name was the result of a focus group decision. The name had appeared in the Council's minutes since grant approval had been received in March 2012.

Note: Councillor D C Phillips withdrew from the meeting at this juncture.

**Resolved** that:

1. it be noted that responsibility for the park had formally transferred to the Council on the 29<sup>th</sup> May 2013 and that the observations that had been made on the Council's behalf at the meeting held that day had been confirmed in writing to Wicksteed;
2. it be noted that a suitable response had been made to Ms Wyatt's complaints;
3. the outcome of the invitation that had been made to the First Minister be awaited and that a Committee comprising the Chairman, Vice Chairman and Councillor J C Rees be appointed with plenary powers to discharge the functions of the Council to make arrangements for the official opening of the park and that the arrangements be reviewed at the next meeting of the Council.
4. the gates to the park be continued to be left unlocked and that the situation be reviewed at the next meeting of the Council

**(c) Minute 10(b) – Car Park, Gwilym Road, Cwmllynfell**

**Resolved** that it be noted that the owners of the site of the car park had secured the site and therefore terminated its use as a car park.

**(d) Minute 10(d) – East Pit East Revised Opencast Coal Site**

A letter dated 21<sup>st</sup> May 2013 was received from Messrs Eric Evans and Alan Whiteley of Oak Regeneration regarding the planning application submitted by Lakes at Rhosamman Ltd which they claimed dealt comprehensively with the following aspects of the East Pit Site:

- “Final phasing and timing of mining at the site;
- The interim continuation of coaling given the time lapse of the previous permission;
- An agreed and fully funded strategy to achieve both restoration and regeneration of the site in a manner never previously contemplated or achieved locally;
- Economic stimulus to the area of the site through leisure and tourism offering centred around a countryside lake and park;
- Innovative partnership with the Land Trust a nationally recognised charity formed precisely to foster the transformation of blighted former industrial sites and with the involvement of the local community.”

A communication was also received from Neath Port Talbot County Borough Council indicating that consultations on the application for retrospective planning permission would be carried out soon.

The planning application by Lakes at Rhosamman Ltd had been received for consultation (minute 37(a) below refers)

**Resolved** that the above information be noted.

### **(e) Minute 13 - Town And Community Councils – Development of Websites**

A letter dated 4<sup>th</sup> June 2013 was received from the Welsh Government in which it was indicated that Principal Councils had been asked to adopt a collaborative approach with town and community councils in connection with the development of websites. It had been proposed that the distribution of the funding should be carried out following an exchange of correspondence and that town and community councils should provide an account of how the funds had been spent before the end of the financial year.

**Resolved** that an approach be made to Neath Port Talbot County Borough Council requesting payment of the £500 grant.

### **27. ONE VOICE WALES – CONFERENCE & ANNUAL MEETING - 5<sup>th</sup> OCTOBER 2013**

**Resolved** that the invitation received for the Council to be represented at the above conference be noted.

### **28. REVIEW OF COMMUNITIES AND ELECTORAL ARRANGEMENTS**

**Resolved** that the Council’s response to the consultation received from Neath Port Talbot County Borough Council on the above review be deferred until the next meeting of the Council.

### **29. COMMISSION ON PUBLIC SERVICE GOVERNANCE AND DELIVERY**

**Resolved** that the letter dated 14<sup>th</sup> June 2013 from the Chairman of the above Commission in which attention was drawn to their invitation to help inform the work of the Commission be noted.

### **30. NEATH PORT TALBOT COUNTY BOROUGH COUNCIL – CORPORATE IMPROVEMENT PLAN 2013-2016**

**Resolved** that it be noted that the plan and the supporting delivery programme was available on the Council's website and that comment be made in due course if deemed appropriate.

### **31. NEATH PORT TALBOT HOMES RESEARCH**

A communication was received from the Community Regeneration Researcher of NPT Homes in which it was indicated that they were currently undertaking research within the County Borough in an attempt to establish the views of residents on their area with the aim of initiating a Community regeneration programme with opportunities for people and organisations to access funding for any projects to improve local communities.

**Resolved** that members of the Council be provided with copies of the information and that it also be referred to Cwmllynfell Hall, Rhiwfawr Community Association and the Cwmllynfell and Rhiwfawr OAP Association.

### **32. WELSH GOVERNMENT CONSULTATION – DRAFT TECHNICAL ADVICE NOTE – ECONOMIC DEVELOPMENT**

A communication was received from One Voice Wales inviting views on the proposed Welsh Government draft technical advice note on economic development by the 5<sup>th</sup> September 2013.

**Resolved** that the note be referred to Councillor R P Morgan for perusal and that consideration be given to making comment on the draft note at the next meeting of the Council is deemed necessary.

### **33. PLAY SUFFICIENCY ASSESSMENT**

A letter dated 5<sup>th</sup> June 2013 was received from the Play Coordinator of the Neath Port Talbot Children and Young People's Partnership in which she offered to share with the Council the result of the Play Sufficiency Assessment that had been undertaken as required by the Welsh Government.

**Resolved** that Ms Allison Harris, Play Coordinator be invited to address the next meeting of the Council

### **34. HIGH SHERIFF OF WEST GLAMORGAN – GARDEN PARTY**

**Resolved** that the invitation received from the High Sheriff for the Council to be represented at a fundraising garden party on the 6<sup>th</sup> July 2013 be noted.

### **35. COMMISSION ON DEVOLUTION IN WALES**

**Resolved** that the forthcoming programme of public engagement events which was being arranged to hear views on the above matter be noted.

### **36. FINANCIAL MATTERS**

#### **(a) Annual Report and Governance Statement – Year ended 31<sup>st</sup> March 2013**

**Resolved** that the Summary Receipts and Payments Statement and Balance Sheet for the year ended 31<sup>st</sup> March 2013 having been approved (Minute 153(b) of 18/04/2013 refers), the Council confirms that the Annual Governance Statement for 2012/13 has been presented and to the best of our knowledge and belief and subject to the audit findings, that the responses to each statement of assurance contained therein are accurate, complete and represent the Council's final responses.

#### **(b) Application for Financial Assistance – Cwmllynfell and Rhiwfawr Branch – National OAP Association of South Wales**

**Resolved** that consideration of the application received from the above organisation be deferred so that the organisation may submit the application in accordance with the Council's policy.

#### **(c) Payment of Accounts**

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

No			£
1646	Cancelled cheque	-----	-----
1647	Wicksteed Leisure Ltd	Stage payment	44,745.01
1648	Payroll	Gross salary May	265.14
1649	Mr A Pedrick	Internal Audit Fee	60.00

### **37. PLANNING MATTERS**

#### **(a) Planning Application**

Note: Copies of communications between Dr S Jordan and Neath Port Talbot County Borough Council in respect of the East Pit Site that had been received for information were presented to the Council.

Consideration was given to the submission of observations on the following planning application:

App No: P2012/1073

A planning application at the site currently known as East Pit East Revised OCCS, Gwaun-cae-Gurwen, SA18 1UP for development comprising:

Matters of Outline with all matters reserved: leisure facilities to include: a 120-bedroom hotel (Use Class C1); 78 holiday lodges (Class C3) of 2, 3 and 4 bed-units; a campsite (Sui Generis) of 6.35ha. with facilities block of 210m<sup>2</sup> and Visitors Centre (Class D1) of 300m<sup>2</sup>; dive centre with ancillary dive centre shop (Class D2) of 1630m<sup>2</sup>; all to include appropriate parking provision, recreational open space, internal access routes, services and drainage provision; and associated works including access, footpaths, cycle routes and bridleways, landscaping and layout details;

Matters of Detail (as set out in the application at Annex 1: Mineral Extraction and Processing) the proposed north eastern extension to East Pit East Revised for the purposes of coal extraction along with the completion of coaling at the existing site and the retention of associated ancillary development and Gwaun-Cae-Gurwen Railhead together with the development of a Country Park and recreational lake.(Welsh Language Impact Assessment Rec 24-4-13) (23-5-13 Additional information, plans and reports)

**Resolved** that the following observations be submitted in respect of the abovementioned planning application:

- As the proposed development is the subject of one planning application albeit partly dealing with matters of outline and partly dealing with matters of detail, the Council wishes to make an objection to the entire application as it defies the requirements of Mineral Technical Notes 2 and as it defies the conditions imposed in the planning permission in respect of the East Pit East Revised Opencast Coal Site granted in 2004 (P/2002/917 & A-PP 185-07-014);
- The County Borough Council and the Welsh Government be notified that the Council would not in principle raise an objection to a limited extension of time for working within the perimeters of the site which was the subject of the 2004 planning permission, subject to there being appropriate safeguards, compliance with MTAN2 and the conditions imposed in the 2004 permission and subject also to the deposit of a bond with the Local Planning Authority to cover the entire cost of a restoration scheme for the area of the 2004 planning permission which complies fully with the conditions imposed in that planning permission (P/2002/917 & A-PP 185-07-014) and in particular that the development excludes the abandonment of a massive water filled void which by a misnomer by the applicants is termed to be a lake;
- Additionally Neath Port Talbot County Borough Council in co-operation with the Welsh Government should carry out a comprehensive assessment of the situation that prevails at the entire East Pit site so as to ensure that there is correct restoration in accordance with planning permissions that have been granted previously including the 2004 permission with appropriate measures being incorporated so as to reduce the deprivation in surrounding communities by improving road, rail, footpath and cycleway communications thereby improving and enhancing the area and attracting inward investment by the creation of employment opportunities. Such measures should **not** include the creation of a lake / reservoir from an opencast void which would be a source of danger and the possible cause of flooding.

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

**Resolved** that it be noted that formal consultation events in connection with the above proposal would take place from the 4<sup>th</sup> July to 5<sup>th</sup> August 2013.

### **38. REPORTS**

The following matters were also reported:

South Wales Police Statistics (within 1 mile of centre of Cwmllynfell)	All Crime (see categories below)	April	4
	Anti Social Behaviour		2
	Criminal damage and arson		1
	Violent Crime		1
• Footpath 46 – Cwmdu Road to Ystradowen – grass cutting required			
• Neath Port Talbot Liaison Forum Report			
• Rhiw Road, Rhiwfawr			

The meeting terminated at 8.50pm.