

**CYNGOR CYMUNED CWMLLYNFELL COMMUNITY COUNCIL**

**MINUTES OF THE MEETING HELD AT CWMLLYNFELL HALL  
ON THURSDAY 17<sup>th</sup> DECEMBER 2015 AT 6.30 P.M.**

**PRESENT:** Councillor J C Rees (Chairman) presided  
**COUNCILLORS:** T H J Kendrick, R P Morgan and D B Thomas

**108. APOLOGIES**

Apologies for their absence were received from Councillors M Evans, R Evans, D Lloyd, D C Phillips, S Williams and Councillor K Lloyd (Neath Port Talbot County Borough Council).

**109. DECLARATIONS OF INTEREST**

No declarations of interest were made at this juncture

**110. MINUTES**

**Resolved** that the Minutes of the Meeting of the Council held on the 19<sup>th</sup> November 2015 be confirmed and signed as a correct record.

**111. MATTERS ARISING**

**(a) Minute 93 – Community First Responders**

A communication dated 15<sup>th</sup> December 2015 was received from Mr J D Llewellyn, Director of the All Wales Ambulance Services Ltd which was based in Cefn Bryn Brain. Mr Llewellyn had responded to the Council's enquiry as to whether the company would be able to provide a First Responder Service for the community by indicating that he was part of the Ystradgynlais Community First Responder team and that had an interest in expanding the team to cover the area as far as Cwmllynfell. He also wished to promote a scheme to place automated external defibrillators in communities which would be accessible by a code released by a 999 controller. The provision of such equipment would depend on fundraising.

**Resolved** that Mr J D Llewellyn be invited to a future meeting to discuss his proposals.

**(b) Minute 120 - East Pit – Draft Community Benefit Scheme**

A communication dated 17<sup>th</sup> December 2015 was received from the Chief Executive of Celtic Energy together with a final version of the draft scheme for administering the Community Benefits fund. The revised scheme had included the provision which the Council had requested for Community Councils themselves to be eligible to apply for funding from the scheme

**Resolved** that:

1. the following response to the consultation on the revised Community Benefit Scheme be sent to Celtic Energy, Councillor K Lloyd and appropriate Officers of Neath Port Talbot County Borough Council:

“The Council notes that the revised scheme is confined to the “Community Benefit Contribution” (i.e. £200,000 [£50,000 per community]) as covenanted by

Celtic Energy in the section 106 agreement. As such it is understood that the “Additional Community Benefit Contribution” will be administered for the benefit of the individual communities in accordance with the Section 106 agreement rather than as proposed in the original draft scheme that Celtic Energy provided. Cwmllynfell Community Council would have been prepared to execute the arrangements in the original scheme but accepts the revised situation and notes that the Community Benefit Scheme as originally drafted would have required a variation of the Section 106 agreement. The Council acknowledges and wishes for it to be noted that the duty to ensure compliance with the requirements of the section 106 agreement in relation to the Community Benefit Contributions rests with Neath Port Talbot County Borough Council. The involvement of Cwmllynfell Community Council and the other community councils is therefore an administrative arrangement to discharge the requirements of the section 106 agreement.

The Council notes and is grateful that the revised proposed Scheme has included a provision which would enable applications for a grant to be considered from the Community Council itself. The words “but must be dealt with by different Councillors from those submitting the application” should however be deleted from paragraph 6 as a community council is a body corporate and as such the application would be from the authority not a group of councillors. The Local Government Code of Conduct would ensure that there was no conflict of interest when an application was being considered.

The Council also notes that the proposed Community Benefit Scheme purports to place a duty to vet or approve certain aspects of the scheme on an individual County or County Borough Councillor. This would appear to be in conflict with section 101 of the Local Government Act 1972. As mentioned above the duty to ensure compliance with the requirements of the section 106 agreement rests with Neath Port Talbot County Borough Council and as such the discharge of that function can only be delegated to a Committee or an Officer.

Finally, paragraph 7 of the proposed scheme states that each Community Council must provide a copy of its scheme to Neath Port Talbot County Borough Council, the local County Borough Councillor and Celtic Energy. As details of the proposed Community Benefit Scheme were only received on the 17<sup>th</sup> December it was not possible for the Council to finalise its scheme at such short notice. However, the Council’s current scheme in respect of grant applications will be used as a basis for its Community Benefit Scheme in relation to this matter. The scheme will of course be modified to take account of the stipulations in paragraph 8 of the proposed Community Benefit Scheme which the Council trusts will be acceptable to Celtic Energy and Neath Port Talbot County Borough Council”

2. Celtic Energy be also informed that the Council looks forward to receiving confirmation of the arrangements for the up-front payment of the £50,000.

### **(c) Minute 104 – Rhiwfawr Community Association**

A communication dated 16<sup>th</sup> December 2015 was received from the Rhiwfawr Community Association in which it was indicated that after receiving the Council’s grant two successful events had been held at Rhiwfawr Hall and further events were planned. Arrangements would be made in due course to meet with the Council.

**Resolved** that the matter be noted.

#### **(d) Minute 107 – Youth Representation**

It was reported that invitations to apply to be appointed as Youth Representatives had been circulated to Schools, Colleges etc.

**Resolved** that an interviewing panel comprising the Chairman, Vice-Chairman and Councillor T H J Kendrick be appointed to consider applications, and make arrangements for short listing and appointment.

#### **112. GREEN GROWTH WALES – OPTIONS FOR INVESTMENT SUPPORT**

**Resolved** that the invitation from the Welsh Government to comment on the options to accelerate investment in green growth projects be noted.

#### **113. LOCAL 'BUS SERVICE REVISIONS**

A letter dated 24<sup>th</sup> November 2015 was received from Neath Port Talbot County Borough Council in which details were contained of 'bus service revisions.

It was also reported that Councillor K Lloyd had met with DANSA and arrangements had been agreed for the provision of a weekly shopping bus service for Rhiwfawr.

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

#### **114. PRECEPT AND COUNCIL TAX BASE FOR 2016/17**

**Resolved** that the letter dated 4<sup>th</sup> December 2015 from Neath Port Talbot County Borough Council giving notification that the Council Tax Base for 2016/17 which will be used to calculate the Council Tax in Band D in respect of the Council's precept will be 367.62.

#### **115. TRANSPARENCY OF SENIOR REMUNERATION IN THE DEVOLVED WELSH PUBLIC SECTOR**

**Resolved** that a communication dated 7<sup>th</sup> December 2015 from the Welsh Government concerning the statement by the Minister of Public Services on the above matter be noted.

#### **116. HIGH SHERIFF'S AWARDS 2016**

An application form was received to enable the Council to nominate for an award anyone in the community who worked voluntarily in the community with young people or young persons who worked voluntarily in their own community. The closing date for nominations was the 8<sup>th</sup> February 2016.

**Resolved** that the matter be noted.

#### **117. POSITIVE PLANNING IMPLEMENTATION PLAN**

A communication dated 10<sup>th</sup> December 2015 was received from the Planning Directorate of the Welsh Government in which attention was drawn to the Planning (Wales) Act 2015 which had put in place a key legislative foundation to deliver the 'Positive Planning' improvement programme.

**Resolved** that the information be noted.

**118. BUCKINGHAM PALACE GARDEN PARTIES 10<sup>th</sup>, 19<sup>th</sup> & 24<sup>th</sup> MAY 2016**

A notification was received from One Voice Wales offering the opportunity for the Council to nominate the current Chairman and guest to be entered into a draw to be selected for one of the thirty places to attend a Buckingham Palace Garden Party on one of the above dates.

**Resolved** that the invitation be noted.

**119. PLANNING TRAINING WORKSHOP – MAESTEG - 25<sup>th</sup> JANUARY 2016**

**Resolved** that the invitation from Planning Aid Wales for the Council to be represented at the above workshop be noted.

**120. DRAFT LOCAL GOVERNMENT (WALES) BILL**

A notification was received from the Welsh Government that the Minister for Public Services had published for consultation the above draft bill.

**Resolved** that:

1. enquiries be made of One Voice Wales as to their intentions to consult with and advise member councils in connection with the matter so that meaningful and where appropriate uniform responses may be submitted on behalf of Town and Community Councils;
2. an Extraordinary Meeting of the Council be held on the 11<sup>th</sup> February 2016 if necessary in order to formulate views to be submitted to the Welsh Government by the 15<sup>th</sup> February 2016.

**121. MINERAL TECHNICAL ADVICE NOTE 2 - COAL**

An invitation was received from the Welsh Government for the Council to be represented at a Technical Advisory Group meeting for all stakeholders on the 11<sup>th</sup> January 2016 at Merthyr Tydfil.

**Resolved** that the Vice Chairman Councillor R P Morgan be authorised to represent the Council at the meeting.

**122. NATURAL RESOURCES WALES – FLOOD ADVICE**

**Resolved** that the advice received from Natural Resources Wales be noted and a link thereto be placed on the Council's website.

**123. NEW YEAR 2017 HONOURS LIST**

A letter dated 14<sup>th</sup> December 2015 was received from the Welsh Government in which nominations were invited for the Queen's New Year 2017 Honours List.

**Resolved** that:

1. a nomination be submitted in respect of Councillor D Clive Phillips in recognition of his contribution to the Neighbourhood Watch Scheme;

2. the Chairman, Vice Chairman and Councillors D B Thomas and D Lloyd be authorised to prepare the nomination on the Council's behalf.

## **124. FINANCIAL MATTERS**

### **(a) Applications for Financial Assistance**

#### **i. Cwmllynfell Hall**

Further to Minute 104(a)i of the last meeting a letter dated 30<sup>th</sup> November 2015 together with a completed application form for grant was received from Cwmllynfell Hall. The application was in respect of a further grant of £1,000 for the current financial year to meet the shortfall in revenue from the Library Services that the hall had not accounted for in their original application.

**Resolved** that consideration of the application for an additional grant of £1,000 be deferred until the next meeting when it can be reviewed in conjunction with the budget provision for the financial year 2016/17.

#### **ii. Cwmllynfell and Rhiwfawr OAP Association**

An application for financial assistance in the sum of £15,000 was received from the above organisation together with an estimate for repair work to the roof of Samuels Hall.

**Resolved** that:

1. in view of the cost of the works that are proposed that it be suggested to the Association that they seek advice with regard to grants from Neath Port Talbot Council for Voluntary Service;
2. the Association be also advised to submit another application when other sources of funding have been pursued and the net cost to the Association has been assessed.

#### **iii. Wales Air Ambulance**

**Resolved** that a grant of £250 be made to the above-mentioned organisation and the Council in accordance with its powers under sections 137 and 139 of the Local Government Act 1972 incurs the expenditure which in the opinion of the Council is in the interests of the area or of its inhabitants and will benefit them in a manner commensurate with the expenditure:

### **(b) Payment of Accounts**

**Resolved** that:

1. the action taken in making the following payment be ratified:

1759	Royal British Legion	Poppy Wreath	£ 20.00
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2. the following accounts be paid:

No			£
1765	Wales Air Ambulance	Grant	250.00
1766	Mrs C Phillips	Honorarium Cemetery Records	250.00
1767	Payroll	Net salary November	218.95
1768	HMRC	Income Tax	54.74

## **125. PLANNING MATTERS**

### **(a) Planning Applications**

**Resolved** that no objection be raised to the following planning applications

App No:

P2015/0915   Erection of single wind turbine on land north of Perthigwynion Farm, Rhydyfro;

P2015/0372   Alteration to front boundary wall and creation of a vehicular access at 1 Rhiwfawr School, Rhiwfawr;

P2015/0994   Retention of timber outbuilding for dog day centre at 89 Bryn Road, Cwmllynfell

## **126. REPORTS**

The following matters were reported:

South Wales Police Statistics	All Crime (see categories below)	October	11
	Anti Social behaviour		5
	Public Order		2
	Violent and sexual offences		4

The meeting terminated at 8.40pm.