

**LLANTWIT FARDRE COMMUNITY COUNCIL
CYNGOR CYMUNED LLANILLTUD FAERDREF**



Minutes of the Meeting of the Llantwit Fardre Community Council held on Tuesday, 29th October, 2019 at 7 p.m. at the Council Office, rear of the Carnegie Parish Hall, Main Road, Church Village, Pontypridd CF38 1PY

PRESENT

Community Councillor B.James – Chair

Community Councillors

R.Butler, M.Diamond, J.James, C.Johnson, A.Raines, G.Stacey, N.Tizard-Lee and L.Walker

In attendance: Ms. Karyl May – Acting Clerk and Executive Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Community Councillors S.Bristo and A.Watts.

2. DECLARATIONS OF INTEREST

RESOLVED – To note that in accordance with the Members' Code of Conduct the following declarations were made at the meeting. The Acting Clerk also informed Members that in addition to the forms that need to be completed following a declaration made a Register would also be available at all meetings which would also need to be completed:-

1. Community Councillor R.Butler in respect of Agenda Item 7(b) - Planning Applications – Llantwit Fardre Rugby Club, Central Park – New building to include a Public Bar and Lounge, Shower and Changing Rooms “I was former Vice-President of the Rugby Club”
2. Community Councillor R.Butler declared a personal and prejudicial interest in respect of Agenda Item 8 – Motion “Secretary of the Sports Club and I receive honorarium from the Club”. Councillor Butler left the meeting during the debate on this item.
3. Community Councillor A.Raines in respect of Agenda Item 7(b) – Planning Applications – Llantwit Fardre Rugby Club, Central Park – New

- building to include a Public Bar and Lounge, Shower and Changing Rooms “I am a member of the Rugby Club”.
4. Community Councillor B.James in respect of Agenda Item 8 – Motion – “I am a member of Llantwit Fardre Sports Club”.
 5. Community Councillor J.James in respect of Agenda Item 8 – Motion – “I am a member of Llantwit Fardre Sports Club”.
 6. Community Councillor A.Raines in respect of Agenda Item 8 – Motion – “I am elected as an ex officio member of the Sports Club by Llantwit Fardre Community Council. I have no voting powers at the Club”.
 7. Community Councillor G.Stacey in respect of Agenda Item 7(b) – Planning Application – Llantwit Fardre Rugby Club, Central Park – New building to include a Public Bar and Lounge, Shower and Changing Rooms – “I am a past member of the Club”.
 8. Community Councillor G.Stacey in respect of Agenda Item 7(h) – List of Cheques – I received a cheque from Llantwit Fardre Community Council (Cheque No.2822) in the sum of £21.35 as I purchased food and drink for participants in the KRUF walk which took place on the 18th August, 2019. I have returned the cheque to the Acting Clerk the sum of which is to be donated to KRUF or any other charity”.
 9. Community Councillor G.Stacey in respect of Agenda Item 8 – Motion – “I am a Community Councillor representative to Llantwit Fardre Sports Club”.

3. PUBLIC BREAK

Members received Mr.M.Bushnell who in accordance with Standing Order 32 raised questions regarding the quotations that had been received for the provision/installation of equipment for the Ty Coch play area and which had been agreed at the Council meeting held on the 30th July, 2019 (Minutes Nod.6.27 and 6.28 refers).

Prior to this evening’s meeting, Mr.Bushnell had visited the Council Office and looked at the three quotes that had been considered by Members of the Leisure and Amenities Committee held on the 23rd July, 2019 (Minute No.9.1 refers). Mr.Bushnell raised concerns that whilst agreement was given at the meeting of Council in July for the installation of a piece of play equipment in Ty Coch park at a cost of £18,000 the quotes were not presented to Members and to date the equipment has not been installed.

Mr.Bushnell also raised concerns in respect of the maintenance of the park but did indicate that following his visit to the Council Office last week, the grounds of the park had been mowed and strimmed.

Following the comments made by Mr.Bushnell, the Acting Clerk informed those present that the play equipment is to be installed on Monday next (4th November, 2019).

4. **MINUTES**

RESOLVED – to approve as correct records the minutes of the following meetings subject to any amendments as shown hereunder:-

- (a) Leisure and Amenities Committee held on the 23rd July, 2019 (these minutes were omitted from the agenda of the Council meeting held on the 24th September, 2019)
- (b) Community Council held on the 24th September, 2019.

Note: Prior to consideration to the minutes of the meeting held on the 24th September, 2019, the Acting Clerk reported that a request had been made by a Councillor that the name of the Member who made the statement in respect of VAT be inserted in Minute No.5(d) and that the words “derogatory manner” be deleted from paragraph 4 of Minute No.15(b). Following a discussion it was **RESOLVED** – to approve the minutes of the Community Council held on the 24th September, 2019 subject to:

- Councillor Butler’s name being inserted in Minute No.5(d) as being the Member who made the statement in respect of the VAT;
- the words “derogatory manner” be not deleted from Minute No.15(b);
- include in Minute No.14, that Members conveyed their thanks to former Community Councillor A.Handley for the work he undertook on behalf of the community during his time in office.

Further Noted: Community Councillors R.Butler, B.James, J.James, A.Raines and G.Stacey wished to have their names recorded in voting in favour of the words “derogatory manner” not being deleted from Minute No.15(b) and Community Councillors M.Diamond, C.Johnson, N.Tizard-Lee and L.Walker wished to have their names recorded in voting against the words “derogatory manner” remaining in Minute No.15(b).

- (c) Leisure and Amenities Committee – held on the 8th October, 2019.

5. **ALLOTMENT FEES**

Pursuant to Minute No.6(2) of the meeting of the Leisure and Amenities Committee held on the 8th October, 2019 which were approved earlier on in the meeting (Minute No.4(c) above refers), the Acting Clerk informed Members that having checked the minutes of the Council meeting held on the 30th July, 2019, there is no record to show that Minute No.6.8 had been rescinded. However, a copy of the Notice of Motion of Special Resolution standing in the names of Community Councillors R.Butler, J.James, A.Watts and G.Stacey had been given to the Acting Clerk stating – “in accordance with Standing Order 36(a) the Council rescind a decision of the Council dated the 26th March, 2019 Allotments point (6.8) relating to the allotment charges also referred to in the Clerk’s report dated 26th March, 2019 Point 4 Allotment increase of £15 (Station Road Allotment).

The Acting Clerk confirmed that whilst she had been provided with a copy of the Special Resolution as there is no official record in the minutes then Minute No.6.8 cannot be rescinded.

Nevertheless, six months had now past since the Council Meeting on the 26th March, 2019 and Members consideration was therefore sought in respect of the fees to be charged for occupied plots within the allotments and it was **RESOLVED** – that the fees for occupied plots be set at £5 per usable plot in the current year and £10 per usable plot from next year, subject to the required notice of increase in charges being given to the allotment holders.

6. RECOMMENDATION FROM MEMBERS OF THE FINANCE AND POLICY COMMITTEE WHICH MET EARLIER THIS EVENING

With the permission of the Chair, the Acting Clerk reported that at the meeting of the Finance and Policy Committee held earlier on this evening, Members gave consideration to the following item that was deferred from the Council Meeting held on the 24th September, 2019 (Minute No.7 refers):-

“Allocation of monies allocated at the Precept Meeting for each individual area”.

A Member reported earlier that at the meeting of the `Precept Working Group` held earlier in the year, it was agreed that an allocation of £1,000 be given to each Ward within the Community of Llantwit Fardre namely; Church Village, Efail Isaf, Llantwit Fardre and Tonteg, which should be taken from the reserves allocated for the Christmas Events. The allocation would enable the Wards to, for example, put money towards various events or to purchase such items as a `growing` Christmas tree which has been requested by the residents of Tonteg.

The Acting Clerk reported that there is no record of any minutes taken from the meeting of the Working Group and therefore no approval given for the allocation and the majority of the budget for the Christmas Events had already been spent.

Following a discussion, Members of the Finance and Policy Committee wished to recommend to this meeting of the Council –

That an allocation of £1,000 be made available to each Ward within the Community of Llantwit Fardre during this financial year and that the Chair of the Council and the Acting Clerk make such payments as and when felt appropriate on receipt of suitable `paperwork` and it was **RESOLVED** – accordingly.

7. REPORT OF THE POLICE

The Acting Clerk informed Members that no report had been received from the Police for this meeting. Community Councillor A.Raines also reported that the PACT meeting had also been cancelled this month due to workloads.

REPORTS OF THE CLERK

8. EXTERNAL AUDIT REPORT

Following the completion of the Annual Return which was sent to the External Auditor in August of this year, the Acting Clerk attached to her report at Appendix A the completed report of the External Report and the returned Annual Report at Appendix B.

The following four issues arising from the 2018/19 audit were highlighted by the External Auditor and the Acting Clerk outlined how these issues could be addressed:-

1. Accounts not certified in accordance with the Accounts and Audit (Wales) Regulations 2014
2. Risk Assessment
3. Financial Regulations – Thresholds
4. Approval of the Annual Return

In conclusion, the Acting Clerk reported that whilst the 2018/19 report of the External Auditors was disappointing, it was not unexpected as there were delays in submitting the Annual Return and the comments that were made in the Internal Auditor's report. However, this Community Council will have time to address the issues and adopt the recommended new policies to ensure a better report in 2019/20.

RESOLVED –

1. To adopt a Financial Risk Assessment Policy and Procedures by 31st December, 2019;
2. To request an interim audit from the Internal Auditor;
3. To adopt the revised Standing Orders by the 31st December, 2019;
4. To adopt the model Financial Regulations by 31st December, 2019;
5. To approve the completed Annual Return and complete the minute reference in the box required.

9. PLANNING APPLICATIONS

RESOLVED –

1. to note that the following planning applications received from Rhondda Cynon Taf County Borough Council had been forwarded to Members :-

- 7 Lister Close, Church Village, CF38 1GL - ~Proposed Orangery
- 20 Alder Grove, Llantwit Fardre, CF38 2JX – Double Storey Extension
- 20 Crown Hill Drive, Llantwit Fardre, CF38 2NE – 2 Storey Side and Single Storey Rear Extension

- 29 Cheriton Grove, Tonteg, CF38 1PF – Proposed Raised Decking and Replacement of Existing Window with Double Doors
- 46 St. Illtyds Road, Church Village. CF38 1DA – Removal of Condition 3 (Surface Water) of previously approved Planning Application 19/0103/10)
- 7 Heol y Fro, Church Village – Conversion of Garage to a Children’s Day Care Unit
- Estaynes, Llantrisant Road, Llantwit Fardre – Proposed New Dwelling on existing Property (received recently)
- Llantwit Fardre Rugby Club, Central Park – New Building to include a Public Bar and Lounge, Shower and Changing Rooms.

Note: Community Councillor N.Tizard-Lee wanted to convey his best wishes to the Rugby Club in making the proposed improvements.

2. to note the details (copies circulated at the meeting) of the hearing in respect of the planning application by Llanmoor Development Co.Ltd. for the site at Ystrad Barwig Isaf Farm, Crown Hill, Llantwit Fardre is to commence on the 12th November, 2019 at 10 a.m.

10. APPOINTMENT OF COMMUNITY COUNCILLOR TO THE FINANCE AND POLICY COMMITTEE

RESOLVED – to defer consideration of the vacancy on the Finance and Policy Committee to replace former Community Councillor A.Handley until such time as the new candidate has been elected.

11. LAND IN THE OWNERSHIP OF LLANTWIT FARDRE COMMUNITY COUNCIL

With reference to Minute No.15(a) of the meeting of this Council held on the 24th September, 2019, it was **RESOLVED** – to note that the list of areas in the ownership or leased by this Community Council will be presented to the Council meeting on the 26th November, 2019.

12. INDEPENDENT REMUNERATION PANEL FOR WALES – DRAFT ANNUAL REPORT 2020/21

In accordance with the requirements of Section 147 of the Local Government (Wales) Measure, 2011, it was reported that the Independent Remuneration Panel for Wales had prepared their Draft Annual Report for the 2020/21 financial year. A copy of the link to the report had been emailed to Members on the 16th October, 2019.

For ease of reference, set out in the report were the determinations of the Panel in relation to Town/Community Councils.

RESOLVED –

1. To note the information contained in the report;

2. To note that any representations need to be made by the 10th December, 2019 in order to meet the Measure's requirements to publish the Annual Report by the 28th February, 2020 to the IRP Secretariat, Welsh Government, Cathays Park, Cardiff or by email: IRPMailbox@gov.wales
3. To receive a further report from the Clerk following the publication of the Panel's Annual Report in February, 2020.

12. CODE OF CONDUCT TRAINING

The Acting Clerk reported that at the meeting of the Standards Committee of Rhondda Cynon Taf County Borough Council held in September, 2019, Members received a report from the Monitoring Officer in respect of the 2018-2019 Public Services Ombudsman for Wales' Annual Report.

The Annual Report highlighted that during the period 2018-19 there was a further rise in complaints made about Members of Town and Community Councils and a further increase in the number of complaints being submitted in relation to the treatment of Town and Community Clerks and Staff.

At the meeting, the Acting Clerk informed Members that since compiling her report the number of Code of Conduct complaints made to the Ombudsman against Community Councillors of this Council has risen from eleven to sixteen (an increase of five). These sixteen complaints have been made over a five week period. She also informed Members that notification had been received from the Ombudsman indicating that seven of the complaints are not being investigated and that it was hoped that at the next Council meeting, Members will be informed if the Ombudsman is of the view that there are grounds to investigate any of the complaints.

Members were also reminded that at the Council Meeting held on the 25th June, 2019, a Model Local Resolution Protocol was adopted (Minute No.6.2 refers). However, the Acting Clerk respectfully suggested that this Protocol be revised to include terms of reference should Members agree to a Complaints Panel being established to deal with some complaints made against Members.

Following the observations made by the Acting Clerk, it was **RESOLVED –**

1. To agree to Members receiving training from One Voice Wales in respect of 'The Council as an Employer';
2. To agree to Members being given the opportunity to receive training on the Code of Conduct and to inform the Acting Clerk accordingly;
3. To agree to the adoption of a revised Model Local Resolution Protocol to be presented to the next meeting of this Council for consideration.

13. FINANCIAL REGULATIONS – BUDGETARY CONTROL

In accordance with paragraph 3.4 of the Council's Financial Regulations, which were adopted by the Community Council at its meeting held on the 8th March, 2016, the Acting Clerk advised Members of the expenditure that had been incurred due to the necessity of purchasing two Desktop PCs and it was **RESOLVED –** to note the action taken by the Acting Clerk in accordance with

paragraph 3.4 of the Council's Financial Regulations, for the reasons outlined in the report.

14. LIST OF CHEQUES ISSUED SINCE THE LAST MEETING

RESOLVED – to receive the list of cheques as listed in the report and issued since the last meeting held on the 24th September, 2019.

15. FINANCIAL REPORT

RESOLVED – to receive the updated financial report for Period 5 of the 2019/20 financial year.

16. REPLACEMENT OF FENCE AT PARK NANT CELYN, EFAIL ISAF

In her report, the Acting Clerk informed Members that in December, 2013, this Community Council leased the above park from Rhondda Cynon Taf County Borough Council for a term of 21 years.

The fence surrounding the park is beyond repair and it is the responsibility of this Community Council to keep such structure in good and substantial repair as governed by the covenants within the lease.

A lengthy discussion ensued when it was suggested by a Member that the wooden fence be replaced by galvanised metal fencing as it would not need to be replaced for many years, another Member proposed that a quote be sought from `Fence and Forget` as the timber used has a 30 year lifespan, however is a lot more expensive than the fencing that was to be purchased from a local supplier. A Member also raised concerns regarding safeguarding issues due to the location of the park.

RESOLVED – to defer consideration of this matter to the Leisure and Amenities Committee.

17. CONSULTATION – RESIDENTIAL CARE SERVICES

RESOLVED – that the Acting Clerk respond to the above consultation on behalf of the Community Council objecting to the proposal that one of the Care Homes namely Garth Olwg be decommissioned by the deadline of the 20th December, 2019.

18. ENVIRONMENTAL WALES ACT, 2018 (SECTION 6)

The Acting Clerk, informed Members that in March, 2016 the Environmental (Wales) Act came into force, its purpose being to secure health, resilient and productive ecosystems in Wales, whilst still meeting the challenges of creating jobs, housing and infrastructure.

Within the Act, all public authorities, including Town and Community Councils – “must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions”.

It was reported that this Community Council must before the end of 2019 and before the end of every third year (after 2019), prepare and publish a plan setting out what it proposes to do to comply with the duty. Examples were set out in the report of what could be included in the plan and attached at Appendix A was a copy of a template produced by the Welsh Government that could be used but is not prescriptive.

It was further reported that every public authority including Community and Town Councils are free to decide how they should report on the duty and although the template will be useful by itself a guide is to be published which will give more detailed information on the reporting framework and will give clarity on the various fields in the template.

RESOLVED –

1. To agree that the Clerk be requested to prepare and publish a Plan setting out what this Community Council proposes to do by the end of 2019 in compliance with Section 6 of the Environmental (Wales) Act, 2016;
2. To agree that the Plan be a standalone document to include the following, in the first instance:-

1. To embed the consideration of biodiversity and ecosystems into the Community Council's early thinking and business planning, including any policies, plans, programmes and projects as well as the day to day activities.
2. That this Community Council raise awareness to "Think Green" which will enhance the way in which is the best use of its land so that it will benefit the community in the long term.
3. To work with Tonteg WI Gardening Group to increase the provision and diversity of flower-rich resources for pollinators.
4. That Ty Illtud be registered as a REFILL station and commit to making the provision of accessible drinking water an essential requirement for public space developments (as agreed by Minute No.9 of the Leisure and Amenities Committee held on the 8th October, 2019).
5. To display posters in the Community Council Office, the Parish Hall and Ty Illtud encouraging users to use the recycling bins provided.

3. That the Clerk update Members on this matter as and when appropriate.

19. THE PUBLIC BODIES (WEBSITES AND MOBILE APPLICATIONS) (NO.2) ACCESSIBILITY REGULATIONS, 2018

In her report, the Acting Clerk informed Members that the above Regulations came into force for public sector bodies on the 23rd September, 2018 and the Community Council has until September, 2020 to comply.

It was reported that the 2018 regulations build on the existing obligations to people who have a disability under the Equality Act, 2010 and making the website more accessible means making sure it can be used by as many people as possible, which include those with impaired vision, motor difficulties etc.

Members attention was drawn to the fact that it is a legal requirement that the website meets the accessibility regulations and therefore this needs to be budgeted for in the 2020/21 financial year as the Council's website will need to be updated by a recommended web designer who is au fait with the standards required. The Council will also have a duty in September, 2020 to not only make its website more accessible but to also publish an Accessibility Statement which must be reviewed annually.

Members referred to recommendation 2.2 of the report viz: *“that when considering the budgetary issues for the 2020/21 financial year in respect of the accessibility requirements to consider whether to simply meet the requirements of the regulations or to invest in consolidating the website with the setting up of a Facebook account.”* It was reported that at the meetings of this Community Council held on the 10th December, 2018 and the 29th January, 2019, Members agreed not to set up a Facebook account. However, at the meeting of the Leisure and Amenities Committee held on the 23rd July, 2019 it was agreed by Minute No.12.1 – *“the feeling that there is a need to revise the way that the Council publicises their events to ensure that a wide audience is reached. To this end the setting up of a Facebook page need to be looked into. The Chairperson will liaise with the Clerk on this matter. The CF38 facility could also be used”*.

A discussion ensued with regard to whether the Community Council should set up a Facebook page prior to making the necessary arrangements to comply with the Accessibility Regulations and it was **RESOLVED –**

1. To acknowledge the requirement to prepare to comply with the Public Sector Bodies (Websites and Mobile Applications) (No.2) Accessibility Regulations 2018 and consider that the necessary arrangements be made for this to be budgeted for in the 2020/21 financial year's provision of the Community Council website;
2. That arrangements be made for the setting up of a Facebook Page for this Community Council.

Note: Community Councillor M.Diamond wished to have his name recorded that he voted against Minute No19(2) above and Community Councillor L.Walker wished to have recorded that he abstained from voting in respect of Minute No.19(2) above).

20. WELL-BEING OF FUTURE GENERATIONS (WALES) ACT, 2015

The Acting Clerk informed Members that this Community Council has a duty under the Well-Being of Future Generations (Wales) Act, 2015 to publish an annual report outlining how this Council has contributed to local well-being

objectives and it was **RESOLVED** – That the Acting Clerk take the necessary action in compiling the annual report for approval by Members in the near future; and to acknowledge that this could incur costs, for example an increase in staff hours and design.

21. CHRISTMAS WORKING ARRANGEMENTS

RESOLVED – That the Council office be closed from Monday, 23rd December, 2019 to the 1st January, 2020 (inclusive).

22. REMEMBRANCE SUNDAY

RESOLVED – to note the arrangements that have been made for the Community Council to hold a Remembrance Day Service at St.Illtyd’s Church at 10.30 a.m. on Sunday, 10th November, 2019 which will be followed by a short act of Remembrance at the Parish Hall at 11.30.

23. NOTICE OF ELECTION

RESOLVED – to note that following the resignation of former Community Councillor A.Handley, notification of an election has been received and contested as reported by the Acting Clerk at the meeting and that the poll will take place on Thursday, 21st November, 2019 at the Carnegie Parish Hall.

24. MOTION

The following motion standing in the names of Community Councillors L.G.Walker, M.Diamond, C.Johnson and N.Tizard-Lee was considered:-

“Standing Order 42 – Recision of a previous decision of this Council made on the 24th September, 2019 – Agenda Item 10 (report paragraph No.6.3.1). The grounds for the motion are no estimates of cost were provided on the night further information was not provided and Members who voted were Members of a Committee and should have declared a personal and prejudicial interest and not voted”.

On speaking to the Motion, Community Councillor L.Walker read out the estimate that was circulated at the meeting of the Leisure and Amenities Committee held on the 28th August, 2019 for the Senior Citizens Dinner which was to be held at the Llantwit Fardre Sports Club and the net cost for the Community Council was a total of £1,461.75 and he was therefore of the view that this was not a proper estimate. He indicated that he was not against the dinner being held on the 4th December, 2019 provided the costs were borne by Llantwit Fardre Sports Club and a donation being requested from this Council.

At the meeting the Acting Clerk indicated that an email had been received from the Secretary of the Sports Club dated the 12th October, 2019 stating that there will be no charge for the use of the function room for both the Christmas Fete and the Senior Citizens evening, the costs for the entertainment and the bingo prizes arranged for the evening of the 4th December will also be borne by the Sports Club.

Councillor Walker also raised concerns regarding the declarations made by certain Members as he was of the view should be personal and prejudicial and the Members concerned responded that they were appointed as this Council's representatives on the Llantwit Fardre Sports Club and as they have no voting rights then the interests are of a personal and not a prejudicial nature.

Following a discussion, it was **RESOLVED** – not to adopt the motion.

Note: Community Councillors M.Diamond, C.Johnson, N.Tizard-Lee and L.Walker wished to have their names recorded that they voted in favour of the motion being adopted and Community Councillors B.James, J.James, A.Raines and G.Stacey wished to have their names recorded that they voted against the motion being adopted and therefore the Chair used his casting vote and the motion was therefore not adopted.

Further Note: Community Councillor R.Butler left the meeting during consideration of the motion as outlined in Minute No.2(1) above.

25. ADMISSION OF THE PRESS AND PUBLIC

RESOLVED – Not to exclude the press and public from the meeting for the following items of business.

26. WORKS TO TY ILLTUD

RESOLVED – to defer the matter to the Finance and Policy Committee and to avoid any further delays the Committee be given plenary powers to award the quotes that are considered to be the best quality and price and that the contractors be advised accordingly.

**B.JAMES
CHAIR**

The meeting closed at 9.00 p.m.

Signed _____ Date _____