

31st March, 2021

Minutes of the Ordinary Meeting of Llandybie Community Council held via Microsoft Teams on Wednesday, 31st March, 2021 at 6.30 p.m.

Present

Councillors	R. A. Davies	Mrs J.E. Collins	Mrs K.D.L. Davies
	S.J. Roberts	Mrs C. Thomas	D. Nicholas
	Mrs S. E. Thomas	Mrs Ll. Latham	P.H. Roberts
	B. Rees	E.W. Nicholas	Mrs A. Evans

Apologies

Councillors	W.D. Evans	D. Hopkins	C.J. Harris
	I. Rh. Llewelyn		

858.

Declarations of interest

There were none

859.

MINUTES

The Minutes of the following meetings as circulated were considered:

Minutes of the Ordinary Meeting of Council held on 24th February, 2021
Minutes of the Planning Meeting of Council held on 24th February, 2021.

It was **resolved** to approve the Minutes of these meetings as a true record. It was further **resolved** to confirm the recommendations of the committee.

860.

MATTERS ARISING FROM THE MINUTES

Minutes of the Ordinary meeting held on the 24th February, 2021

There were none.

CORRESPONDENCE

861.

Police reports

Ammanford NPT reported the following crimes for February and March 2021 :-

Llandybie

Criminal Damage 5
Assault 4
Assault Police 2
Harassment 6
Malicious communications 1

Blackmail 1
Other 3

Saron including Capel Hendre and Penyban

Burglary 2
Theft 2
Criminal Damage 2
Assault 3
Handling Stolen Goods 1
Drug related offences 3
Harassment 6
Malicious communications 2
Blackmail 1
Domestic related incidents 2
Other 2

Penygroes

Criminal Damage 2
Assault 2
Drug related offences 1
Harassment 3
Malicious Communications 1
Domestic related incidents 1
Other 3

862.

Heart of Wales Line Travellers Association

It was **resolved** that membership of this organisation should be renewed at a cost of £18.

863.

Local Government and Elections (Wales) Act 2021

The Act received Royal Assent on 20 January 2021 and provides for a phased approach to introducing various provisions. A summary of key provisions that have an impact on Community Councils are listed below.

- a) Votes for 16 and 17 year-olds and EU Citizens and citizens of other countries
- b) The electoral cycle of community councils changes from four to five-year terms.
- c) The eligibility criteria for candidates at local government elections to allow a citizen of any country to stand for election.

d) Council officers and employees, other than those holding politically restricted posts, will be entitled to stand for election to their own council. They will only be required to resign their paid employment with the council if they are elected.

e) The Act provides eligible community councils with a General Power of Competence from the 5th May 2022, with the aim of bringing about more effective, capable and innovative local government. Community councils can move away from a position where they have to identify a specific power in order to undertake a particular activity, to one in which it is assumed they can do something unless there is a statutory restriction preventing it. The conditions which community councils must meet, in order to be able to resolve themselves an 'eligible community council' are:

i) at least two-thirds of the total number of members of the council have been declared to be elected whether at an ordinary election or at a by-election

ii) the Clerk to the council holds such qualification or description of qualification as may be specified by the Welsh Ministers by regulations. There will be consultation on guidance and the regulations specifying a 'relevant professional qualification' for a clerk. It is envisaged that this will be a sector specific qualification such as the Certificate in Local Council Administration (CiLCA).

iii) the council satisfies the audit condition of an unqualified audit during the 12 month period ending on the day on which the council passes the resolution to become an eligible community council

f) The Act makes it easier for meetings to take place through a variety of arrangements, including multi-location meetings where all individuals are attending virtually and hybrid meetings - where a number of individuals are attending in person at a designated location and others are attending virtually from a range of other locations. The Act makes permanent provision for remote meetings (multi-location) and electronic publication of documents, currently provided through The Local Authorities, (Coronavirus) (Meetings) (Wales), Regulations 2020 Act and it is intended to have effect from 1 May 2021 to dovetail with the expiry of The Local Authorities, (Coronavirus) (Meetings) (Wales), 2020 Regulations.

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The electronic publication of documents extends to include making available key information as soon as reasonably practicable, and within seven working days of the community council meeting taking place, and must include: the names of members who attended; apologies for absence; declarations of interest; any decisions taken and the outcome of any votes. This would not apply to any decisions taken in private, or where disclosure of the information would be contrary to any enactment.

g) From 5 May 2022 people presiding over community council meetings that are open to the public must give members of the public in attendance reasonable opportunity to make representation about any business being discussed at the meeting, unless this is likely to prejudice the effective conduct of the meeting.

h) From April 2022 community councils will have a duty to prepare and publish an annual report. The first report must relate to the financial year April 2021- March 2022.

i) All community councils are required to continue to adopt a code of conduct and all community councillors are expected to have high standards of conduct whether they are part of a political group or not.

j) Community councils will have a duty to consider training from 5 May 2022 for councillors and staff, and publish the first training plans by November 2022.

It was **resolved** to note the provisions of the Local Government and Elections (Wales) Act 2021

864.

Glynhir Golf club

A letter had been received from Glynhir Golf Club informing Members that the club had been successful in obtaining a grant of £27907 from a Be Active Wales grant fund for an innovative project to improve paths and create a six hole circuit which would help accommodate new people to golf – specifically females, the 60 plus age group as well as helping with dementia and autism buddy plans. Financial support was requested as a contribution towards the remaining 50% which the golf club have to self fund.

Members **resolved** that the Clerk should obtain more details on the proposed project and the latest audited annual accounts for the Golf Club for consideration at the next Finance committee meeting.

865.

Prohibition of stopping outside schools

Carmarthenshire County Council had given notice to issue a public notice that between the hours of 8am and 5pm on any day except Saturday and Sunday parking outside schools would be prohibited at Penygroes, Saron and Blaenau schools. Any objections are to be lodged before 9th April, 2021.

866.

Glastir Woodland creation at Waun Glyn Cath

Tihill Forestry Limited had informed the Council that they propose to apply for planning to plant on 1.45 Hectares of land a mixture of native broadleaf, trees including oak, Alder, Cherry, Birch, Rowan and Beech to increase local biodiversity and to help sequester carbon. Any objections are to be submitted by the 8th April.

867.

GILFACH IAGO

Carmarthenshire County Council had provided an update informing Members that discussions were still ongoing with Celtic Energy and that they were working towards both restoring and enhancing public access across the former opencast site.

Chair

CLERK'S REPORT

868.

a) Rights of Way

(i) Works on the Public Rights of Way network within the Community Area

Details of the Council's expenditure on the Public Rights of Way in the Community area had been submitted to the County Council's Countryside Recreation Unit requesting reimbursement of these costs as in previous years.

The total cost of the works was £4645.00 excluding the VAT element which is reclaimed directly by the Council from HMRC.

(ii) Annual maintenance contracts – Rights of Way network

Tender Documents have been sent to six contractors inviting tenders for carrying out the cleaning and trashing of various rights of way within the Community. The tenders are to be returned on or before 12.00 hrs. on 17th April, 2021.

The returned tenders will be opened by the Chair, Administration Officer and Clerk and recommended for acceptance so that the contracts can commence during June 2021.

b) Parks

1) Inspection reports

An invoice for the monthly inspection reports from February 2020 to January 2021 had been received from Sunshine Playgrounds Ltd at the agreed quoted price of £ 2430 plus VAT.

2) Park maintenance

a) An invoice for £132 plus VAT had been received from Sunshine Playground Ltd for the replacement cradle swing parts at Llandybie park.

b) An invoice from Carmarthenshire County Council for £6561 had been received for the preparation and maintenance of Llandybie Bowling green for 2020/2021 as agreed under the SLA agreement.

c) An invoice from Carmarthenshire County Council for £13152.66 had been received for the Grounds Maintenance services SLA. This invoice is £ 7657.35 less than the contracted price due to close monitoring and a reduction in services due to the Covid crisis.

Chair

d) Small maintenance work including path clearance, moss treatment and equipment repair had been undertaken by P Bishop at a cost of £210 to include all labour, parts and materials.

Additional work to remove two concrete pillars at the park had also been agreed together with moss removal spraying on areas of wet pour at Cwmgwili and Derwydd parks.

e) An area of approximately 8 square metres of safety surfacing had been ripped up at Capel Hendre park. The incident had been reported to Dyfed Powys Police. The replacement cost of the wet pour had been estimated at £440 plus VAT, and it had been agreed by the Chair that the work should be undertaken due to Health and Safety concerns.

It was **resolved** to pay the items in a) – e) above.

3) Gorsddu park

It has previously been reported that County Councillor D. Thomas of Penygroes had allocated £12734 of Section 106 funds to help with the replacement of the multi play unit at Gorsddu park. The unit had been identified as having rot in some of the wooden parts with trip points and very uneven surfaces on the edges and around the base. The design of the preferred new unit entails an increase in the surface area due to new legislation and this is included in the quotation price.

The Clerk had spoken to three installers and obtained quotations for a new unit.

Parks and P £18950
Active Landscapes £19753
Sunshine Playgrounds Ltd £17000.30

It was **resolved** that the contract should be awarded to Sunshine Playgrounds Ltd and that the Council contribute £4266 to the shortfall. This new equipment will remove high risk inspection issues from the park and take advantage of Councillor Dai Thomas' generous offer of support for the project.

Prior to release of Section 106 funds for Gorsddu, the Council had to formalise a lease agreement for the park which had previously been operated on licence with Carmarthenshire County Council. The lease is now in place and registered at the Land Registry. An invoice for £843 plus VAT had been received from CCW Law Solicitors for the legal work involved. It was **resolved** that this invoice should be paid.

4) Park signage

Three quotations had been received for the supply and fixing of three new park signs at Gorsddu, Penygroes and Capel Hendre and for the new No Smoking signage required by legislation in all play areas from March 2021. The contract had been awarded to Designz of Gwaun Cae Gurwen at a cost of £1294 with installation expected during April, 2021.

c) Clerk's Printer

A new printer had been ordered as the previous 5 year old model had been troublesome for some time and a workshop diagnostic had reported that it had become uneconomical to repair. The Clerk had obtained 3 quotes for a similar specification printer.

Printerland - £469.10 plus VAT
Laptops Direct - £429.97 plus VAT
Morgan and Morgan - £428 plus VAT

With the agreement of the Chair, an order had been placed with Morgan and Morgan.

It was resolved to pay the invoice on receipt.

d) One Voice Wales – renewal of membership 2021/2022

Membership renewal of this association is due on the 1st April 2021 and the Clerk had received a renewal invoice for £ 1808. The fee is based on 5227 dwellings (taken from the Valuation List) at £0.346p per dwelling. With ever increasing responsibilities being devolved to Community Councils, the Clerk had sought guidance on a number of issues during the year and the regular updates on matters relating to local issues, legal and financial requirements and training were a very valuable resource.

It was **resolved** that membership should be renewed.

e) Independent Remuneration Panel - Annual report 2020/21

Llandybie Community Council will continue at Band a for 2021/22 reflecting last year's expenditure being above the £200k threshold.

The determinations of the IPRW specifically relating to Community Councils are as follows :-

Determination 42 – All Community and Town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses. As the payment is mandatory, it must be paid to each councillor unless the individual councillor makes a personal decision to forgo part or all of the entitlement.

Determination 43 – All councils in Band A must make available an annual payment of £500 to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. Llandybie Community Council has previously resolved to make this available to the Chair and Vice Chair unless the individual councillor makes a personal decision to forgo part or all of the entitlement.

It was **resolved** that the payments be made available to the Chair and Vice Chair unless the Member decides to forgo the payment

Chair

Determination 44 – applicable to Band B and C Councils only

Determination 45 – 47 recognise that reimbursement of travel costs, subsistence costs, compensation for financial loss for attending meetings, and reimbursement of the costs of care and personal assistance be made available should an appropriate claim be made.

Determination 48 and 49 – the Council can provide a payment to the Chair of Council up to a maximum of £1500, and to the Vice Chair of up to £500.

It was **resolved** to accept the payment recommendations in Determination 45-49.

The Chairman's Allowance has previously been maintained annually at £300 and it was **resolved** that this should continue.

f) SLCC and OVW Annual conference 2021

The Clerk had arranged to attend this full day virtual conference on the 13th May as it included many keynote speakers on topics which will impact on the future of Community Councils, including Managing Financial Risk and Ensuring Effective Governance and Accountability, The Local Government & Elections Wales Act (2021) and using the General Power of Competence and the opportunities that might arise.

The cost of the event is £45 excluding VAT which the Chair had authorised to pay.

g) Printer Ink

The Clerk had authorised with the agreement of the Chair, a purchase of printer ink from Tesco and Amazon for the administration officer's printer as the normal supplier were having difficulty in sourcing the ink. A payment of £97.47 had been reimbursed to the officer.

h) EDF Electricity supply to the parks and pavilions

The 2 year deal negotiated with EDF in April 2019 was due to expire. The new rate had been offered at a lower Kwh rate across the six sites but a slightly higher daily standing charge of 0.38p, fixed for a further 2 year period. The Clerk had discussed rates with SSE and E-On but both were reluctant to offer low rates for our low usage park sites, and only quote on the pavilions at Saron and Llandybie.

EDF had provided good customer service over the last two years and the current online meter reading process was working well.

It was **resolved** that a new 2 year deal with EDF until April 2023 should be accepted.

Chair

i) Public Lighting maintenance and energy costs

An invoice for £5069.16 plus VAT had been received from Carmarthenshire Council for the period 1/4/20 to 31/3/21.

Previous annual charges have been :-

2017/18	£7516.20
2018/19	£7877.40
2019/20	£5423.76

The lower charge for the last two years reflect the change to LED lamps for all Community Council lamps.

It was **resolved** to pay the invoice

j) Penygroes RFC

The four floodlight pylons at the park are owned by Penygroes RFC and the Clerk had spoken to the council's insurance company who had confirmed that as the land and pylons are not owned by the Council they would not be covered under the policy for Public Liability as the Council have no insurable interest in the asset. If a third party was to be injured by the asset in question and they could prove the Council were liable for the incident, the Council's policy would react to the claim. However, the rugby club are responsible for the pylon and they would be held responsible.

The Clerk had spoken to the officials of the club and they are currently costing the removal of the pylons. They have been made aware of the Council's insurance cover.

k) Wayside seat at Penybanc

The seat outside Penybanc Welfare Hall had been reported as being severely damaged. The severity of the damage would indicate that it had been hit by a vehicle. The seat had been removed by R Gleaves at cost of £25.

869.

FINANCIAL MATTERS

(i) Payment of accounts

The following invoices had been received in March 2021 and been paid after discussion with the Chair

5456	Came and Company	Insurance renewal 01/04/2021 to 31/3 2022	£2405.59
5457	Penygroes RFC	Grant re; Fencing at Penygroes park	£6434.14
5462	EDF	Llandybie pavilion – Feb 2021	£64.22
5463	EDF	Llandybie MUGA – Feb 2021	£10.93

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5464	EDF	Capel Hendre park – Feb 2021	£10.93
5465	EDF	Llandybie bowls shed – Feb 2021	£19.98
5466	EDF	Saron pavilion – Feb 2021	£80.92
5467	P Bishop	Park maintenance and repairs	£210.00
5470	SLCC Enterprises Ltd	Joint SLCC and OVW conference 2021	£54.00
5472	Rhian Thomas	Printer ink	£97.47
5476	EDF	Penygroes park – Feb 2021	£9.71
5477	SSE Swalec	Llandybie public conveniences 12/12/20 – 16/3/21	£46.62
5479	SSE Swalec	Penygroes public conveniences 18/12/20 – 18/3/21	£33.20

The following invoices had also been received :-

5458	Carmarthenshire County Council	SLA cost for preparation and maintenance of Llandybie Bowling Green 2020/2021	£6561.00
5459	S Griffith	Salary for March 2021 and use of home as office allowance	£2296.43
5460	R Thomas	Salary for March 2021 and use of home as office allowance	£660.86
5461	HMRC	March 2021	£944.26
5468	Martin Davies	Translation services	£127.00
5469	One Voice Wales	Annual membership 2021/2022	£1808.00
5471	Rhian Thomas	Expenses 30/9/20 to 31/3/21	£101.70
5473	Sunshine Playgrounds Ltd	Replacement cradle swing rim	£158.40
5474	Sunshine Playgrounds Ltd	Monthly park inspections Feb 2020 to Jan 2021	£2916.00
5475	HOWLTA	Annual membership of the Heart of Wales Line Travellers Association	£18.00
5478	J T Services	Opening and closing public conveniences	£868.00
5480	S Griffith	Expenses 11/12/20 to 31/3/21	£261.51
5481	Carmarthenshire County Council	Public lighting and energy 1/4/20 to 31/3/21	£6082.99
5482	Carmarthenshire County Council	Grounds maintenance SLA 2020/2021	£13152.66
5483	R Gleaves	Removal of wayside seat at Penybank	£25.00

Members **resolved** that the accounts should be paid.

Chair

(ii) Monthly monitoring of the budget – 1/4/2020 to 28/02/2020

2020/21		
Estimate	Actual YTD	
£	£	
180,000	180,000	Precept
150	56	Interest: Lloyds
		Interest: investment
400	517	accounts
3000	3,000	Rights of way
	726	Maintenance Grant
4700	0	Hire Agreements
<u>188,250</u>	<u>184,299</u>	
45,889	45,030	Staffing
17,650	11,640	Premises
4,750	4,176	Office Services
3,100	562	Member costs
10,000	5,530	Services and Subscriptions
	7,520	Section 137
		Payments under other
} 18,000	0	powers
	1,450	Public open spaces
	4,970	Village halls
	3,200	Burial grounds
		Rights of way -
	4,645	maintenance
10,000	0	Rights of way -
		improvement
		Grass cutting/ litter/
28,000	1,425	facilities
		Park repairs and
50,000	56,787	replacement
} 0	0	Public lighting - energy
		Public lighting -
8,500	0	improvement
28,000	11,887	Community development
		Public
13,000	7,590	conveniences
<u>236,889</u>	<u>166,412</u>	
	17,887	Balance for the year
	337,001	(period)
		b/f
<u>0</u>	<u>354,888</u>	c/f

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	Cash and
344,979	investments
9,909	Debtors
0	Creditors
<u>354,888</u>	

The Chair invited questions or comments. Members **resolved** to approve the accounts as above.

(iii) The Clerk had received notification from Audit Wales that the proposed changes to the audit requirements for Community Councils had been deferred by one year as there were over 200 councils who had failed to complete last year's audit. Additionally, Audit Wales had become aware of concerns within the sector of increased workloads anticipated with the new requirements and therefore it was prudent to address these issues with greater clarification.

The Chair thanked the Clerk for his report.

870.

Request for information from County Councillors on Section 106 agreements

There were none.

871.

Reports on seminars / joint meetings

There were none.

872.

Date of next meeting

Members **resolved** that the next Ordinary meeting of Council be held on the 28th April, 2021.

873.

As there was no further business to discuss, the Chair declared the meeting closed at 7.15 p.m.