

Minutes of a Meeting of the Newcastle Higher Community Council held in Penyfai School, Heol Eglwys, Penyfai on Tuesday 10<sup>th</sup> December 2019 at 7.00 p.m.

Cllr Mal John: Presided

Present (6) Cllrs David Fowler, Mal John, Byron Jones, Alex Marshall, James Radcliffe and Meryl Wilkins  
Clerk John Richfield, Marged Griffiths from Penyfai Village Community Association.

1. Apologies

Apologies were received from Cllrs Derrick Baker, Heidi Bennett, Altaf Hussain and Ann John.

2. Members Written Declaration of Interests on Agenda Items

Before the start of the meeting, Council members made declarations of interest in agenda items on the form provided, as follows:

Cllr Meryl Wilkins made a declaration relating to her personal interest in the following subjects; the Pheasant Field, Morganstone development and Lanmoor homes Tonduland: Heiress and owner of the Dunraven Estates Company Ltd, the Dunraven Estates lands and hereditaments, Dunraven Estates Limited, Dunraven Estates Properties Limited.

3. Minutes of the Meeting held on 12<sup>th</sup> November 2019

Cllr Meryl Wilkins asked for her full declaration of interest to be recorded. The minutes were then approved and signed.

4. Matters Arising on the Minutes

There were no matters arising on the minutes.

5. Report on Police Matters

Cllr Alex Marshall reported that the SLIDO system to enable online participation in PACT was difficult to access. The Clerk would send details again.

6. County Borough Councillors

(a) County Borough Councillor for Penyfai

Cllr Altaf Hussain had sent a note on the following matters, which was presented by the Clerk:

Potential Community Asset Transfer for Cavendish Park kickabout area

Cllr Hussain held a meeting with Guy Smith of BCBC about the possibility of transferring the Cavendish Park kickabout area in Penyfai to the NHCC, see item 12 following.

Active Travel

Cllr Hussain had raised how the BCBC was encouraging active travel and he had met with the Cabinet member Councillor Richard Young and his officials in a discussion on the possible installation of a

pedestrian crossing at the junction of Tondu Road and Heol Yr Eglwys near the petrol station, as a way forward for residents to cycle and walk to Bridgend.

Cllr Young had indicated that although the integrated network map the BCBC held was the basis for the primary active travel network in the county borough, the development of a comprehensive network was not limited by this. Active travel routes that may be identified by the land use development process could link with this. It was understood that the BCBC had increased the appropriate budget.

#### Damage to verges

Residents from Clos Smyrna, Healthy Close and Cos Y Talcen had complained about damage to grass verges caused by vehicles at the Hillside development. Cllr Husain arranged for the Highway Inspector to attend the location and speak with the resident and to the site agent, which resulted in the area cleaned up and the verge reinstated. The Site agent would make a conscious effort to prevent reoccurrence. The Highways Inspector would call again to check on this.

#### Hillside Development

Cllr Hussain had been informed, in response to a question about Hall Road, that the plan which the applicant had submitted related to the construction of the site and had not been approved as part of the CTMP (Condition 13) under P/19/19/DOC. The BCBC had written to the applicant's agent and advised to submit an amended plan.

The Council noted that a letter had been sent by Mrs Lisa Jenkins to BCBC about the application to position the site office at the Morganstone development. The Clerk had circulated Mrs Jenkins's letter which invited the Council to write a letter, similar but not identical, to support the residents.

The Council agreed that the Clerk send such a letter, omitting the point in Mrs Jenkins text which suggested a restriction of the hours of trade at the site office, and to suggest that one of the houses could be used as the site office until sold.

#### Potholes

Concerning the potholes on the road at the junction of Court Colman Road with Old Coachman's Road, these had been checked and filled temporarily and a work order to patch two marked areas had been issued.

### (b) County Borough Councillor for Aberkenfig

Cllr James Radcliffe reported on the following matters:

#### Llanmoor Homes

Cllr Radcliffe and other members of the NCHCC (Cllrs Alex Marshall, Mal John and Byron Jones) had attended a meeting held on 4 December 2019 with Llanmoor Homes, hosted by Ynysdawdre Community Council.

It was reported that the BCBC had agreed not to adopt a piece of land with play equipment owned by the company. At the meeting Simon Jones of Llanmoor offered to lease it to NHCC at a peppercorn rent.

The Chair suggested members visit the site with Cllr Radcliffe to think about the offer and investigate.

This subject would be on the Agenda for January 2020 or initial discussion.

Cllr Meryl Wilkins declared her interest in the Llanmoor Estate.

### Underpass

Cllr Radcliffe reported that the underpass between Aberkenfig and Sarn Station was to be repaired, following recent flooding.

Cllr Radcliffe was thanked for his report.

## 7. Report on Annual Schools Christmas Cards Competition

The Council was informed of the results of the judging of the Christmas Cards which had taken place the previous evening. They were as follows:

### Christmas Card Judging - Monday 9<sup>th</sup> December 2019

#### Tondu School

<b>Infants</b>	1 <sup>st</sup> Prize	Emilie Simmonds
	2 <sup>nd</sup> Prize	Myleigh Evans Fowler
	3 <sup>rd</sup> Prize	Cassie Higgins

<b>Juniors</b>	1 <sup>st</sup> Prize	Harvey Hayes
	2 <sup>nd</sup> Prize	Olivia Thomas
	3 <sup>rd</sup> Prize	Melody Taylor

#### St Robert's School

<b>Infants</b>	1 <sup>st</sup> Prize	Megan DB
	2 <sup>nd</sup> Prize	Aoife B
	3 <sup>rd</sup> Prize	Erin

<b>Juniors</b>	1 <sup>st</sup> Prize	Lillie-Mai*
	2 <sup>nd</sup> Prize	Lilly-Anne
	3 <sup>rd</sup> Prize	Chantelle

#### Penyfai School

<b>Infants</b>	1 <sup>st</sup> Prize	Macy Hunt
	2 <sup>nd</sup> Prize	Chloe Hopkins
	3 <sup>rd</sup> Prize	Maddie

<b>Juniors</b>	1 <sup>st</sup> Prize	Lola Packman
	2 <sup>nd</sup> Prize	Lauren Baker
	3 <sup>rd</sup> Prize	Maisie Davies

Sponsored Prize	Harry (Old School Nursery)
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Best Overall School:	St Robert's School
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\*Best Card for Printing (framed) Lillie-Mai (St Robert's) 2019

The Judging was attended by the Clerk together with Cllrs Mal John and Alex Marshall.

As in previous years, members of the Council would deliver the prizes (tokens) to the schools. As previously, the Council would provide simple treats to all the children in participating schools. Cllr Derrick Baker was thanked for delivering these.

The Council resolved to authorise the Deputy Chair to wear the Chair of the Council's Chain of Office while representing the Council on business such as visiting the schools.

The overall winning card would be printed for the School to use next year. The Overall Winner from last year had the card framed and presented to her family at the School (Grace Lee – Penyfai) by Councillors. The same procedure would be adopted for this year's winner.

The Clerk had obtained BCBC Pantomime tickets for the Grand Pavilion Pantomime for the family of the winner of the nurseries category. For 2019 the level of tokens had been reviewed, and set at £10, £15 and £20.

#### 8. Membership of the Council

The Council noted that under section 75 of the Local Government Act 1972 if a community council member missed 6 consecutive meetings, their membership of the Council would be terminated. The Clerk had written to Councillor Gary Haines following the last meeting, but had not received a reply. It was resolved that the Council had no alternative but to declare a casual vacancy to the Electoral Officer of the BCBC.

It was noted that Councillor Joyce Haines was in the same position, due to ill health. The Clerk had written to her also, and the council then resolved to declare another casual vacancy.

The Clerk would advise the Electoral Officer of the position, and wait for their Notice for publication.

The Council also noted that the Chair's allowance due to Cllr Gary Haines at the end of his period of office as Chair was not allocated, due to his absence.

The Clerk would ask him how he intended to allocate the funds (traditionally the allowance was given to a charity or community organisation at the Chair's discretion) but if there was no response the Council would allocate the funds itself, perhaps to a homeless charity.

#### 9. Maintenance Committee Report

##### Illegal tipping

Cllr Alex Marshall had contacted BCBC Rights of Way to request a site meeting at Court Colman. Cllr James Radcliffe would follow this up on behalf of Cllr Altaf Hussain as ward member.

##### Woodlands

JV Trees had been instructed to carry out the maintenance works on the community woodlands. Cllr Marshall would contact Delyth Thomas of Penylan Farm to discuss works at the Council's expense to two dead trees on her property that formed part of the overall scheme of maintenance.

### Parc Cavendish

Cllr Marshall had obtained quotations for maintenance if the Community Council took over a CAT on the play area.

### Bins

There had been a problem with bin emptying, caused by vehicle failure, now resolved by Bridgend Town Council.

The report of the Maintenance Committee was received and adopted.

## 10. Finance and Policy

### (a) Accounts for Payment

	£	
Clerk (quarterly salary)	1,393.30	(201702)
HMRC (tax)	348.20	(201703)
Clerk (reimbursements)	1,475.30	(201704)
David Thomas (hanging baskets 2019)	5,400.00	(201705)
Matthew Scott Landscapes	2,470.00	(201706)
Plantscape Ltd	840.00	(200707)
Mal John (reimbursement for framing of card)	27.00	(200701)

### (b) Update on Audit 2019

The Wales Audit Office was conducting the audit, there was no update.

### (c) Update on Clerk's Contract and Job Description Task Group

It had previously been agreed that the Clerk's contract would be reviewed by a working group of Councillors, (Cllrs Mal John, Chair, Cllr Altaf Hussain, Deputy Chair, Cllr Heidi Bennett and Cllr Byron Jones) the Clerk had asked for suitable dates from those concerned.

However, the working group had not met, and it was agreed that the members convene at a mutually convenient date in January to produce a new contract that would meet new legislation due in April 2020.

In the interim, it was resolved by the Council that the model contract provided by Mr Egan of One Voice Wales, amended to meet the Council's needs, be adopted until the end of March 2020.

### (d) Budget 2020-2021

The Council noted that it was a requirement (set out in the Local Government Finance Act 1992 Section 49 A) for precepting bodies such as Community Councils to produce a budget each year in order to set a precept.

To set the precept it was necessary to work out:

- (i) Expenditure required for the coming financial year, budget to split the expenditure over different headings,

- (ii) Any contingencies, considering the level of contingency as part of the annual risk assessment.
- (iii) The Council needed to consider any anticipated liabilities that may occur.
- (iv) Once the expenditure requirement had been established, the Council needed to assess how to meet it.

The Council noted that if the Community Council wished to take on some of the costs and associated liabilities currently borne by the BCBC, (for example Community Asset Transfers), the precept may need to rise in future years. Reserves were at a prudent level. (around 50 % of estimated annual spend.) As agreed in 2011, the sum of £25,000 grant aid for the Aberkenfig Square had been used for Penyfai projects, leaving an unallocated balance of £5,500 from this earmarked reserve.

It was recognised that there may also be a need to review salaries in 2020 and hours worked by the Clerk.

The Council approved the following:

Expenditure budget for 2020-2021:

General Administration	10,000
S.137 (up to)	6,000
Salaries (up to)	8,000
Christmas Lights	10,000
Insurance	500
Audit	500
Allotment costs	1,000
Footpaths	2,000
Woodlands	5,000
Hanging Baskets	7,500
Remuneration of Cllrs	1,800
Empty Bins	5,000
CAT Maintenance	8,000
<b>Total</b>	<b><u>65,300</u></b>

Earmarked Reserves would be maintained at the following levels:

Election Reserve 2022	4,000
Penyfai project reserve	5,500 (balance of 25,000)
Woodland Management	5,000
Community Development	1,500
<b>Total earmarked</b>	<b><u>16,000</u></b>
General Contingency	24,000
<b>Total Reserves</b>	<b><u>40,000</u></b>

Income budget

Footpaths	600
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Allotments	400
Balancing figure	53,150
Total Income	<u>54,150</u>

### Summary

Opening balance	47,531
Less Expenditure to date	21,131
Less planned expenditure	19,250
Add est. VAT refund	3,850
Add 2019 Precept	44,000
Balance	55,000 (NB Reserves kept in reserve)

To spend a budget of	65,300
And keep reserves at	40,000
NHCC has to precept the difference	<u>50,300</u>

The Precept was agreed to be set at a level of **£50,000**

### Annual Review of Risks

The Council also considered an annual review of the effectiveness of its systems, part of improving governance and accountability.

In recent Audit years, the Internal Auditor produced a detailed report for the Council that was appended to the material that was forwarded by the Clerk to the external Auditors.

The Council also noted the continued independence of the current internal auditor, who was completely independent of the Council and its administration. A letter of engagement which set out the scope of work was agreed and approved by the external Auditor.

The current general and financial risk assessment was noted:

#### Newcastle Higher Community Council General and Financial Risk Assessment

“The Council has carried out an assessment of the risks facing it and taken appropriate steps to manage these risks, including the introduction of internal audit controls and external insurance cover where required.

The Council has one cheque account and the signatures of two Councillors are required to sign cheques, and a payment must be recorded in the minute book. There are currently four signatories on the Council’s bank mandate.

All cheques are signed at Council meetings unless the signatories are absent. If a cheque is signed outside a meeting, the clerk will request Councillors to sign, only if the expenditure has been previously authorised by the Council and if it is subsequently recorded in the minutes.

The Clerk retains the cheque book and bank statements but is not a signatory on the cheque account. The Councillors who can sign cheques have no access to the cheque book except through the Clerk, and the Clerk who holds the cheque book has no access to the money as he cannot sign a cheque. The signature of the Clerk is sufficient to transfer money from the high interest account to the current account, but not to remove money from either of the Council's accounts.

Petty cash is not held as all expenditure is by cheque. Any expenditure on stationery, copying and stamps, etc, is paid for by the Clerk personally and is reclaimed quarterly by cheque at a Council meeting.

Insurance cover - the Council has a fidelity guarantee with BIBA Insurance.

The Council believes that these controls make the likelihood of financial loss or fraud very unlikely, and consequently a very low risk.

The Council has considered the risk of not electing sufficient members to conduct its operations, but given that there was competition for the places on the Council at the last election, this risk is low. Furthermore, there was competition in the Aberkenfig Ward for the 2017 Elections. The Council has considered the risk from liability from its website, but it is an informative document only, not interactive.

The Council has a clerk to help achieve its objectives, and a number of members who are active in their service to the community and the risk of loss of expertise within the Council to achieve its objectives also is low. NB This year the risk is higher but recruitment of a new Clerk may mitigate the risk.

The Council has considered potential risks and considered ways to mitigate or eliminate risks. It reviews these annually."

(e) Advert for new Clerk

The Council considered how to advertise for a new part time Clerk.

It was agreed not to advertise before Christmas, but to do so in mid January.

A short advertisement would be placed on the Council's website, and in the local press and the BCBC and One Voice Wales would be advised of the vacancy.

The Clerk would consult One Voice Wales for a guidance procedure on recruitment of a Clerk.

11. Nomination of a School Governor – Tondu School

The Council agreed to nominate Cllr James Radcliffe as a School Governor on the Governing Body of Tondu School. The Clerk would advise the School.

12. Cavendish Park – Community Asset Transfer of Play Area

Cllr Altaf Hussain had obtained background information from Guy Smith of BCBC about the potential Community Asset Transfer of the play area at Cavendish Park, Penyfai to the Community Council. The Council agreed to express its interest. The Clerk would advise Mr Smith of BCBC of this intention.



### 13. Community Associations update

#### (a) Tondu and Aberkenfig

A written report had been received, which the Clerk introduced. It covered the meeting held by Llanmoor Developments and their planning consultant, and noted that the developers were committed to delivering 405 houses, rather than the original 450, in order to comply with the greener regulations to come into force in 2020. The Report also covered proposals for ecology and the environment and transport and traffic. Llanmoor would try to encourage people to be less reliant on cars.

Cllr Meryl Wilkins referred to traffic congestion, a problem identified back in 2007 when the NHCC had met with other Councils in the Llynfi Valley to lobby the BCBC on the subject, was now even more urgently in need of action.

#### (b) Penyfai Village

Mags Edwards of the Community Association reported that their first year had focused largely on the Pheasant Field project. Towards the new year they wished to continue to work with the NHCC to obtain grants for the field when the Asset transfer was progressed. The PVCA was happy to undertake consultations in the village.

Another concern was the potentially dangerous road near to St Roberts School where some drivers drove with no consideration for others.

### 14. Correspondence

The notes circulated on the incoming correspondence were taken as read by the Council, the correspondence was as follows:

#### 1. Cllr Alex Marshall

Estimate for grass cutting for south of the Pheasant £585 pa - £45 a cut. Alternative £95 per cut. Noted for future reference.

#### 2. Bridgend Town Council

Notification of problems emptying bins first week in December due to operational reasons. Resolved.

#### 3. Coychurch Joint Crematorium

Details of Christmas Service on Thursday 19 December at 7.00 with the Lewis Merthyr band.

#### 4. Mr David Thomas

Invoice for the Summer 2019 floral display - install and uplift, maintain water and feed total £5,400

NB Council is asked to decide if it wishes to continue for 2020 in the sum of £5,485. This was agreed and retained in the 2020-2021 budget.

#### 5. Cllr Heidi Bennett

Forwarding a suggested draft of a letter from I Healthy Close (Mrs Lisa Jenkins) of objection to the Morganstone Development application P/19/810. The Clerk drafted a letter for the Council to view with the intention to submit in support of the resident prior to the new deadline of 26 December (extended due to the BCBC omitting to put up a notice) Agreed – see earlier minute.

#### 6. Cllr Alex Marshall

Estimate for grass cutting of Cavendish Park Play Area in sum of £120 per cut, large banks can be cut at £250. Noted pending application for Community Asset Transfer.

7. Llanmoor Developers

Items to discuss at meeting for 4 December hosted by Ynysawdre CC. Noted.

8. Matthew Scott Grounds Maintenance

Invoice for strim, and maintenance July and August 2019, Footpaths, Square, Tondu School and Woodlands, total £2470. Invoice number 197. To be paid.

9. Plantscape group

Invoice for solar powered illuminated Christmas trees at Pentrefelin in the sum of £840.00. To be paid.

15. Planning Committee Report

(a) Planning Applications

The Council noted the following planning applications had been notified to the council since the last meeting.

P/19/810/FUL Housing Development off All Saints Way, Penyfai CF31 4BT (11 Nov)

(letter to be sent as agreed above)

P/19/827/LIS The Pheasant, Heol Eglwys, Penyfai CF31 4LY – noted.

16. Other Reports from Councillors

Cllr Meryl Wilkins reported her concerns at levels of traffic at Pentrefelin.

Cllr Alex Marshall reported that a report on how the NHCC grant had been used by the Penyfai Fun day had been written and would be provided to the Clerk as requested.

17. Any Other Business

There was no other business.

There being no more business, the meeting closed at 9.00 p.m. The next meeting would be held in the Wesley Centre, Tondu, on Tuesday 14 January 2020.