

Minutes of a Meeting of the Newcastle Higher Community Council held by telephone conference via Zoom on Tuesday 13th April 2021 at 7.00 p.m.

Cllr Meryl Wilkins: Presided

Present (9)

Councillors, Dave Fowler, Mal John, Ann John, Phillip Lathey, Alex Marshall, Meryl Wilkins, James Radcliffe, Byron Jones and Heidi Bennett Member of the public Jane Gabbie, Claudette Evens and Geoff Bushell

Clerk, Adam Davies

The Chair opened up the meeting by thanking the Council for attending this evening meeting. The Chair acknowledged the Death of Prince Phillip the Duke of Edinburgh and suggested the Council should put its name within the book of condolences online.

1. Apologies

Apologies were received from Cllrs Altaf Hussian, Cllr Derrick Baker and Cllr Marged Griffiths

2. Written Declaration of Interest in 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 subject; Street Naming of the llanmoor homes development Parc Tondy, Merthyr Mawr Estate land. Pen Y Fai Common. Cllr Meryl Wilkins' full list of declarations of interests can be found on the Councils website.

3. Minutes of the Meeting held on the 9th February 2021

The Council received the following amendments:

A Number of spelling errors were noted and will be updated prior to being placed on the Council website.

5.5 Mount Pleasant

Munros were being invested for breaking the planning regulations.

6. Maintenance Group

Cllr Griffiths questioned if legal advice had been sought for the Heads of terms from BCBC.

A discussion took place regarding the interpretation of the minutes, two conflicting views were provided.

One

It was decided that for the Council to agree this funding the quotes should be made available to the full Council including further quotes before a decision is made. The Council decided to defer this matter to the next Council Meeting. Proposed by Cllr Bennett and seconded by Cllr Radcliffe.

Two

It was decided that no further quotes would be obtained as the Council followed its obligation to get best value for money as stated within the Councils Financial regulations.

The Council was unable to agree on the accuracy of this particular section of the minutes due to the alternative and differing views.

A vote took place and 4 Cllrs agreed that the minutes were accurate and 3 Cllr did not agree with the accuracy.

The Minutes of the Meeting held on the 9th March 2021 were confirmed and signed.

4. Matters Arising on the Minutes

Cllr Benette kindly provided the Clerk with supporting documents to arrange the appropriate quotes necessary for the Pheasant Field. Cllr Mal John noted as they were provided without 3 working days notice we were unable to discuss this item. Cllr Benette clarified this item was for the use of the Clerk and was not needed to be agreed within any Council meeting.

5. Reports from BCBC Members

a. Cllr Altaf Hussain

Cllr Altaf Hussain was unable to attend.

b. Cllr James Radcliffe

Cllr Radcliffe noted that in the respect of time he will bring items up further within the meeting.

6. Report from Maintenance Group

Mount Pleasant

A referral order was sent by Cllr Radcliffe regarding taxis parking on the road at Mount Pleasant. Cllr Radcliffe informed the Council that BCBC's planning department has concluded its report on this and have found that no further action should be taken as they have been found not to be breaking regulations due to this action being undertaken for some time, they no longer require planning permission.

Cllr Marshall reports that this item was brought to the Borough Council a number of years ago with no action taken at that point either.

7. To Confirm a Casual Councillor Vacancy for the Aberkenfig Ward

Cllr Mal John read aloud a letter from Cllr Derrick Baker. Cllr Baker informed the Council that he would like to inform the Council that he has no intention to stand in this May's election. Due to the elections being postponed for a year Cllr Baker notified the Council of his resignation at the end of April 2021. Cllr Baker notes that it has been a privilege to have represented the people of Aberkenfig for 34 years.

The Clerk informed the Council that at the end of the month the Election Office will be made aware of the vacancy for Aberkenfig.

The Chair thanked Cllr Baker for the work he has done for this Council and asked the Council if a letter could be arranged to be sent thanking Cllr Baker for his service, to include our gratitude and best wishes for his retirement.

8. Rock Cottages

A letter was circulated from BCBC officer Philip Beaman regarding his conclusion of the Rock's. Cllr Mal John reported that three Cllr's met Mr Philip Beaman. Cllr Mal John, Cllr Ann John and Cllr Phillip Lathey. It was reported that a number of photos were taken of the Rocks and a conclusion was that the Rocks had not been tampered with. Mr Beaman has written to Number 4 ascertaining if he has received permission to take vehicles over the common and ask them to remove the rubble and make good the access.

Cllr Wilkins was invited to attend the site meeting with Mr Beaman and fellow Councillors but chose not to attend due to the conflict she has previously had when attending the location.

Cllr Wilkins proposed that the Council receive an ordnance survey report showing if anything has changed at the Rocks. Cllr Bennett seconded.

9. Westcotec (Speed Signs)

The Clerk informed the Council that Westcotec has undertaken the work to fix the broken speed signs within Pen Y Fai. One Speed sign was under warranty and has been fixed to no cost to the Council. The second Speed sign was not under warranty due to the wiring being tampered with causing the main board of the device to fail. Westcotec fixed the Speed sign to the value of £1,155.60 including VAT. To confirm this payment was not agreed by Council nor the Clerk prior to work being complete.

Centergreat have been contacted and have not accepted any liability for the damages but have provided the Council with their time to look at the devices to figure out its fault.

Cllr Mal John agreed to make this payment, Cllr Bennett seconded. The Council was in agreement. Cllr Bennett suggested that no further christmas lighting or devices be placed on the post in question to ensure that this does not happen again.

10. Report on the Pheasant Field.

A report has been passed out to Councillors regarding the maintenance of the Pheasant Field. This report included the information from Contractor Mat Scott regarding the cost to maintain the Pheasant Field.

Cllr Mal John informed the Council regarding the Maintenance Groups diligence attempting to retrieve quotes for the Pheasant Field that effectively cover the contractual obligations the Council would need to undertake when managing the field.

Cllr Bennett noted to the Council that upto and including this contract Mat Scott will receive more than £3,000 of the Council's money and will require further quotes to be obtained.

Cllr Marshall updated the Council that a number of quotes were requested in late 2019 with the Council receiving 3 previously. The whereabouts of the quotes are unknown as the Clerk at the time is now retired.

Cllr Mal John proposed that the Council would accept the quote from Mat Scott. Seconded by Cllr Lathey

It was minuted that Cllr Bennett voted against this proposal.

An amendment was proposed by Cllr Radcliffe stating that, in light that there had been some concerns raised, it was suggested that the Clerk review the current situation and clarify to the Council the correct process prior to agreeing a contractor. Cllr Mal John seconded.

It was stated by Guest and BCBC Councillor Jane Gebbie that she will report the Council for the incorrect procedure the Council has taken on this matter to Audit Wales.

11. Finance

a. Retired Clerks pension arrangement (closed session)

All members of the public were expelled from the meeting for this item and placed in a waiting room.

The Clerk reported to the Council that he has chosen to seek further advice in regards to the correct procedure when making a pension payment to the former Clerk John. Further Advice was sought from One Voice Wales.

Cllr Mal John kindly provided support with this matter by mediating with One Voice Wales informing them of the information related to work when the Clerk was not employed by the Council.

The information collated was provided to NALC who have the legal expertise to review this decision. The Clerk read out some of the details as followed.

“The council resolved to pay £15000 to the Clerk. I do not think that it has the power

to pay it as a gratuity. However, the Council could explore, subject of course to its standing orders, whether it is possible to make a payment to the Welsh Churches Pension Fund as a pension payment not a gratuity payment. If the council decides on this course, I think that it should be done as soon as possible, in view of the clerk's imminent retirement".

It was confirmed by the Clerk that the information stated that a payment may be made subject to the Councils agreement, but this is not a definitive amount nor provides a basis that the Council legally should pay this payment.

The Council was informed by Cllr Mal John that this item had already been agreed that the Council should make the arrangements to pay the former Clerk.

This decision was made within the meeting held on Tuesday 29th September 2020. This started that this payment will relinquish any liability the Council will hold regarding contributions to the former Clerks pension which was to protect the Council from a greater expense in the future.

It was proposed by Cllr Jones that the Council continue on after its allocated time of 2 Hours. Seconded by Cllr Mal John.

A further discussion took place with altering viewpoints. With some Councillors requesting that this payment be made and other Councillors wishing further advice be sought prior to the payment being made.

A vote took place and it was agreed to continue with the course of action that we pay the Former Clerk John the payment.

Members of the Public were permitted to reenter.

b. Accounts for payment

	£
One Voice Wales (Cllr Griffiths Training)	60
One Voice Wales (Membership)	641
Bridgend Town Council (Dog Bins, December to March)	1,440
ACD Skips (Aberkenfig Allotments)	230.40

12. Correspondence

Cllr Marged Griffiths

Email received regarding the Penyfai Rd no entry sign that is down. Reported to BCBC highways.

2. Payroll Quote

Email received from Grayham Paul, an accountancy firm that provides Bridgend Town Council its payroll needs. A quote has been requested for 1 member of staff to the value of £30 per quarter.

3. Casual Councillor Vacancy

A letter was received from Cllr Derrick Baker informing the Council that he has retired as councillor for our Council.

4. Planning

A Planning application regarding the reduction of 2 trees (T1 & T2) by 30% and remove dangerous branches overhanging garden and garden buildings including property at No.39.

5. One Voice Wales

An email was received regarding Local Government and Elections (Wales) Act – commencement, implementation and guidance

6. Remote Training Sessions

One Voice Wales provided the Council with a list of the Training available for March.

7. Former Clerk John

A draft Head of Terms was provided for future reference.

8. Guy Smith BCBC

It was reported to the Council that the confirmation of the heads of terms for the Pheasant Field was not processed on the 16/04/20. Due to this the Clerk confirmed that the Council is happy with the temporary terms already agreed previously.

9. Defibrillator Contract

Cllr Bennett provided the Council with an alternative for the defibrillator contract.

10. Aberkenfig allotment association

Information was received from the Association notifying the Council for their intention that they wish to place a new container within the allotment area. The Clerk contacted BCBC to confirm if planning permission was necessary for the placement. BCBC planning confirmed that permission was necessary. Further information was received that they cancelled the project.

11. Planning

A planning application was received regarding the Removal of an Alder tree.

12. Traffic Speed at Heol Eglwys

A report was received regarding the concerning speed at Heol Eglwys and passed to Cllr Hussain.

Cllr Hussain passed this information to BCBC.

13. One Voice Wales

An invoice was received from One Voice Wales £641 for One Voice Wales Membership.

14. Newcastle Higher Community Council - Gratuity/Pension - E2 A number of emails were passed to Shan from One Voice Wales considering and discussing the correct cause of action to take regarding the outgoing Clerks pension payment. Legal Advice from NLCC has been received and will be discussed in a closed session.

15. Planning

A planning application from planning noting T/20/87/TPO 37 Riverside Aberkenfig Bridgend CF32 9DA for the Third crown reduction to beech tree; lower lateral branches pruned back to other trees.

16. Fly Tipping

An email was received regarding fly tipping between court Coleman and cefn cribwr which was reported to BCBC.

17. Pheasant Field Maintenance Quotes

Cllr John has provided the Council with the Quotes for the maintenance of the Pheasant field to be passed to Councillors

18. Invoice 10333 from Bridgend Town Council

An invoice was received from Bridgend Town Councils for emptying the Council's Dog Waste bins.

19. One Voice Wales

Information received regarding the Local Government and Elections (Wales) Act 2021 confirming that From 1 May, local authorities will be required to make arrangements to ensure their meetings are capable of being held remotely.

20. Philip Beaman

Information regarding the outcome of the site meeting at Rock Cottages, Pen y Fai common which was passed on to Councillors.

21. Planning

Planning application P/21/220/FUL 55 St Brides Road Aberkenfig CF32 9RA for a Single storey rear extension.

22. Pen Y Fai Postcard

The Postcard from Pen-y-fai April May 2021 passed to all Councillors

23. Cllr Altaf Hussain

Cllr Hussain emailed confirming that he is well but resting and is expecting to be off work for the next 8 weeks.

24. Westcotec

A conversation with Westcotec confirmed that the Council speed lights within Pen Y Fai are under warranty for 6 years upto the 19th June 2025. The Clerk has received information that they are now working and we will expect a bill to the value of £963 plus VAT.

25. ACD Skips

An email providing the Council with an invoice to the value of £230.40 for placing and removing of a skip at Aberkenfig Allotments

13. Planning Applications

The Council noted the following applications made, with no comments:

T/21/9/TPO 38 Ysbryd Y Coed Penyfai Bridgend CF31 4GF

(Reduce 2 trees (T1 & T2) by 30% and remove dangerous branches overhanging garden and garden buildings including property at No.39)

T/20/86/TPO 30 Riverside Aberkenfig Bridgend CF32 9DA

(Removal of Alder tree)

T/20/87/TPO 37 Riverside Aberkenfig Bridgend CF32 9DA

(Third crown reduction to beech tree; lower lateral branches pruned back to other trees)

P/21/220/FUL 55 St Brides Road Aberkenfig CF32 9RA

(Single storey rear extension)

14. Reports from Councillors

There were none

15. Reports from Community Associations

This part of the meeting was concluded earlier within the meeting.

A report was received from Mr Geoff Bushell of the Tondu and Aberkenfig Community Association regarding the proposal of a (CAT) Community Asset Transfer of Pandy Park.

Mr Bushell reported that within a meeting between Ynysawdre Community Council and the Tondu Rugby Club, both parties were supportive of the opportunity for the local area to take on a CAT transfer but would like further information regarding its implementation. Mr Bushell invited our Council to be a part of this transfer and support a steering committee made up of a number of Councillors and members of the community who would benefit from this transfer.

It was reported that the Council is currently in the arrangement of organizing its own CAT transfer. Mr Bushell noted that the Park does come under the Ynysawdre Community Council boundaries but is used by a number of individuals within Newcastle Higher Community Council and St Brides Minor Community Council areas. This project is hoped to be arranged jointly between all Community Councils adjacent to the field due to the financial commitment necessary.

Cllr Radcliffe offers his support to be part of any steering group put in place.

16. Any Other Business

Due to the length of the meeting Cllr's Mal and Ann John and Cllr Fowler left the meeting.

Cllr Bennett suggested the further work could be done regarding the Councils Agenda with things stated as decisions and suggested to the Clerk to seek advice on the matter.

There being no more business, the meeting closed at 21:24 p.m. The next meeting would be via video link, on Tuesday 11th May 2021.