

Penllyn Community Council

Clerk to the Council
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Minutes of an Ordinary Meeting of Penllyn Community Council held at
Llansannor Community Hall, City at 7.00 p.m. on Monday
4th November 2019

Present – Councillors S.C. Howells (Ystradowen) Chair, D.R. Austin (Penllyn),
J. E. Evans (Llansannor), D. Fardo (Penllyn), A. Jarvis (Ystradowen), E.P. Jarvis
(Llansannor), M.R. Lewis (Ystradowen), E.G. Petty (Penllyn).

Also in attendance: Mr A.D. Williams, Clerk to the Council; Vale of Glamorgan
Councillors T.H. Jarvie, and A. Parker.

The Chair opened the meeting by expressing her thanks to Cllr Fardo for chairing the
last two meetings of Council in her absence.

119) Apologies for absence.

Cllr. M. Smith, Vale Cllr G.A. Cox.

120) Declarations of Interest.

None.

121) To approve the minutes of the Council meeting held on 7th October 2019.

Resolved: That the minutes be approved.

122) Community Police Matters.

Apologies received from PC Elson, hopes to be in attendance at next meeting.

Other matters:

None

123) Vale of Glamorgan Council matters.

(A) Highways matters:

None

(B)Other Vale Council matters:

(i) Edenbrook Development, attenuation ponds (Cllr Evans) (Minute No.79 (B) (b) September 2019 refers)

Problems with algae build up remain unresolved.

Chair thanked Cllr Evans for his tenacity in pursuing this matter.

Cllr Parker to arrange a site visit with Vale officers to review current situation.

(ii) Llansannor School (Cllr A. Jarvis) (Minute No.53 (b) May 2019 refers)– As previously envisaged incident with traffic / parking restricted access for ambulance in getting to heart attack victim.

Possibilities of providing “police bollards” to be raised with PC Elson.

Vale Members to pursue with Vale highways.

Note: Vale of Glamorgan Councillors T.H. Jarvie and A. Parker left meeting following consideration of the matter as above.

MEETING ADJOURNED

Meeting was adjourned by the Chair to hear a presentation by Mr & Mrs James regarding their proposed development of a new dwelling on land adjacent to The Rookery and Garden Cottage, Court Drive, Llansannor.

MEETING RECONVENED

124) Chair / Member’s reports and communication.

(a) Chair

(i) Ystradowen Community & Sports Assoc.(YC&SA), further development of Parc Owain with installation of early years children’s play area – funding application to Vale Council under Stronger Communities Grant Fund.(Minute No. 55 May 2019 refers)

Chair reported receipt of grant approval in the sum of £16,945 towards the cost of design and installation.

(ii) Ystradowen Defibrillator (Minute 81 (i) (b) refers) – Equipment has been installed and is fully operational. Training to be arranged for all residents.

(b) Cllr J. Evans

Ystradowen Neighbourhood Watch – Can be contacted via email: ystradowennhw@gmail.com More information can be found on the Ystradowen community website at <https://ystradowenvillage.com/neighbourhood-watch/>

125) Delegate Reports.

Vale Council Community Liaison Committee

All meetings receive a report from the police highlighting major incidents and campaigns in the last quarter, in addition the following matter of particular interest were reported on:

(a) 26th March 2019 meeting:

Refuse collection – Detailed presentation on waste collection / disposal / recycling

https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Community%20Liaison/2019/19-03-26/Minutes.pdf

(b) 2nd July 2019 meeting:

Election costs – Detailed explanation of recharges to Town / Community Councils

https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Community%20Liaison/2019/19-07-02/Minutes.pdf

(c) 8th October 2019 meeting:

Vale Council Charter with Town & Community Councils

https://www.valeofglamorgan.gov.uk/Documents/_Committee%20Reports/Community%20Liaison/2019/19-10-08/Minutes.pdf

126) Matters relating to land holdings

(a) Winchfield, Graig Penllyn – Concerns regarding Ash tree.

Clerk reported receipt of an email dated 10th October 2019 from the Chair of the Graig & Penllyn Residents Assoc. expressing concerns as to the safety issues as above.

Resolved: Enquiries be made as to the urgency of the situation vis-à-vis the condition of the tree and where responsibility rests.

(b) Wellfield, Trerhyngyll

(i) Ongoing maintenance standards (Minute 112 (b) (i) October 2019 refers)

The Chair referred to the draft flier for delivery to households in Trerhyngyll seeking their views on the future of the Wellfield and seeking Councillor representation for the village.

Resolved: That the flier be delivered.

(ii) Wellfield children's playground inspection (Minute 112 (b) (i) October 2019 refers)

Council gave further considered to the advice received from Independent Playgrounds Inspections Ltd as reported to last Council.

Resolved: That a formal inspection regime, based on the advice received as above, be put in place, Clerk to circulate Members with a working document for further consideration.

127) Planning matters

(a) The following Planning Applications were considered:

Application No.	Location & proposal	Community Council's Recommendation
2019/01120/FUL	The Beeches, Penllyn New dwelling on part of garden.	Comment regarding the need to protect the roots and integrity of substantial Beech tree in adjacent property.
2019/01119/FUL	Norms Penllyn Demolition of existing garage with replacement two storey extension and terrace, single storey side extension, detached garage with roof terrace.	No objection.
2019/01098/RG3	Llansannor & Llanharry School Construction of single storey extension, external decking and disabled access ramp.	No comment.

Resolved: That recommendations as set out above be forwarded to the Vale of Glamorgan Council.

(b) The following Planning updates, previously reported applications, decisions etc. since last meeting were considered.

Application No.	Location & proposal	Community Council's recommend'	Vale Council decision
2019/00866/FUL	Ty Carrig, City Construction of garage.	No objection	Approved
2019/00859/FUL	The Laurels, Graig Penllyn Change garage door to set of bi-folds.	No objection	Approved
2019/00733/FUL	Argoed Uchaf, Llanharry Demolition of existing two storey dwelling and proposed replacement dwelling.	Comment , not in keeping with the rural surroundings.	Approved

Resolved: Noted.

(c) Garwa & Ruthin Quarries – possible future development - Planning application 2018/01277/SC2 (Minute No. 5 B (b) January 2019 refers)

Regarding Council's concerns as above and the "objection" that the Council had lodged with the Vale Council.

The Clerk reported receipt of an invitation received from Tarmac to a presentation Thursday 14th November 2019, 1500 -1600 hrs, Llangan & St. Mary Hill Village Hall, which invitation had already been emailed to Members.

128) Finance – Payment of accounts etc

(a) Payments as follows were approved:

Chq No.	Payee	Details	Amount £.p
536	Vale of Glamorgan Council	Purchase of replacement printer.	139.74
537	Graig Penllyn Residents Assoc.	Christmas grant.	95.00
538	Ystradowen Community & Sports Assoc.	Christmas grant.	125.00
539	Llansannor Village Hall Assoc.	Christmas grant.	95.00
540	Mr AD Williams	November 2019 salary.	264.00

(b) IT equipment - replacement

Clerk reported on the recent failure of the Council's laptop and printer, and the options available to him for their replacement, cost implications x vat are £116 for the printer, £702 for laptop, £154 MS office software, total £972.

129) Councillor vacancies - Ystradowen and Penllyn wards. (Minute No. 118 October 2019 refers)

Mr Phil Summers was in attendance having previously expressed an interest in joining the Council.

Resolved: That Mr Summers be Co-opted as councillor for the Penllyn ward.

130) Standing Orders and Financial Regulations - Review

The draft document circulated to Members, as amended by any comments made since by Members, is reproduced below:

“STANDING ORDERS AND FINANCIAL REGULATIONS

RELATING TO THE PROCEEDINGS AND BUSINESS OF COUNCIL

References below to “Member” shall be synonymous with “Councillor”.

STANDING ORDERS

COUNCIL MEETINGS.

1. (a) The “Ordinary” meeting of the Council shall be held on the first Monday in every month except August, to commence at 7.00pm, unless the Council otherwise decides.

(References below to "Council meeting" shall refer to the "Ordinary" meeting as above)

(b) The "Statutory" Annual Meeting (AM) shall be held on the first Monday in May to commence at 7pm, to be followed by the "Ordinary" meeting.

(References below to "Annual Meeting" shall refer to the "Statutory" meeting as above)

CHAIR OF MEETING.

2. The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

ORDER OF BUSINESS

3 The Order of Business of Meetings shall include:-

- (a) To receive apologies for absence.
- (b) To receive declarations of interest under the Council's Code of Conduct.
- (c) To approve the Minutes of the previous meeting.
- (d) To consider matters, correspondence or communications which the Chair decides to be urgent.
- (e) To consider matters appertaining to Planning.
- (f) To note and consider any business remaining from any previous meeting.
- (g) To receive and consider reports and minutes of Committees or advisory committees of the Council.
- (h) To receive and deal with all communications to the Council or any committee or officers of the Council received since the previous meeting.
- (i) To receive and consider reports from officers and Members of the Council.
- (j) To receive and consider the statement of accounts and authorise payments.
- (k) To consider matters placed on the agenda by Members. Matters to be included must be received by the proper officer at least one clear day before the issue of the agenda.
- (l) A motion to vary the order of business on the ground of urgency may be proposed by the Chair, or by any member, and if proposed by the Chair, may be put to the vote without being seconded and shall be put to the vote without discussion.
- (m) To receive and consider Reports from the Ward County Councillors.

PROPER OFFICER AND RESPONSIBLE FINANCE OFFICER.

4. (a) The Clerk to be the proper and paid officer of the Council and will not be a member of the Council except in the absence of a Clerk a Member may act in that capacity.

(b) The Council shall appoint a Responsible Finance Officer

QUORUM.

5. Four members shall constitute a quorum. If a quorum is not present when the Council meets, or if during a meeting the number of members present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.

VOTING.

6. Members shall vote by a show of hands, or, if at least two Members so request by a secret ballot

7. If a Member so requires, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it, or abstained, provided that the request was made before the vote is taken.

8. In any case of equality of votes, the Chair may give a second or casting vote.

RULES OF DEBATE

9. No discussion shall take place upon the confirmation of the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.

10. A resolution or amendment shall not be discussed after it has been proposed, seconded and put to the vote.

11. A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

12. No speech shall exceed 3 minutes, except by consent of the Chair.

13 (a) An amendment shall be either:-
(i) To leave out words;
(ii) To leave out words and insert or add others;
(iii) To insert or add words.

(b) An amendment shall not have the effect of negating the motion before the Council.

(c) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.

(d) A further amendment shall not be moved until the Council has disposed of every amendment previously moved

(e) The mover of a resolution or of an amendment shall have a right of reply

provided that the formal proposition or amendment has not been moved.

(f) A Member, other than the mover of a resolution, shall not, without leave of the Council speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.

(g) A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.

(h) A motion or amendment may be withdrawn by the proposer with the majority consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

(i) When a resolution is under debate no other resolution shall be moved except the following:-

- (i) To amend the resolution;
- (ii) To proceed to the next business;
- (iii) To adjourn the debate;
- (iv) That the question be now put;
- (v) That a Member named shall not be further heard;
- (vi) That a Member named do leave the meeting;
- (vii) That the resolution be referred to a committee;
- (viii) To exclude the public or the press or both;
- (ix) To adjourn the meeting.

14. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

15. Members shall address the Chair.

16 At the end of any speech a Member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such a motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

RIGHT OF REPLY.

17. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

RECISSION OF PREVIOUS RESOLUTION.

18. A decision (whether affirmative or negative) of the Council shall not be reversed save by a special resolution, the written notice whereof bears the names of at least a quorum of Members of the Council.

DISORDERLY CONDUCT.

19. (a) No Member shall misconduct himself/herself at a meeting by persistently disregarding the ruling of the Chair by wilfully obstructing business, or by behaving irregularly, offensively, improperly, or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(b) If, in the opinion of the Chair, a Member has so misconducted himself, the Chair shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

(c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

CHAIRMAN'S EMERGENCY POWERS.

20 The Council authorises the Chair or in his/her absence the Vice-Chair to call a meeting of the Council or of any of its committees in the event of any matter of urgency arising which by the nature of the matter cannot await the next meeting of the Council or committee.

PLANNING APPLICATIONS.

21. The Clerk shall as soon as notice of an application is received inform Members of such, and the date by which a decision / observations if any are required to be forwarded to the planning authority.

22. Where a response is required prior to the next meeting of the Council, Members shall communicate their views to the Clerk and to the Chair. Based upon the observations received, delegated authority is granted to the Chair and or Vice Chair to decide, either on an appropriate response to the Planning Authority, or to convene a special meeting of the Planning Committee.

MEMBERS INTERESTS

23. (a) The Council has adopted the Local Authorities (Model Code of Conduct) (Wales) Order 2008, as amended) which sets out the conduct which is expected of

Members. (Minute 112 November 2016 refers)

(b) Members shall at all times conduct themselves in accordance with the Code of Conduct as above.

(c) The Clerk shall maintain a Register of Members Interests in accordance with the Local Government Act 2000, to record particulars of any notice given by any Member or officer of the Council.

UNAUTHORISED ACTIVITIES

24. No Member shall at any time comment or act on any matter in the name of the Council without the explicit authorisation of the Council.

Furthermore, a Member when commenting or acting with any third party clearly states that any views or comments are solely personal.

MEMBERS INSPECTION OF DOCUMENTS.

25. A Member may, for the purpose of his/her duty as a Councillor, inspect any document in possession of the Council and shall on request be supplied with or allowed to take a copy providing there is no infringement of a copyright and that confidentiality is maintained.

LIAISON WITH DISTRICT COUNCILLOR.

26. A notice of Council meeting and minutes shall be sent together with an invitation to attend to the District Councillor / s.

ADMISSION OF PUBLIC AND PRESS TO MEETINGS.

27. The public and press shall be admitted to all meetings of the Council (Ordinary and Annual) its committees and sub-committees which may, however, temporarily exclude the public or the press or both on grounds of confidentiality.

If a member of the public interrupts the proceedings at any meetings, the Chair may, after warning, order that he / she be removed from the Council meeting or that the public be cleared from the meeting.

CONFIDENTIAL BUSINESS.

28. No Member shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the Committee or the Sub-committee as the case may be.

ADJOURNMENTS.

29. The Chair may adjourn meetings when members of the public are present, and invite the public and the members of the Council to express their views on specific matters of Community interest.

COMMITTEES

30. Members of all committees, sub-committees, external committee

representatives and Council appointments will be approved at the Annual Meeting of the Council (AM). A quorum for a Council committee or sub-committee will be three or one-third of the total membership, whichever is the greater. All preceding orders relating to voting, rules of debate, disorderly conduct, interests, admission of public and press, confidential business, adjournments, will apply to Council committees and sub-committees. All regulations applicable to Councils under the Local Government Act shall apply to committees and sub-committee.

(a) Finance Committee - The committee will consist of all Councillors who make it known that it is their wish to serve on this committee at the AM. The minimum membership will be four members. The committee shall review all financial matters relating to the Council and make recommendations.

(b) Planning Committee - The committee will consist of all Councillors who make it known that it is their wish to serve on this committee at the AM. The minimum membership will be four members. The committee will review planning applications as required and have plenary powers to decide whether to support or reject an application. Their recommendations will be forwarded to the district council planning authority and reported to the next meeting of Council.

(c) One Voice Wales - The AM will appoint a Member to represent its interests, the Member to report back to Council on any relevant matters discussed.

(d) Vale of Glamorgan Council Community Liaison Committee - The AM will appoint a Member to represent its interests, normally the Council's Chair, the Member to report back to Council on any relevant matters discussed.

(e) Llansannor Church in Wales Primary School Board of Governors - The AM will appoint a representative to serve as a "Minor Authority" school governor in accordance with the Vale of Glamorgan Council's Governorship arrangements.

(f) Other committees and sub-committees - The Council will appoint Members to other committees / working groups as from time to time required, the deliberations of which to be reported back to the next meeting of Council.

DISTRIBUTION.

31. A printed copy of these standing orders shall be provided by the Clerk to each Member.

VARIATION AND REVOCATION OF STANDING ORDERS.

32. Standing orders shall only be amended or revoked by a meeting of Council.

MODEL STANDING ORDERS

33. In the event of any matters arising not covered in this document then and only then shall reference be made to the Model Standing Orders current at that time as published by One Voice Wales.

FINANCIAL REGULATIONS

FINANCIAL REPORTS

34. (a) The Responsible Finance Officer (RFO) shall report to each Council meeting a statement of receipts and payments made since the previous meeting.

(b) The RFO shall report to the Council meeting within three months of the end of the Financial Year, an annual statement of accounts.

EXPENDITURE APPROVAL

35. (a) All expenditure shall be approved at the monthly Council meeting.

(b) In emergency or special circumstances payments may be made before approval at the monthly meeting but only after consultation with the Chair and one other Councillor.

BUDGETARY CONTROL

36. Council, at its July meeting, will consider a report comparing spend to date against that estimated.

ANNUAL BUDGET

37. Council, at its January meeting, shall approve a balanced budget for the ensuing financial year.

BANK ACCOUNTS SIGNATORIES

38. Cheques and any other payments shall be authorised by 2 no. signatories.

INSURANCES

39. The Council shall maintain "all risks" insurance cover.

HEALTH & SAFETY

40. (a) The Council's playground at the Wellfield, Trerhyngyll, shall be inspected annually by an approved inspector.

(b) Applicants requesting the use of Council land / equipment shall maintain "all risks" insurance cover and indemnify the Council against any damage accidental or otherwise arising.

41. (a) The Council shall seek at least three tenders from contractors specified by the Council, according to terms of contract prepared by the Council, in respect of all works in excess of £1000, such tenders may be by invitation.

(b) Contractors to provide evidence of their insurance cover"

Resolved: That the document as set out above be approved as the Council's Standing Orders & Financial Regulations.

131) Christmas Grants

Resolved: Same as last year, Graig Penllyn Residents Assoc. £95, Ystradowen Community & Sports Assoc. £125, Llansannor Village Hall Assoc. £95.

132) Clerk's Correspondence

None

133) Any other business

(a) Remembrance Sunday 10th November 2019 – Invitation from Mayor of Cowbridge

The Chair advised that she was unable to attend as above and invited other Members to attend in her absence.

(b) Council Annual Dinner

The Chairman advised that arrangements would be made as follows:

Red Fox, Penllyn, Friday 10th January 2020.

Date of next meeting

Next meeting: 2nd December 2019 7 pm, Llansannor Community Hall.

Signed:

Chair

Date:
