

Minutes of the Meeting of Llangunnor Community Council
Held at 6.30pm on 24th July 2024 in
Yr Aelwyd and online via Zoom

Present: Councillors: J Slate (Chair), G Bevan, S Bowen, J Evans, G Slate, E Williams and M Williams.

Two Electors present and Emma Smith, Locum Clerk

1) To receive apologies for absence.

Apologies were received from Cllr, S Bowen.

2) To record all declarations of interest.

Cllr. E Williams declared an interest for item 11 and the schedule of payments due to one payment being to a relative.

3) Chair's Announcements.

The Chair, Cllr. J Slate informed council of the sad passing of a member of council. Cllr. Paul Totterdale passed away after many years' service on the council and he will be missed by all. Cllr. J Slate noted that a card and flowers had been given to Cllr. Totterdale's wife on behalf of council. A minute's silence observed as a mark of respect.

The Chair proceeded to address some difficult matters which had arisen on numerous occasions recently, arising from the sudden departure of the Clerk. Cllr. J Slate raised a few issues, most notably complaints, particularly from one member of the public and one councillor. Issues addressed included the legality of meetings, recruitment of a Clerk, holding community events and more. The Chair had sought advice from One Voice Wales, which was shared with those present to try and draw a line under the matter after receiving hurtful and counterproductive comments.

Full report at end.

4) 12 minutes for any questions from public.

No questions from the public.

5) To approve the minutes of the Monthly meeting of Council held on 20 June 2024.

Cllr. J Evans requested that an amendment be made to note that two councillors had been present via Zoom rather than two members to avoid confusion with members of the public. With the amendment offered by Cllr. Evans, it was proposed by Cllr. G Slate, seconded by Cllr M Williams that the minutes should be **APPROVED**, with all in favour. (**Minute 07/25-05**)

6) To review and agree Training Plan

This matter was deferred to next meeting as Cllr. L Whatley (absent) was leading on this item.

7) To review Model Standing Orders and review and to update Terms of Reference for the sub committees as necessary

This matter was deferred to next meeting as Cllr. L Whatley (absent) was leading on this item.

8) Report on school bus service from Morris Travel from Llangunnor to Queen Elizabeth High School

The Chair noted that she had spoken to Morris Travel and Carmarthenshire County Council and a service will be going ahead for the next school year. A five minute change in time has been made and the service must be used or the community will risk losing it in future.

9) Motion from Cllr Jenny Slate 'To consider and adopt the Habitual & Vexatious Requests/Complaints Policy.'

Cllr. J Slate proposed a motion to consider and adopt vexatious complaints policy. The policy had been circulated to members ahead of the meeting for their consideration. The document

was a standard policy to establish a process for how to deal with continuous and vexatious complaints. The proposal was seconded by Cllr E Williams and with all in favour it was **APPROVED**. (Minute 07/25-09)

10) Motion from Cllr Jenny Slate 'To consider a change of council meeting day and start time to encourage new councillors and officers.'

Cllr J Slate explained that the meeting day seemed to be prohibitive to new councillors who may wish to join council. Cllr. J Slate proposed to change meetings to Monday evening. After a discussion about the suitable days and times, Cllr. J Slate proposed a Monday evening at 7pm, seconded by Cllr. E Williams. With all members present in favour, it was **RESOLVED** that meetings would be held on a Monday night at 7pm in future. (Minute 07/25-10)

11) To approve the schedule of payments for July 2024

Cllr. E Williams declared an interest in this item and did not partake in the vote.

In the absence of Cllr. S Bowen, the Chair explained the statement of income and payments. It was noted that the City Loo payment had been reallocated as part of it was against Party in the Park, part of it for cleaning of council's own toilet, rather than all falling under the Party in the Park budget as previously noted. On the proposal of Cllr. J Evans, seconded by Cllr. M Williams, with five members in favour and one declaration of interest resulting in an abstention, the schedule of payments was **APPROVED**. (Minute 07/25-11)

12) To receive monthly Financial Report from Cllr Stewart Bowen

Cllr. J Slate explained the balances and the financial report was **NOTED**.

13) Sustainable Grant update

The Chair had been due to meet with Caroline Owen from the bureau at Carmarthenshire County Council but the meeting had to be postponed, another meeting will be arranged. Cllr. J Slate noted that the aim was to obtain funding for CCTV and work in park.

14) Memorial Stone path works update

The Chair updated members noting that she had contacted DW Furlong but no date has been set as yet. The work is likely to be over summer.

15) Children's Play area works update

Some of the small works to the play area have begun and will continue despite the summer holidays to avoid further delay due to bad weather in the autumn / winter. Cllr. G Slate noted that no work should be ongoing during event in park on 4th August event.

16) Consider latest play area inspection report

The report's findings were all low risk but they will be addressed in time. Cllr. J Evans noted issues with opening the July report so Cllr. J Slate will check formatting and resend. The report was **NOTED** by council.

17) Discuss and agree support for Taith Adre Mari Glyn event in the park 4 August 2024

Organisers have provided posters for the Taith Adre Mari Glyn event in the park, which have been distributed by Cllr, G Slate. The Chair will support event by funding the toilets on the day from the Chair's allowance. It is anticipated that a lot of people will attend, and the event is raising money for a very good cause (Hywel Dda Charities). A request has been made to run the bouncy castle and PA from the electricity supply. It was **AGREED** that the PA system could be connected to the electricity, but the bouncy castle company would need to provide a generator. Cllr. M Williams noted caution should be taken if opening the electric supply in damp conditions. Cllr. G Slate noted he will be present to ensure that this is taken care of.

Cllr. J Slate informed members that she had produced a hire form for future use with events to ensure all arrangements are in place such as insurance, risk assessments etc.

18) Discuss and consider appropriate action re traffic issues in Pensarn.

There is a continuing issue, especially around bank holidays and large events in the showground which means that the area is gridlocked. Many attempts have been made by council to get this sorted but to no avail. Cllr. E Williams has raised the exit at Charlies with Carmarthenshire County Council but the response been delayed due to election but agreed that it was time to press this again. Cllr. G Bevan noted that as the dual carriageway / trunk road is the root of the issue, council needs to engage with South Wales Trunk Road Agent / Welsh Government so council would need to contact the members of the Senedd about this matter. There is another event planned at the showground on the August bank holiday and while relieving the pressure at Charlies would have a small impact on this it would help the immediate area. It was agreed that the police would be made aware of it, Cllr. J Slate proposed that she would contact the relevant parties about this matter, and this was **AGREED** by council.

19) Fun run 2024 report

Cllr. J Slate had forwarded the reports ahead of the meeting noting the aim with all events is to at least break even. This was achieved, despite a higher than anticipated cost for first aid. It had been a good, well-run event for the community. Cllr, M Williams offered that it be advertised through more channels next year. Cllr G. Bevan proposed that a regular date on the calendar be offered each year, so people know when to expect the event.

A donation was received from Castell Howell to support the event. The money raised will support events next year and Christmas Carol service. A bank account will be opened for event money to be ring fenced. As this had previously been resolved by council, the Chair will now undertake to complete this action.

20) Party in the Park 2024 report

Cllr. G Slate commented that it had been a well-run event. Perhaps council could look to save costs on the entertainment next year but measure any decision with the fact that the entertainment brought people in. There were lots of free activity for children on the day with some paid provision. Cllr. J Slate suggested that the time be amended to 1pm -4pm rather than a 5pm finish.

22nd June 2025 was proposed as date for Party in the Park. Cllr G Slate noted the need to get more people involved helping run the event. Cllr. J Evans agreed that more people should be involved and suggested including external parties on a working group to arrange the event with councillors.

Carmarthenshire Music Service are keen to attend such events to give opportunities to young people in public. Cllr J Evans will contact the appropriate persons.

It was agreed that the comments and suggestions would all be considered by a working group to include external parties.

21) Progress Report - Christmas Carol Service

The carol service is planned for Wednesday 27th November 2024 with the Christmas lights going on the same night. Cllr. J Slate will request an update from Charles Sams about installation of lights at entry to park. There will be no children's Christmas party this year as it was infeasible to arrange it. It was agreed that a donation would be made in lieu of the party.

Catering will include mulled wine, hot chocolate, and some hot food will be considered by the working group. No entry fee but mulled wine etc. will be charged. All these issues will be referred to working group for further discussion.

22) Discuss any web and media issues

Cllrs. J Slate and G Slate are updating Facebook and the website. Cllr. J Slate noted that improvements are necessary, but support is needed, especially for the Welsh language versions. Urgent posts will be posted in English only. Cllr J Evans suggested that new councillors could come with communications and Welsh language skills.

23) To receive reports from Members representing Council on other Bodies/Training.

a. One Voice Wales

Cllr, L Whatley was absent from the meeting so no report was received.

b. School Governors

Cllr, J Evans & Cllr, D E Williams hadn't been notified of a meeting before the end of term so there is nothing to report.

c. anything else

Nothing to report.

24) To receive correspondence and agree responses.

Members **NOTED** the list.

- i. Cerebral Palsy – referred to November meeting.
- ii. Pethau Olyv. **RESOLVED** that the decision will be delegate to the Chair and Vice Chair.
(Minute 07/25-24)

25) To receive Report from County Councillor Cllr Elwyn Williams

No matters to report due to reduction of business during the pre-election period.

26) Councillors' Report.

Cllr, G Slate noted that a new business had opened up opposite the railway station which is a sports hall, which is a really good facility for the area. Cllr. G Slate wishes them well.

Cllr. M Willaims said that lots of young people have been hanging around the street now the summer holidays have arrived. Positive to have another facility for young people in Pensarn to give them somewhere to go.

Cllr. G Bevan noted that the bench down by Pobl Bach has broken slats. The handyman would be requested to look at it.

Cllr. J Slate noted that Towy Riders have been using the park.

Parking for the Mari Glyn event – organisers have been asked to advise those coming to park in Pensarn and share lifts up to the park. Cllr. J Slate has been invited to attend as Chair.

27) Summer recess

Following advice from OVV Council do not need to suspend the Standing Orders over the summer recess, it was agreed that the council should resolve to grant the Chair delegated powers until the next monthly meeting in September. Where necessary, the Chair will consult with the Vice Chair on any important matters and be authorised to pay essential payments up to the value of £1000.00.

Cllr. G Bevan proposed that this should be approved and was seconded by Cllr. G Slate with all in favour the delegation over the summer recess was **APPROVED**.

28) Motion from Cllr Jenny Slate to exclude the Press and Public due to the confidential nature of matters.

All members were in favour and the matter was **RESOLVED (Minute 07/25-28)**

29) Report on Personnel Issues and progress with agreed actions

Cllr. J Slate informed members that sharing of a clerk with Gorslas is not able to proceed due to Gorslas making other arrangements. The Chair also advised that council's laptop and phone will not be returned until December 2024. There council will need to purchase a new laptop and phone for cyber security and GDPR reasons.

Cllr. M Williams suggested selling second laptop, Cllr. J Slate counter proposed to keep laptop as a back up and for the Chair's use. The matter was referred to the September meeting.

Cllr. J Slate outlined details of the clerk's terms and conditions. Welsh language skills were discussed and the need to balance the ability to recruit with the ability to offer a service in Welsh. It was **AGREED** that Welsh language skills were desirable in accordance with the terms of council's statutory Welsh Language Scheme.

RESOLVED that the salary should remain the same. Other terms and conditions were as follows. Clerk and RFO, 12 hours a week with some evening and weekend work. Closing date, Saturday 31st August – extend deadline if necessary. Emma Smith - locum clerk noted that support is available in sector for new clerks. **(Minute 07/25-29)**

It was **AGREED** that a panel interview would be appropriate.

Cllr. J Slate proposed that she would prepare the advert and job description, seconded by Cllr. M Williams with all in favour, this action was **APPROVED**.

30) Discuss management of clerk's duties going forward.

Setting up payments to be undertaken by Cllr. J Slate with Cllr. G Bevan approving, and Cllr. S Bevan setting up.

Internal controls in place to ensure security of payments.

31) Consider and agree advert for clerk vacancy

Discussed above.

Cllr. G Bevan proposed that Cllr. M Williams should join the Personnel Committee seconded by Cllr. G Slate, all in favour.

Travelling allowance will be considered at a later date.

32) Date of next meeting & Annual General Meeting

Monday 16th September at 7pm

Meeting ended 20:52pm

Chairs Announcements July 2024

1. Firstly I must announce the sad news that one of our serving councillors, Cllr Paul Totterdale passed away last week after a long illness. Paul served on the Council for many years and was a staunch supporter of the Council and people in the Community. He was very passionate and continued his work with the Council even whilst suffering ill health. He will be missed by us all. On behalf of the council I have visited Paul's wife Iris and given our condolences.

I would now like us to observe a minute's silence to remember Paul.

2. We have received a large number of complaints from one member of the public and one councillor regarding the legalities of operating without a clerk in place and the Council not being in compliance with rules in place. As you know our Clerk resigned with immediate effect in March 2024. I am conscious that many of the discussions that have taken place have been without the press and public present and therefore the information has not been in the public domain. We have sought advice from One Voice Wales and Clerks of other Councils to ensure that we act properly throughout.

I answer some of the queries and complaints as follows:

3. Advice from 1VW: *'A community council must hold an annual meeting in every year. In an ordinary election year, the annual meeting must take place on, or within fourteen days after, the day on which the councillors elected at that election take office. A community council may hold as many other meetings as it wishes (paragraph 24 of schedule 12 to the 1972 Act). You can therefore suspend all committees and sub-committees.'*

We held a proper Annual Meeting in accordance with Standing Orders which was clerked by Emma Smith from Carmarthen Town Council to ensure all legalities were observed. As a Council we decided not to suspend the Council until a new clerk was appointed as we wanted to try to ensure that the work of the Council continued and that the Community remained supported. We have since decided to suspend all sub-committees and deal with all matters in the full council meeting. This decision was based on the number of councillors available to attend meetings, and the need to comply with standing orders regarding agendas and minutes.

4. Advice from 1VW: *'It is not a legal requirement as such to appoint a Clerk but most councils employ a competent individual to undertake the role of proper officer and to undertake the tasks associated with the role. In an emergency when a Council does not have a Clerk it can appoint one of its members to act as the Clerk (Proper Officer) without remuneration.'*

We appointed Cllr Stewart Bowen to act as the Responsible Officer and the Chair, Cllr Jenny Slate, agreed to carry out the administrative side of the Clerk's role until such time as a Clerk could be appointed. As proper officers have been appointed in the interim period this requirement is satisfied.

Councillors are unable to carry out this work in a paid capacity despite there being money available to pay a clerk/RFO. Most Councillors have other work commitments outside of Council and are working very hard to not only do the work of the Clerk/RFO but also to continue the good work in the Community. We appreciate that there are rules in place regarding how the Council should operate i.e. *'Three clear days before a community council meeting, a summons requiring all councillors to attend the meeting and*

specifying the business to be transacted must be sent to every councillor in accordance with standing orders.' We endeavour to meet the requirements of the standing orders at all times but there will be occasions when we are unable to meet this due to not having a dedicated Clerk/RFO in position. It is our position that we would sooner do as much as we can where we can rather than do nothing at all.

The advice from 1VW is as follows: *'It will be noted that many of the requirements relating to the calling and holding of meetings are mandatory. However, in nearly every case, no specific sanction or penalty is provided by the legislation for breach of the statutory rules. There are sometimes statutory defences: Failure to send or deliver a summons to attend a meeting to a councillor does not automatically affect the validity of the meeting (paragraph 26(3) of schedule 12 to the 1972 Act). A meeting of which the minutes are duly signed is deemed, until the contrary is proved, to have been properly held and the members present duly qualified. The court is unlikely to declare invalid decisions taken at a meeting of which only two clear days' notice had inadvertently been given (instead of the statutory minimum of three), provided that no prejudice was suffered by any member of the council or by any other person affected by those decisions. By contrast, deliberate and wilful breach of the rule could well lead to the court quashing decisions.'*

At no point has there been any deliberate or wilful breach of standing orders and the advice of 1VW has been that any court would take into account the extraordinary circumstances we find ourselves in through no fault of the Council itself.

5. We had been in discussions with Gorslas Community Council with the intention of sharing a clerk with them. This seemed to be the most appropriate course of action given that we did not have our laptop or phone available to issue to a new clerk/RFO and we had no one in place to provide training. However, Gorslas have advised us last week, that this is no longer an option as the person appointed to the post is unable to take on the extra work of a second council. We will therefore be looking to place an advert for a Clerk/RFO in the very near future. However We do not have any information as to when our laptop and phone will be returned, and therefore we will need to purchase a new laptop and phone for the Clerk to be able to carry out the work of the Council and for confidentiality and data protection reasons. We did not want to go down this route and incur unnecessary expenditure for the Council, however if we are to appoint a new Clerk/RFO we have no alternative.
6. We are currently only 8 councillors with vacancies for 5 councillors. As Chair, it is my position, that we are doing the best we can for the Community as a whole by continuing to carry out the work of the Council to the best of our ability with the limited time and resources we have available. I feel that the complaints, criticism and comments aimed at those councillors who are doing the best they can during this unprecedented situation is unwarranted, upsetting and counter-productive. I personally think the Councilors should be commended for going above and beyond instead of vilified. If more people supported instead of criticised us I believe we would achieve even more. If anyone believes the Community would be better served by the Council suspending all meetings to ensure that we are in compliance with standing orders rather than carry out good works then they should write formally to the Council.
7. We have been criticised for holding events in the Community rather than concentrating on proper Council business. It is my position as Chair that holding events and engaging

with residents in the Community is Council work. We endeavour to bring people together and provide a community we all want to live in. Advice from 1VW : *'There are many councils in Wales that organise events for the benefit of their communities and this is not an unusual occurrence. The legal power to incur expenditure on organising events is there to enable Councils to undertake this highly beneficial role (Local Government Act 1972 s145(1)(a)).'* Therefore, I do not believe that the Council is doing anything wrong by putting on events in the Community. We have received only good feedback from those who attended and I personally would like to thank again those persons who have given up their time voluntarily to support us with these events.

8. I was very disappointed to read the comments made by a former Councillor and former Chair of Council on face book this week regarding the lack of action in regard to the traffic issues in Pensarn. We were criticised as Councillors for not wanting to discuss it in our meeting and sweeping it under the carpet, when it was in fact on the agenda that was posted, and therefore the comments were totally unwarranted. These traffic problems have been going on for many years and the Community Council has no jurisdiction in these matters which this person knows. We have progressed the matter further in the last couple of years and we feel we are making progress.
9. Therefore, to conclude, I would respectfully remind those persons who have made these comments, that the Councillors will continue to do the best they can with the resources available to them until such time as we have appointed a clerk/RFO and that your support rather than criticism would be far more beneficial and far more productive during these unprecedented circumstances.