

LLANGAIN COMMUNITY COUNCIL

Minutes of the meeting held on Wednesday 20th November 2024.

1. Present: Cllrs T Griffiths (Chair), D Roberts, H Williams, J Starzewski, W James, C Atkins & County Cllr C Jones

2. Apologies: Cllrs J Jones, S Altman

3. Minutes of last meeting:

Proposed as correct by Cllr H Williams and seconded Cllr J Starzewski (with one small amendment to wording as a result of the following discussion).

Before continuing with the agenda, Cllr Williams wished to make a couple of points about the 'fast and furious' nature of the Council's business in recent times. He said that he very much welcomed new Councillors but hoped that they would appreciate the experience of the longer serving members and remember that we are a very small Community Council with limited resources and officer support. He also reminded members that the Clerk post is part time and only 6 hours per week.

Cllr Roberts responded by saying that time served was irrelevant and failure to take governance risks seriously could undermine the credibility and professionalism of the Council.

Cllr James pointed out that he and the other new Councillors had all recently completed governance training and quoted from his learning as follows; "Many Community and Town Councils do not have any form of business plan and are often caught out by responding reactively to requests for expenditure. That is, they wait for something to happen before they spend money on 'fixing the problem'" further "Creating a corporate plan is one of the most important steps your council could take because the plan serves as your road map for the early years of your 'business'".

Cllr Starzewski commented that he had studied the Good Councillors Guide and spoke again of the need for a plan, encompassing both statutory and discretionary services, in order to move forward.

Cllr Atkins remarked that the Council, being members of both SLCC and One Voice Wales, were kept up to date with legislation through the Clerk and that we were audited annually.

Cllr Griffiths appealed to County Cllr Jones for information about other small local Community Councils but she felt unable to comment due to a potential conflict of interest. At this point Cllr Griffiths asked that the Council continue with the agenda.

4. Matters Arising

2903 – Sports & Recreation Committee update – Cllr Roberts reported on the meeting that he and County Cllr Jones had with CAVS regarding the future of the park, which had resulted in a significant breakthrough. The notes taken at the meeting, by County Cllr Jones, are attached at [Appendix 1]. Cllr Roberts has all of the relevant documentation, which he would like to place in the safekeeping of the Community Council. He proposed that two nominated members of the Community Council meet with himself and a second member of the new Sports & Recreation Committee and at least two members of the Memorial Hall Committee, at least one of which should be a trustee, in order to discuss the future guardianship of the park.

Cllrs James and Starzewski were duly nominated and Cllr Roberts will write to Dr Delahunty, as Secretary of the Memorial Hall Committee, to arrange a meeting, hopefully on Monday 25th November at either 6pm or 8pm.

2909 – Gas pipeline at Coed Dylan – Marker not yet replaced but there has been correspondence between Cllr Williams and West Wales Utilities which will hopefully expedite the repair.

2912 – Christmas tree lights – Cllr Williams will, as usual, have the lights ready for the annual Advent concert at Capel Smyrna on the last Sunday in November. This year there are new multi-coloured LED lights.

2915 & 2925 – Draft budget – *to be dealt with under Finance.*

2916 – Councillor Emails – All Councillors, except Cllr John Jones, now have their Councillor emails working and, where agreed, these will be used for all future correspondence.

2917 – NALC guidelines on management of community assets – Cllr Roberts does not feel qualified to make any recommendations. This item will be put on hold until further notice, when legal advice will be sought if necessary.

2918 – Community Engagement – Cllr Starzewski had asked for this paper to be brought forward, however he suggested it would be better discussed under Finance in conjunction with budget discussions.

2921 – Bus shelter by Memorial Hall – work has now been carried out with painting and some minor repairs undertaken.

2822 – Insignia storage case – Cllr Williams now has the insignia and will check that the case is suitable and arrange for the Chair's name bar to be attached.

2927 – Tarmacadam work along Heol Smyrna from Ystradwalter to Wauncorgam Fawr junction – a request will be sent to Carmarthenshire County Council.

5. Correspondence

- Llangain Memorial Hall committee – *updated request for grant (may be discussed under Finance)*
- Society of Local Council Clerks – The Clerk Magazine
- Clerks & Councils Direct magazine
- Request for support from Urdd Gobaith Cymru – defer to January
- Request for support from Radio Glangwilli – defer to January
- Request for support from Carmarthenshire Toy Box Appeal – agreed to donate £100 immediately due to Christmas deadline
- Appropriate sum under Section 137 notice
- Other items of correspondence sent to Councillors since the last meeting, for information.

6. Planning Applications

PL/08480 - Single access gate to be erected within existing hedge. 4 x 6ft feathered wooden gate with 6ft wooden gate posts on concrete footings - Pwntan Bach, Llansteffan Road, Johnstown, Carmarthen, SA31 3QU. Sent to Councillors prior to meeting by email.

7. Finance/Approval of Payments

2928– The following payments were approved:-

Susan Holmes	£ 1026.20*	Clerk salary Sept/Oct
A W Matthews	£ 34.20	Collar bar for Chairman's chain
Clear Insurance Management	£ 323.29	Insurance renewal
Royal British Legion	£ 30.00	Poppy wreath for Remembrance Sunday
Carmarthenshire County Council Toy Box Appeal	£ 100.00	Donation
Llangain Memorial Hall	£ 1500.00	Donation

2929 – 2023/24 Audited accounts, completed with no qualifications, were distributed to Councillors

2930 – Councillors allowances – The Clerk asked all Councillors present if they wished to accept or decline their £152 allowance. It was declined by Cllrs Griffiths, Williams, James, Roberts, Atkins and Starzewski, who completed opt out forms. The Clerk will ask Cllrs Altman and J Jones at the next meeting.

2931 – The Clerk updated the Councillors on the situation regarding the safety inspection required for Llangain Park play equipment. The play park has been closed since it was realised that the last inspection had taken place in 2021. The Clerk has contacted Liam Cole at Carmarthenshire County Council who is trying to get the park added to the list currently being inspected. If he is able to add Llangain Park to the list, the cost of inspection will be £85.00. However, if this is not possible, it was agreed that the Council will consider a private inspection in order to bring the play park back into service as soon as possible.

2392 – Consideration was given to the request from Llangain Memorial Hall for financial assistance, as detailed in their latest letter to the Community Council.

As part of this conversation, mention was made by Cllr Williams and Cllr Roberts of the sum of £15,000 which has now been promised to the hall by POBL on behalf Jones Bros (Contractors) as a community benefit grant relating to the new housing development at Parc Penyrcoed.

Cllr Roberts wished to record his disappointment that this news had not been conveyed in any official capacity by POBL to the Community Council.

A long discussion took place, during which Mrs Claire Sell and Mrs Sarah Davies from the memorial hall committee were invited to comment.

Councillors had widely varied opinions about how the Community Council could or should support the hall, which included points on governance, scrutiny, due diligence and the Council's obligations towards this community asset. At varying times it was suggested Councillors meet with members of the hall committee, that the committee provide detailed quotes for works and a question as to what exactly the hall committee wanted the relationship between them and the Community Council. Cllr Griffiths brought the conversation to a close by stating that he believed that as long as all parties were acting in good faith there should be no issues with governance.

However, no final conclusions or agreements were reached.

As a result of these discussions, Cllr Atkins proposed a £1500 donation to the Memorial Hall, which was seconded by Cllr Starzewski.

Any further financial support would need to be discussed as part of the Councils budgeting process.

2925 – Cllr Roberts reported on the meeting of the sub-committee tasked with developing an annual plan.

County Cllr Jones, when asked to comment on the formal relationship between the Chair and Carmarthenshire County Council, stated that all information is published on the Carmarthenshire County Council website, updated daily but there is no current mechanism in place for this type of relationship.

The plan is designed to provide a framework for developing a planning cycle each year, to include community consultation. This concept is supported by Cllr Starzewski's paper, presented at minute item 2918.

Cllr Atkins proposed adoption of the plan which was seconded by Cllr Griffiths.

It was agreed that the Clerk would provide the sub-committee with the regular expenditure, both current and projected for 2025/26 so that they could work on a draft budget which could include the previously distributed suggestions made by Cllr James. This will be sent to the Clerk in time for adoption at the January meeting, where the 2025/26 precept will be debated and set.

8. County Councillor's Report

County Cllr Jones updated the Council regarding gritting of the roads, in light of the current weather conditions. Unfortunately, budgetary constraints mean that only main roads will be gritted. She is challenging this but warned that the recent changes to Employers National Insurance contributions and a significant shortfall in the education budget had left a £15 million hole in an already stretched budget. She cautioned the Council that there is likely to be quite a significant rise in the Council Tax in April.

9. Any Other Business

2393 - Mrs Claire Sell expressed concern at the number of trees falling at Green Castle corner as a result of bad weather. County Cllr Jones explained that all County Council trees had been checked and all with ash die back had been identified and felled. However, trees in private ownership may still pose a risk.

Date of next meeting: Wednesday 15th January 2025.

Appendix 1

LLANGAIN SPORTS & RECREATION LAND ISSUES

MEETING WITH MICHAEL JONAS - CAVS - 15th November 2024

David Roberts, Carys Jones.

Current dilemma:

- The land where the play equipment, tennis court etc. are sited is owned by Carmarthenshire County Council. The County Council is prepared to formalise a lease for this land, however, the leaser needs to be identified/confirmed. Currently the S&R is in breach of its constitution so it cannot sign a lease. Llangain Community Council could act as leaser of this land.
- The S&R football field is owned by the S&R. However, as the S&R is in breach of its constitution, it cannot fulfil the functions required. Remaining trustees have been approached in order to address the lapse in the constitution with a view to either:
 - i. resigning as trustees in order for new trustees to be appointed; or
 - ii. fulfilling the requirement of the constitution that, on terminating the S&R, any assets should be transferred to a local charity.

NB: The Football Field is not registered with Land Registry.

Following a briefing for Mr. Jonas re. the current dilemma, the following observations were made:

- If the extant Constitution is in abeyance, or non-functional, and efforts have been made to address this issue, then the Constitution can be considered obsolete or expired.
- If the Football Field is not registered with Land Registry by S&R then any other body or individual may register it.

Possible ways forward:

OPTION 1:

A new S&R is set up and constituted. The new S&R registers the land with Land Registry.

OPTION 2:

- a. The Community Council registers the land with Land Registry and the Community Council manages the S&R facilities.
- b. The Community Council sets up a Charitable Trust. The Trust registers the land with Land Registry and the Community Council manages the S&R facilities.

OPTION 3:

The Memorial Hall is a registered charity. The Memorial Hall "receives" the land and registers it with Land Registry.

NOTE: Registration of land not in your ownership could be considered Aggravated Possession or land-grabbing. However, if the lapsed S&R is not in a position to "hand over" the land, it would be reasonable for a third party to "take" it in the interest of the community. Reasonable efforts have been made to contact the trustees of the lapsed S&R, with no success. The trustees have not wound up the Association in accordance with their own constitution. The trustees are therefore in breach of their responsibilities, and it is unlikely that they would be in a position to challenge a registration by another body.