

# Penybont and District Community Council

You are summoned to attend a Council meeting of the Penybont and District Community Council to be held on **Wednesday 14<sup>th</sup> April 2021** commencing at **7.30pm online via Zoom.**<sup>1</sup>

Join Zoom Meeting (Cut and paste into address bar) [or click here](#)

Geraint Evans  
Clerk to Community Council  
7<sup>th</sup> April 2021

*Geraint Evans*

## 1. Apologies for Absence

## 2. Declaration of interest:

Reminder to members. A personal Interest is also a Prejudicial Interest because under the objective, public perception test (Para 12(1) of the Members' Code of Conduct) where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest. Forms available from the Clerk

## 3. Minutes

To authorise the Chairman to sign minutes of the previous meeting of the Council held on the

- 10th March 2021

## 4. Clerk's Update.

## 5. County Councillors Report

## 6. Planning:

- ApplicationReference:21/0472/FUL Proposal: Erection of a rural worker s enterprise dwelling, formation of vehicular access, installation of sewage treatment plant and all associated works Site Address: Bwlch Y Cefn Farm Llandegley, Llandrindod Wells, LD15SP
- Application Reference: 21/0251/FUL Proposal: Reinstate/rebuild fire damaged Eastern wing as owner accommodation and to renovate/reinstate fire damaged stable yard buildings Site Address: Severn Arms Hotel, Penybont, Llandrindod Wells, LD15UA

## 7. Community Projects

- The Pales: To discuss the recent events of being for sale - Chairman.
- Penybont Church Graveyard \_ Chairman.

---

<sup>1</sup> <https://us02web.zoom.us/j/86924311014?pwd=aIQzZDZUQUVNTm9BVmVJUWJ3aWFLQT09>

# Penybont and District Community Council

## 8. One Voice Wales

Updates

## 9. Finance

- Expenditure to authorise.
- Internal Audit Report
- Submission of Accounting Statement to Welsh Audit Office

ICO- 2021-22 annual payment	Information Commissioners	£35
Mr T Turner	Heritage Project Web Design	£500
Mrs TA Price	Internal Audit 2020-21	£38
<b>Refund</b>	<b>VAT 2020/21</b>	<b>£102.44</b>

## 10. Correspondence

- Reply from Peter Morris-Professional Lead Planning on Hendy Ltd.
- Latest advice re COVID meetings in Penybont hall.
- **Public Discussion Time<sup>2</sup>**

## 11. Hendy Wind Farm (ongoing item agenda)

- **Date of next meeting: 12<sup>th</sup> May, AGM, 2021**

### Public Attendance and Involvement at Community Council Meetings

1. Members of the public are entitled to attend Community Council Meetings except when the Council has something of a confidential nature to discuss.
2. Members of the public have no automatic right to speak at Community Council Meetings
3. Penybont and District CC have allocated a space at the end of meetings when members of the Public are invited to raise matters for the Community Council to consider as items to be put on the Agenda for their next meeting.
4. Members of the public who bring other matters to the attention of the Community Council may be listened to at the discretion of the Chair.
5. Members of the public who are told that an item is not relevant to the work of the Council may be told to desist. Failure to desist could mean that the person is asked to leave. Failure to leave the Meeting could result in the Chair adjourning the Meeting and/or calling the Police.
6. The Chair may call upon members of the public who have specialist knowledge on an item being discussed to speak at any time during the Meeting.
7. A member of the public who wishes to speak about an item being discussed and who has something to say that might assist the Councillors may raise their hand to attract the attention of the Chair. The Chair has the discretion as to whether or not to ask the person to speak.
8. Minutes will record only the actions of the Council and Agenda items from the public that the Council have agreed to include on the next meeting's Agenda.

---

<sup>2</sup> Standing Orders 2.15C

# Penybont and District Community Council

9. A certain informality has crept into our meetings and, while members of the Council would like this continue, it is important that we as a Council and that members of the public are clear about the terms of reference that apply to how the meetings may need to be conducted.

**Minutes of Ordinary Meeting of the Council held on Wednesday 10<sup>th</sup> March**  
**2021 online conferencing using Zoom at 7.30pm.**

**PRESENT:** Cllrs D.Turner (Chair);A.Willemsem D.Lyall ;A.Lawrence; L.Watkins  
Cllr J.Ingram

**Apologies:** Cllr D.Baylis (Technical issues) County Councillor Weale

**Absent:** Nil

**Declarations of Interest:** Cllr Lawrence, Hendy Wind Farm Ltd.

**PD/0032/21 Minutes**

To authorise the Chairman to sign minutes of the previous meetings of the Council held on the

- 10<sup>th</sup> February 2021

**Resolved** to accept: Cllrs D.Lyall Unanimous

**PD/0033/21 Clerk's update**

Made at agenda headings where appropriate.

**PD/0034/21 County Councillors Report**

Apologies received.

**PD/0035/21 Planning:**

None

**PD/0036/21 Community Projects/Issues: Partially suspended during the public restrictions.**

- A report from the project director on the heritage fund grant to the community had been given, now attached as annex B.
- The heavy rain of recent times has caused further problems of flooding in Penybont. However, on this occasion the intervention of a local farmer with an industrial pump saved any significant damage, as previously agreed, worked. New meetings with officials will take place subject to Covid 19 restrictions.

**PD/0037/21 One Voice Wales**

Report from Cllr Willemsen that there had been an online meeting although the chosen platform was poor. He reported the information presented from the clerk on the new governing legislation.

**PD/0038/21 Finance**

- Expenditure to authorise.

Ms ER Turner	Heritage Project project/recruitment	£1000
Came & Company	Annual Insurance 2021-2022	£218

**Proposed Cllr J.Ingram Unanimous**

- A donation of £100 has been received towards the cost of maintaining the war Memorial. Clerk to write letter of thanks.

**PD/0039/21 Correspondence.**

- Letter from Mr N.Dodman relating to current and future planning application of windfarms. (attached) the Chairman has thanked Mr Dodman with his advice and this council will monitor those matters when presented.

**PD/0040/21 Public Questions**  
**Nil**

**PD/00041/21 Hendy Wind Farm** (Cllr Lawrence left the meeting 2010hrs)

The clerk informed the meeting that the council letter (dated 21/2/21) to the principal planning officer Ms Tasmin law, which was a duplication of a letter to her dated 14/9/20 which had not been acknowledge or replied, remains unanswered. The issues in both letters highlighted the possible breach of planning regulations and failures of their responsibilities to numerous '*conditions*'.

There was a lengthy discussion on the continual failure of PCC planning, effecting the moral of residents and those who continually represent them in achieving answers. The council are now **resolved** to forward these matters and others to the Head of Planning Mr Gwilym Davies.

Cllr Andrew Willensem supplied three photographs:

- i. Showing the areas where planning consent has been given and an overlay of where works have been undertaken. The arial photograph shows two roads without consent. Turbine 6, maybe outside planning consent, and Turbine 7 being outside of planning consent.
- ii. The image from the CEMP (showing that the breaking out of Whitegates field, which is believed to be unconsented by appropriate parties.
- iii. An image showing the muddy water flowing into Larch Grove and private land, believed coming from uncontrolled runoff from the workings of Hendy Wind Farm Ltd. This matter has been reported to NRA.

**PD/0042/21 Next Meeting**

**Wednesday 14<sup>th</sup> April 2021 via Zoom. Access via this [LINK](#)**

## APPENDEX 'A'

### Local Government and Elections (Wales) Act 2021

The Clerk presented the new legislation specific for Wales and highlighted the following as of particular importance locally.

- **General Power of Competence. (GPC)**
  - i. Those councils that apply and qualify\* may use their power anywhere in Wales.
  - ii. For the benefit of the council, its area, person present or resident in its area.
  - iii. This power is not restricted to the availability of other lawful authority and to the restrictions of Section 137<sup>i</sup>, calculated on per head of the community.
  - iv. It gives a power to charge any person or organisation for a service providing it is not one the council are legally required to provide.  
  
Requirements required \*
    - v. Requires that the Council will at their meeting pass a **resolution**. A motion declaring their intention to use **GPC**.
    - vi. That two thirds of the total number of councillors were elected by election. (not Co-option)
    - vii. The council has a qualified clerk whose qualification is approved by the minister.
    - viii. That the Auditor General for Wales, has given a 'Unqualified Opinion' immediately prior to the council's declaration in (v).
  
- **Public Council Meetings**
  - i. Meetings can now continue online, Zoom etc, any changes must be clearly published.
  - ii. Meetings open to the public must but ensure that there are facilities for them to join and a procedure for them to engage with the meeting with a proviso of '*unless the person (in charge) considers that doing so is likely to prejudice the effective conduct of the meeting*'.<sup>ii</sup>
  
- **Annual Reports**

The council will produce annually a report showing their priorities, activities, and achievements during that year.
- **Councillors Training.**

The council must publish a plan for councillors and staff. The plan must be in place no later than 3 months after each ordinary election of councillors.

---

<sup>i</sup> Section 137 Local Authority Act 1972

<sup>ii</sup> Section 48(2) Local Government and Elections (Wales) Act 2021

**From:** Peter Morris <[peter.morris@powys.gov.uk](mailto:peter.morris@powys.gov.uk)>

**Sent:** 17 March 2021 12:14

**To:** [penybont.district@hotmail.co.uk](mailto:penybont.district@hotmail.co.uk) <[penybont.district@hotmail.co.uk](mailto:penybont.district@hotmail.co.uk)>

**Cc:** [info@thomas-shop.com](mailto:info@thomas-shop.com) (CSP - EXTRN) <[info@thomas-shop.com](mailto:info@thomas-shop.com)>; 'Janet Ingram' <[janet.ingram@btconnect.com](mailto:janet.ingram@btconnect.com)>; 'Liz Watkins' <[vronlace57@hotmail.com](mailto:vronlace57@hotmail.com)>; Councillor Martin Weale <[cllr.martin.weale1@powys.gov.uk](mailto:cllr.martin.weale1@powys.gov.uk)>; 'Alison Lawrence' <[alisonlawrence2000@outlook.com](mailto:alisonlawrence2000@outlook.com)>; 'Douglas Bayliss' <[dbayliss127@btinternet.com](mailto:dbayliss127@btinternet.com)>; 'dlyall1@aol.com' <[dlyall1@aol.com](mailto:dlyall1@aol.com)>; 'Andrew Willemsen' <[andrew.j.willemsen@gmail.com](mailto:andrew.j.willemsen@gmail.com)>

**Subject:** RE: Hendy Windfarm Ltd

Dear Mr Evans,

Thank you for your email below and your attached letter dated 15<sup>th</sup> March 2021 which I acknowledge receipt of.

Gwilym Davies has forwarded your letter to me. Given that we receive considerable correspondence in relation to Hendy Windfarm, I will arrange for an update to be provided to all interested parties in order to respond to the matters being raised.

Yours sincerely,  
Peter

**Peter Morris BSC (Hons), DipTP, MRTPI**

**Arweinydd Profesiynol –  
Cynllunio Professional Lead – Planning**

Dear all,

The update to the review cycle means that community centres and village halls have a potential reopening date of 17<sup>th</sup> May.

Local Authorities can request a hall is open for such things as polling stations and blood donations, so if requested you are able to open for this reason.

The 17<sup>th</sup> May is the date to prepare for reopening in a limited capacity and a risk assessment will need to be undertaken to assess the building, there should be a COVID-19 element to this. If the Welsh Government review states that we will go into Alert Level 3 around this time an amended risk assessment is needed at each change of Alert level.

The reopening will be initially the same Regulations we had last time. This will be organised activities for up to 15 people (indoors) and 30 people (outdoors).

PAVO are running a risk assessment training session on 22<sup>nd</sup> April, for more information or to book a place please click [HERE](#).

Next week, I will be holding a focus group on 14<sup>th</sup> April, 6pm – 7:30pm I will also include an update at this meeting as we now have a clear timeframe for potentially reopening. If you would like to attend this, please let me know via email.

We will then aim to have another session at the beginning of May.

I am looking into Legionella training as many groups have said some training on what to do would be helpful. There will be a charge for this as we will be looking for a qualified external trainer to deliver the session. Please let me know if you would like to know about this training so I have an idea of numbers.

As always, if you have any queries or need any support please get in touch with me.

Best wishes,

Melissa

--

**Melissa Townsend**

Swyddog Datblygu Sir  
County Development Officer