

Minutes of Ordinary Meeting of the Council held on Wednesday 10th 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

- 10th 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 14th 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 137ⁱ, 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*'.ⁱⁱ

- **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.

ⁱ Section 137 Local Authority Act 1972

ⁱⁱ Section 48(2) Local Government and Elections (Wales) Act 2021