

Penybont and District Community Council

You are summoned to attend a Council meeting of the Penybont and District Community Council to be held at 7.30pm Tuesday 10th January 2023, in main hall of Penybont Community Hall.

Geraint Evans
Clerk to Community
Council
4th January 2023

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: -
8th November 2022

4. Clerk's Update.

5. County Councillors Report

6. Planning

9. Community Issues Raised or Ongoing

- Hybrid Meetings
- Memorial Bench seat
- Councillors, position on Penybont Community Hall Committee, Councils responsibilities.

10. One Voice Wales

11. Finance

Stock Signs	Additional Chargers	186.18*
One Voice Wales	Membership	72.00
Mr GM Evans	Annual Salary Jan 2021- Jan 2022	1000.00

Penybont and District Community Council

Mr GM Evans	Annual Sundries	136.09*
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*VAT to be claimed

- Audit from Welsh Audit Office y/e 31/3/2021
- Clerks Contract
- Clerks' annual wages.
- Budget 2023-2024

12. Correspondence

Penybont Community Hall

Penybont Community Hall-Application for grant

13. Public Discussion ¹

15. Date of Next Meeting and format

14th March AGM

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.

¹ Standing Orders 2.15C

**Minutes of Ordinary Meeting of the Council held on Tuesday 8th
November 2022 at Penybont Community Hall at 7.30pm.**

PRESENT: Cllrs D.Turner (Chair); Cllr D.Lyall
R.Buften:R.Duggan:R.Watkins;J.Lawrence;

Apologies:

Absent: Cllr D Bayliss

Others: County Councillor G.Morgan

PD/0147/22 Declarations 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

PD/0148/22 Minutes

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

- 27th September 2022

Proposed to accept Cllr R.Watkins Unanimous

PD/0149/22 Clerk's update:

Advised the council that Mr Hulse completed the moving of the speed advisory cameras.

PD/0150/22 County Councillors Report

There have no issues within the community area. However, there are discussions being had concerning the reduction of school attendance days to 4. He advised the council that this would not be a matter he would support.

PD/0151/22 Planning:

- The Ffaldau Waste Re-Cycling Centre Llandegley
Llandrindod Wells LD1 5UD 22/1631/FUL
Construction of a building to house and install a combined heat and power plant - "CHP development" with dual purpose to provide heat 4MW thermal

output & 2.5MW electrical output and all associated works

Resolved that the council has no formal objections, but seek to ask what type of fuel will be burnt.

- 3 Sunnyside Penybont Llandrindod Wells LD1 5UA 22/1734/FUL

Installation of biomass boiler and flue

Resolved that the council has no formal objections.

Cllr R. Bufton Unanimous

PD/0152/22 Community Projects/Issues:

- **Hybrid Meetings**

Specific issues to be discussed under confidential matters, long term discussions to be discussed in January 2023 (Budget). Council informed by Penybont Community Hall committee that the installation of broadband would cost £33.99 per month.

- **Penybont Church Bench Seat.**

The council has been made aware of the unusable state to the bench seat. Clerk to write seeking if any assistance is needed.

- **Flooding in the Penybont area.**

Further meetings are planned with NRW, Dwr Cymru and PCC as the river is now rising considerably.

PD/0153/22 One Voice Wales

No reports

PD/0154/22 Finance

- Monthly bank balance sheet presented.
- Draft remuneration document for councillors. (Noted)

PD/0155/22

Correspondence

- Letter from James Evans AM/MS Noted
- Letter from Public Services Ombudsman for Wales (Confidential)

PD/0156/22

Public Discussion

Two issues were raised as a public concern:

- The recent publication of an environmental study attached to planning application 21/1826/Ful. Issues raised: Increase of traffic movements pa from 610-1004: disposal of wastewater transported to waste treatment works, where?

- Clerk to contact Environmental Health & Planning.
- Iman Casing & Foods UK, Nantment, LD16EN
- Recent discharges of slurry locally have been of significant pungent smell Clerk to establish from Environmental Health whether such discharges into the land are checked for Phosphorus levels or other contaminants requiring a licence.

PD/0157/22 Confidential Matters – Public left the hall 2030.

PD/0158/22 Date of Next Meeting at Penybont Community Hall

January 10th at 7.30pm Budget setting for 2023-2024

Penybont Community Council

5th January 2023

Good morning,

I would like to apply, on behalf of Penybont & District Community Centre Management Committee for a grant from the Community Council towards the replacement of the Fire Escape ramp and steps at the Community Centre. These have been dangerous for some time and no doubt you will remember your agreeing to be a Partner to help us to show community support for the project and the £200 you donated towards the initial planning costs of the project.

We are now at the stage of applying to the National Lottery and the Welsh Government Community Facilities fund for funding towards the £44,605 that the project will cost to replace the existing ramp and steps with regulation compliant alternatives. This means a much a longer, shallower ramp and much shallower steps, a flat landing instead of the currently sloping one at the rear exit of the hall, new fire doors and replacement windows fitted with fire resistant glass.

The project also includes the continued involvement of McCartneys (who designed the plans and saw them through Planning, Building Control and Tender) to administer the building phase by *“liaising with the main contractor and subcontractors, visiting the site to inspect progress and the quality of materials and workmanship, prepare and agree monthly valuations, deal with any design or material specification, additional information or variations etc as well as prepare a snagging list and inspect when complete at the practical completion stage and again at the end of the 6 months defect liability period.”* I have quoted from the offer letter from McCartneys which I attach to my email.

This work will cost 6% of the build cost. I attach our preferred tender for the build which at £32046 (plus VAT) means the McCartneys fee comes to £1922 plus VAT at £384 making the McCartneys fee a total of £2306.

It is this sum for which I would like to apply to the Community Council towards this vital refurbishment of a major safety feature of the community venue so important to all in our Area of Benefit.

Through the generosity of community support of our fundraising events and the hard work of our volunteer Committee members and other volunteers who give us so much valued help we have during 2022, as well as funding the cost of the plans for the Fire Escape ramp and steps project, purchased and installed a Sound System and replaced the fluorescent lighting in all the toilets with motion sensor LEDs. Additionally we received a grant from the now closed Severn Trust to replace the main hall fluorescent lighting with LEDs. We are very grateful for all the support we have from the community which shows how much they value their community venue.

I look forward to receiving similar support from the Community Council to enable us to take this project to completion to ensure the safety of all in our community, but especially the disabled and frail who must not be excluded from using the venue through fear of how they might be unable to use the currently unsafe ramp and steps in a Fire Drill or in the panic of an emergency evacuation.

Should you need any further information, please don't hesitate to ask.

In the meantime I attach the plans for the new Fire Escape ramp and steps, already passed by Building Control and with a CERTIFICATE OF LAWFUL USE OR DEVELOPMENT – SECTION 192 22/0213/CLP from PCC Planning as well as consent from the current owners and tenant landlord of the adjacent Severn Arms on whose land the Community Centre is built and on which the new ramp will extend further.

I also attach a breakdown of the £44,605 total cost which as you will see includes a 10% Contingency given the current inflation rate, our latest Accounts and the preferred (cheapest) Tender we received for the work as well as the McCartneys Offer Letter already referred to.

Thankyou for your consideration of this application.

Kind regards,

Christine Haslock
Secretary to the Management Committee,
Penybont & District Community Centre

From: Christine Haslock <chrishaslock@gmail.com>
Sent: 27 December 2022 16:44
To: Penybont District <penybont.district@hotmail.co.uk>
Subject: help needed please!

Good afternoon, Geraint,

I hope you are well and that you had an enjoyable Christmas.

I am in the process of making applications for grants to realise our project to replace the existing Fire Escape Ramp and Steps to the rear of Penybont & District Community Centre.

As you know, the Management Committee of Penybont & District Community Centre manages the building in trust for Penybont & District Community Council.

I have been asked, when applying to the National Lottery People & Places for a medium grant of between £10,000.01 and £100,000 to address the following...

"If all or any part of your capital grant is to be used for building work you understand and accept that: ☐ we will require confirmation from your solicitors (by way of a certificate of title, in a form which we will supply) that you are the leasehold or freehold owner of the capital assets to which the grant relates, together with a copy of the lease if leasehold, and that the capital assets may be used for the grant purpose..."

While I have copies of the current lease between the Community Centre and Geoffrey and Tessa Lloyd, the present owners of the Severn Arms on which land the Community Centre is built, I am unable to access a Certificate of Title, despite searching every document within my possession relating to Penybont & District Community Centre.

I wondered, therefore, if Penybont & District Community Council might have such a document in your records? Alternatively, do you employ a solicitor for any reason who might have such a document in their records?

I would be very grateful if you could look into this for me or offer any advice on the subject.

Thankyou,
Best wishes,
Christine Haslock,
Secretary to the Management Committee,
Penybont & District Community Centre

Geraint Evans (CiLCA Wales)
Penybont Community Council

Dear OVW,

I have been requested by the Chairman to seek advice/legal opinion on a matter that has been brought to our attention recently.
The letter seeking information is shown below.

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*I would be very grateful if you could look into this for me or offer any advice on the subject.
Thankyou,*

I have attached the Official copy of register of title. Unsurprisingly no councillors nor clerk remain in position since the 27.04.1990.
We hold no position on the board of 'trustees', copy attached from the Charities Commission.

Our principle question is: -

Does Penybont Council have any form of liability.

Does Penybont Council have any form of responsibility.

Regards

Geraint Evans

Auditor General for Wales' Audit Certificate and report

I report in respect of my audit of the accounts under section 13 of the Act, whether any matters that come to my attention give cause for concern that relevant legislation and regulatory requirements have not been met. My audit has been conducted in accordance with guidance issued by the Auditor General for Wales.

I certify that I have completed the audit of the Annual Return for the year ended 31 March 2021 of:

Penybont and Llandegly Community Council

Auditor General's report

Audit opinion - Qualified

Except for the matters reported in my Basis for Qualification below, on the basis of my review, in my opinion no matters have come to my attention giving cause for concern that in any material respect, the information reported in this Annual Return:

- has not been prepared in accordance with proper practices;
- that relevant legislation and regulatory requirements have not been met;
- is not consistent with the Council's/Committee's governance arrangements; and
- that the Council/Committee does not have proper arrangements in place to secure economy, efficiency and effectiveness in its use of resources.

Basis of qualification

Annual Governance Statement

In my opinion, the Council's governance statement is not consistent with the actual arrangements in place during the year.

- Assertion 3: The Council did not take all reasonable steps to ensure it complies with relevant laws.
 - As an officer of the Council the Clerk is an employee of the Council.
 - The Council has not provided its Clerk with a written contract or a written statement of the specified terms of employment required under S.1 of the Employment Rights Act 1996 (ERA) within two months of starting employment

Other matters arising and recommendations

There are no further matters I wish to draw to the Council's attention.



Richard Harries, Director, Audit Wales

For and on behalf of the Auditor General for Wales

Date: 10/11/2022