

# Penybont and District Community Council

You are summoned to attend a Council meeting of the Penybont and District Community Council to be held at **7.00PM**, 9<sup>th</sup> January 2024 in main hall of **Penybont Community Hall & ZOOM [LINK](#)**

Geraint Evans  
Clerk to Community  
Council  
3<sup>rd</sup> January 2024

**There will be a pre meeting **7pm**, address from Christine Moore, the future of the Pales Meeting House.**

**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: -  
14<sup>th</sup> November 2023

**4. Clerk's Update.**

**5. County Councillors Report**

**6. Planning**

**7. Community Issues Raised or Ongoing**

- 30MPH Limits-Cllr Turner
- Community Benefit Funding-Non-specific, Cllr Turner
- Rhos

**8. One Voice Wales**

No current meetings

# Penybont and District Community Council

## 9. Finance

### (i) To Approved:

1/12/2023	Wales Air Service	Grant	£100
14/12/2023	McCartneys	Grant for supervision of community hall ramp	£2307.31*
20/12/2023	Hall Rental	9/5/23-14/11	£43.36
01/01/2024	VisionICT	Web Site	£270.00*

\* VAT recoverable

### (ii) Make budget for 2024-2025

## 10. Correspondence

Northern Division Fire Service

Digital Training Skills

The Ffaldau Waste Re-Cycling Centre Llandegley

## 11. Public Discussion <sup>1</sup>

## 12. Date of Next Meeting and format

12<sup>th</sup> March 2024- Hybrid available.

### 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.

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<sup>1</sup> Standing Orders 2.15C

**Minutes of Ordinary Meeting of the Council held on Tuesday 14<sup>th</sup>  
November 2023 at Penybont Community Hall at 7.30pm**

**PRESENT:** Cllrs D.Turner (Chair)  
R.Bufton;R.Duggan;R.Watkins;J.Lawrence,D.Lyall

**Apologies:**

**Absent:** Cllr D.Bayliss

**Others:** County Councillor Morgan

**PD/048/23 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*

- Nil

**PD/049/23 Minutes**

To authorise the Chairman to sign minutes of the previous meetings of the Council held on the 12<sup>th</sup> September 2023  
Proposed to accept Cllr Duggan Unanimous

**PD/050/23 Clerk's update:**

- Following the query on the recording of meetings by a member of public. One voice Wales confirmed that the provisions of Public Bodies Act 1960 still is the correct guidance despite the more recent Local Government and Elections (Wales) Act 2021.

**PD/051/23 County Councillors Report**

- Local elections in Powys saw 2 Liberal Councillors elected.

- The Powys CC farm has been sold for £5 million, he felt that there was not full consultation.
- Welsh Assembly has invested £68 million into Bute Energy as part of their pension portfolio.

#### **PD/052/23 Planning:**

- The Ffaldau Waste Re-Cycling Centre, Llandegley, Llandrindod Wells LD1 5U  
Proposal: Construction of combined heat and power plant and install a 8.5MW CHP plant with dual purpose to provide heat 4MW thermal.  
Cllr raised the issues relation to the Nitrogen Dioxide fallout on behalf of a local resident in close proximity to the venue.  
Clerk to write to planning dept.
- 23/1558/Ful: Lower Trewen, Llandegley, LD1 5UF: Timber Holiday Chalet. This application was a submission to council dated 13<sup>th</sup> November. Clerk to request a extension to local consultation.
- Aberedw Energy Park.- Noted
- For mention only: Bute Energy Meeting,  
Thursday 23 November, 2.30-6.30pm at The Strand Hall, Builth Wells.  
Friday 24 November, 10.30am-2.30pm at Penybont & District Community Centre, Penybont  
Wednesday 29 November, 12-4pm at the Media Resource Centre (MRC), Llandrindod Wells - Noted

#### **PD/053/23 Community Projects/Issues:**

- **Defibrillator Courses-** Ongoing/maintenance.
- **Speed Signs to 20MPH-A44** has not been effected, councils speed awareness signs, correct.
- **The Pales-** Cllr Turner informed the council that the Pales had now been acquired by Addoldai a Church Charity for redundant chapels of non-conformists' churches in Wales. He suggested that this council would benefit from hearing from the new owners.

#### **PD/054/23 One Voice Wales**

Clerk published the last minutes of OVW and suggested that until a permanent member was found, councillors would request the clerk to respond to matters.

## **PD/055/23 Finance**

27/9/23	Clerks legal and Society Membership	SLCC	£65
5/10/23	Poppy Remembrance Day	British Legion	£50

Proposed to pay Cllr Lyall unanimous.

- Bank reconciliation reports submitted.

## **PD/056/23**

### **Correspondence**

- Wales Air Ambulance -Noted £100 donation.
- Llandrindod Twinning- Noted

## **PD/057/23 Public Discussion**

- Ms Jill Jenkins brought to the council's attention the premises of Iman Casings, a matter which the council responded to on behalf of residents. The result now reported by MS Jenkins is as follows,'  
*Powys C.C. Environmental Health concerning the Odours problem.*  
*"Our investigation into odours from the above premises has concluded. Officers are satisfied that a Statutory Nuisance is in existence and an abatement notice has been served. As resolving the issue is likely to be complex a suitable period for for compliance has been given requiring the odour to be abated by the 1st April 2024. Please be aware that if the notice is appealed by the recipient it will be suspended pending a court hearing"*

## **PD/058/23 Date of Next Meeting at Penybont Community Hall 9<sup>th</sup>**

**January 2023, Council Budget meeting - 7.30pm- Hybrid available.**

Dear Councillors,

In preparation for your forthcoming budget setting for the year 2024-2025 I hope this letter will give you some insight for your preparations.

*Councillors are required to set a budget outlining its spending in various categories for the forthcoming financial year.*

*As a general advice to the council, it would be that provided the council has worked out a budget for the forthcoming year, (allowing for ongoing commitments, inflation, and new projects) it would be reasonable to set a precept that it is needed to fulfil those requirements. In doing so, regards should be given to the level of balances of the unallocated reserves that could contribute towards project costs, if that was an appropriate consideration. Each expenditure heading should be considered in isolation, necessary and proportionate.*

The following figures have been abstracted from your accounts. Councillors are reminded that they can require sight of the accounts at any time and without reason.

As of 1<sup>st</sup> January 2024, balance in the bank   £9490.39

Less known expenditure to 31<sup>st</sup> March 24     £2050.50

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£7439.89

Less ring-fenced funds                             £2648

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Anticipated 31/3/24 unused funds of         **£4791.89**

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Ring Fenced Funds are monies put aside for specified project/requirements that cannot be used unless agreed at full council. (see table below)

Councils unallocated reserves/ non-ring-fenced funds. The Welsh Audit Office recommends 2.5 times the annual precept, to cover the unknown. Your precept currently stands at £9454 which would in theory make your unallocated acceptable reserves in the region of £23,000.

It is for councillors to decide which categories to add or removed that will have funds assigned for the precept 24-25. Below is the table and allocated funds from last year.

<b>Account Headings</b>	<b>Budget for 23-24</b>
Employee costs	2235
Home Costs	312
Administration/Subscriptions	500
Audit Charges	350
Coronation	2000
Community Grants	2306
Hall Hire	100
Insurance	300
Web site administration	290
Zoom	119
Maintenance	0
Training	0
Election Expenses	350
War Memorial	0
Councillors Renumeration	0
Members Consumables	392
Childcare Renumeration	0
Servicing Defibs	200
Technology	0
	<b>9454</b>

### **Ring Fenced Funds**

<b>Ring Fenced Funds 23-24</b>	
	1050
Councillor Renumeration	(7x150)
Councillor Consumables	392
Childcare Renumeration	500
Maintenance	850
Training	506
Elections 2026	400
<b>TOTAL</b>	<b>2648</b>

## **Section 4 Government and Elections (Wales) Act 2021**

With the restrictions originally that COVID required, emergency arrangements in law were made for our council to meet ‘electronically’ which we did once per month.

With the end of covid and restrictions on meetings removed, it was found to encourage broader participation and inclusivity, to make it a legal requirement (where there is a requirement) for councils to have hybrid facilities. It is immaterial where those meetings remained at councillor’s h/a, or at Penybont Community centre. In our case throughout COVID there were on average 2 persons attending the meeting, online. This in fact has continued over recent times, an average of two. Thus, there is a legal requirement for you to be always hybrid. The legal requirement being:

*‘The ability for participants to be able to see and hear each other, and the facility for outbound and inbound video and audio to be switched on and off either by a participant themselves or potentially also for a meeting organiser’.*

As an employer, you have never supplied the Clerk with the basic tools for him/her to fulfil their functions (e.g. computer/printer). To give councillors the information they need to make the best and cost-effective decisions for the council, the Clerk agreed to use his personal equipment, from his home, for this period of 1 year.

There have been some difficulties this year, in using equipment not meant for a large hall. Complaints re sound quality, unable to hear speakers, and one occasion no internet link.

Below are the costs to be hybrid at Penybont Community Hall. The equipment listed is what is currently being used by other community councils in our area.

Laptop@ Currys approx. £300 + MS Office 365 £65 pa

Huawei B311, Cat 4 Mobile Wi-Fi Router, £59.99

Wi-Fi data chip, monthly data charge £20



Kandao-Meeting 360 conference camera, inc of speakers. £500 (might be cheaper at Ebay.

Zoom £139 pa

Approximate cost to your precept 24/25 **£1304**

Alternative for No public ordinary meetings:

Clerks home equipment already covered in allowance £312 pa

Zoom £139 pa

Approximate cost to precept 24/5 **£451**

Finally in this short report, the legislation advice notes states:

*'Where a participant is joining by remote means, and has declared a prejudicial interest, they should leave or be removed for the duration of consideration of that item. Other participants should however be aware that the participant will be able to observe the broadcast of the meeting while outside. Relevant authorities may seek to include in their policies and meeting arrangements a requirement that participants with prejudicial interests undertake not to observe a broadcast for the reasons set out above, although we note that there is no definitive way to police this requirement and it may be seen as overly restrictive.'*

I hope this information for the forthcoming budget on the 9<sup>th</sup> January 2024 will be of some help.

Geraint

Clerk

# Penybont & Llandegley Community Council

Prepared by:

GERMIST EVANS  
Name and Role (Clerk/RFO etc)

Date:

1/1/2024

Approved by:

\_\_\_\_\_  
Name and Role (RFO/Chair of Finance etc)

Date:

\_\_\_\_\_

<b>Bank Reconciliation at 31/12/2023</b>			
<b>A</b>	Cash in Hand 01/04/2023		4,764.99
	<b>ADD</b> Receipts 01/04/2023 - 31/12/2023		9,526.00
	<b>SUBTRACT</b> Payments 01/04/2023 - 31/12/2023		14,290.99
			4,818.60
	<b>Cash in Hand 31/12/2023</b> (per Cash Book)		<b>9,472.39</b>
<b>B</b>	Cash in hand per Bank Statements		
	Petty Cash 31/12/2023	0.00	
	Unity Trust Bank 31/12/2023	9,472.39	
			<b>9,472.39</b>
	Less unrepresented payments		9,472.39
<b>B</b>	Plus unrepresented receipts		
	<b>Adjusted Bank Balance</b>		<b>9,472.39</b>
<b>A = B Checks out OK</b>			

## Protection of Ownerless Common Land and Village Greens

### Section 45 of the Commons Act 2006.

Councillors will recall the issues relating to Rhos Swydd (Penybont Common) 12<sup>th</sup> Sept 2023.

Most were obvious to the reader how the council should react to most issues. Indeed, our chairman had at other councils faced similar decisions, and whilst not wishing to mis-quote him, 'neither agree with a request nor object'.

However, one request was made that had legal implications both to the council and the author of the letter. The request was seeking consent/notification to go onto the land as a grazier, with a shotgun, which he had previously been given.

The legal issues relating to this request/notification are contained in Section 19 Firearms Act 1968.

The council took advice from One Voice Wales, whilst the specific question was not answered, specific advice was given relating to the council's authority to requests on the land.

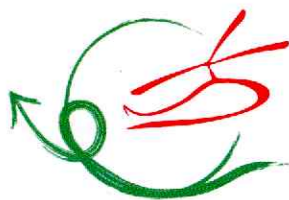
NALC- (National Association of Local Councils) Advice note LTN 54.

- Local authorities have a power but not duty to take steps to protect the land, and where necessary take enforcement action.
- There is **no power for an authority** to permit local inhabitants or others to use unclaimed land. Strictly speaking, such an activity is a trespass (in the absence of the consent of the owner of the land), which the authority has the power to prevent, **not to sanction**.

It should be agreed that at your next meeting, the Clerk is authorised to write to the author, that we can neither authorise nor accept officially his notification to carry a firearm on the common.

Geraint Evans

Clerk



Elusen | **WALES**  
**Ambiwlans** | **Air**  
**Awyr** | **Ambulance**  
**CYMRU** | **Charity**

**Ambiwlans Awyr Cymru**  
**Wales Air Ambulance**  
Tŷ Elusen  
Ffordd Angel  
Llanelli Gate  
Dafen  
Llanelli  
SA14 8LQ

Our Ref: 215980

Ffôn/Tel: 0300 0152 999  
enquiries@walesairambulance.com

Penybont & District Community Council  
Bryn Hall  
Cwmbach  
Llechryd  
LD2 3RP

Dear Penybont & District Community Council

On behalf of our pilots, medical team and staff at Wales Air Ambulance, I would like to thank you for your donation of £100.00 on 17/11/2023 .

With your support we can continue to save lives locally 24 hours a day, lives like David who suffered a cardiac arrest whilst at home late at night.

Two shocks were delivered to David's heart to bring it back into rhythm however he was becoming agitated and was not breathing effectively. The charity's overnight critical care team were able to take over David's breathing by giving him a general anaesthetic and putting him on a ventilator.

This procedure is delicate, complex and time-critical. It is only possible outside of a hospital environment through the Wales Air Ambulance and the consultants that we have onboard.

David said "I am forever grateful to the ambulance service and the Wales Air Ambulance for the work they did and to get me to the hospital as quickly as they did. I really appreciate everything they've done for me. If it wasn't for them, I wouldn't be here."

Thank you again for supporting Wales Air Ambulance Charity. Your donations are the only way we can provide this service and continue "Serving Wales, Saving Lives".

Yours sincerely,

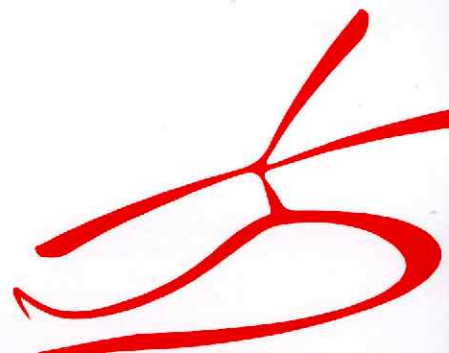
Capt. James Grenfell  
Regional Managing Pilot

P.S. Sign up to our newsletter to find out about our recent missions in your area and the difference your support is making across Wales. To sign up visit [www.walesairambulance.com](http://www.walesairambulance.com)

[www.ambiwlansawyrcymru.com](http://www.ambiwlansawyrcymru.com)  
[www.walesairambulance.com](http://www.walesairambulance.com)

Rhif Elusen/Charity Number: 1083645

Ambiwlans Awyr Cymru yw enw masnachu Ymddiriedolaeth Elusennol Ambiwlans Awyr Cymru sydd yn gwmni cyfyngedig cofrestredig yn Lloegr a Chymru gyda'r rhif cofrestredig 04036600 a'r rhif elusen cofrestredig 1083645. Mae ein swyddfa gofrestredig yn Ty Elusen, Ffordd Angel, Llanelli Gate, Dafen, Llanelli, SA14 8LQ.  
Wales Air Ambulance Charity is the trading name of Welsh Air Ambulance Charitable Trust, which is a limited company registered in England and Wales (registered no: 04036600). Our registered office is at Ty Elusen, Ffordd Angel, Llanelli Gate, Dafen, Llanelli, SA14 8LQ.



Dear Colleagues,

Please find below details of training sessions covering digital skills that are taking place in January, February & March 2024. These training sessions are being provided by **Digital Communities Wales** as part of the **Digital Health of Community and Town Councils** programme. Please bring this to the attention of your council.

There is no charge for Councillors to attend these training sessions.

To register for the training please follow the following quick steps to be sent a ticket.

- Visit <https://www.eventbrite.com/cc/one-voice-wales-digital-training-2918959> to review session times and descriptions.
- When you have found a session which you would like to attend then click to "reserve a spot".
- Complete the form to register. Please use the name of your council for your organisation or department where required.

Please specify during the registration for the training session if you would like to participate in Welsh.

Repeat the process for any additional course you would like to attend.

If you have any queries please let me know.

Many thanks,

Justin Horrell  
Digital Project Manager  
One Voice Wales  
[jhorrell@onevoicewales.wales](mailto:jhorrell@onevoicewales.wales)

Prynhawn da / Good afternoon,

My name is Neil Evans, I am a Station Manager and the Deputy Divisional Commander of Northern Division for Mid and West Wales Fire and Rescue Service which incorporates the Powys and Ceredigion Response areas. Copied into this e mail is my line manager Group Manager Terri – Ann Parry who is the Divisional Commander for Northern Division. Following on from a letter that was sent out to you all , We would like to take this opportunity to touch base with you and make ourselves available to attend any meetings you may have in the future to consult on and discuss our draft 2040 plan which has been opened for consultation since the 6th of November. We would also love to attend any meetings after this consultation is over to meet and discuss how we can work together to create safer communities and support each other where possible.

The Service will have a presentation available that we can deliver to outline our proposals to you, if you would like us to attend your meeting to receive an update on our proposals could you please let us know on and a member of my team will attend.

The closing date for the consultation period is the 15th of January 2024 and we would really value any feedback you can provide in building a Fire and Rescue Service for the future for our communities that we serve.

In the interim, please find below the links to the draft consultation documents of the Service 2040 plan and the relevant feedback form locations. I have also attached the full (bilingual) presentation for the councillors to view.

Neil Evans

Deputy Divisional Commander of Northern Division

( Est Mewnol / Internal Ext 1114

( Symudol / Mobile: 07882634605

Post / Mail [n.evans@mawwfire.gov.uk](mailto:n.evans@mawwfire.gov.uk)

Wefan / Website: [www.mawwfire.gov.uk](http://www.mawwfire.gov.uk)

ISSI Number: 7095465

Callsign: WMS221

**Planning Application, The Ffaldau Waste Re-Cycling Centre Llandegley**  
**Llandrindod Wells LD1 5UD**

Dear Mr Edwards

Following a meeting of Penybont & Llandegley Community Council, a matter was raised by Cllr Lawrence on behalf of a resident living in very close proximity to the planning site.

As was the planning authorities concern in relation to 'ammonia levels and nitrogen oxide discharge' (original planning application withdrawn).

The council notes the undertaking within the letter of Shawn Jones, Agriviro. The issue remaining, for the residents, ongoing concerns are, the requirements of monitoring and are they subject to the planning consent they require from your office?

Regards

Good Afternoon,

Thank you for your email.

I'm still awaiting consultee responses on this application, specifically NRW and Environmental Protection who would be the bodies that would address the matters you have raised. If permitted, the approved documentation and mitigation measures would likely be conditioned with any granting of planning permission to ensure compliance.

Regards

Richard Kier Edwards MSc BSc

Principal Planning Officer/ Prif Swyddog Cynllunio