

Minutes of the December monthly meeting of the Pontyclun Community Council held in the Pontyclun Community Centre, Pontyclun, at 7.00 p.m. on Tuesday, 8 December, 2009.

**PRESENT:** Community Councillors J G Davies, P Griffiths, S Jenkins, M Rea and C Willis

**ALSO IN ATTENDANCE:** Eight members of the public.

1. **APOLOGIES:** Apologies for absence were received on behalf of Community Councillors J V Huish and R G Norman.

2. **Declarations of Interest**

The following declarations of interest were made:

**Councillor M Rea** for agenda item 9 (e) "I am a member of the Borough Council's planning Committee "

**Councillor S Jenkins** for agenda item 10 – " I am the Chair of Miskin Mill Scouts"

3. **Residents' concerns**

(a) **Pontyclun Chamber of Trade**

Mr Andrew Fenton of the Pontyclun Chamber of Trade introduced himself to the Council.

Mr Fenton advised that the Chamber of Trade had been reformed with effect from 2 December, 2009, with the first meeting due to take place on 13 January, 2009.

Mr Fenton expressed the wish for the Chamber of Trade to work with the Community Council and extended an invitation to the Council to send a representative to the January meeting. A invitation to attend the meeting was also extended to one of the two Borough Councillors.

**RESOLVED:** That Mr Fenton send details of the Chamber's meeting to the Clerk for him to advise members of the Council.

(b) **Car park at Heol yr Orsaf, Pontyclun**

Mr Tony Lane tabled copies of two letters which had been received in connection with the introduction of parking charges at the Heol yr Orsaf car park, Pontyclun.

Mr Lane stated that, additionally, two requests under the Freedom of Information Act for a copy of the report to the Borough Council's Cabinet leading to the introduction of car parking charges had been made. No response had been received from the Borough Council.

The Clerk advised that following the Community Council's November meeting he had written to Councillor Andrew Morgan, the Cabinet Member at the Borough Council with the portfolio for traffic management, outlining the problems which had arisen since the introduction of parking charges, and requesting a meeting with leading members of the Borough Council in order that the problems could be seen at first hand. A copy of the letter had also been sent to the Leader of the Borough Council.

A response had been received from the Leader to the effect that as only six months had elapsed since the consideration of objections to charges it would not be prudent to reconsider further similar views at this stage. The Leader further stated that while he was prepared for officers of the Borough Council to meet Community Council Members, they would not be able to assist any further than he had outlined.

**RESOLVED:**

- (i) That Borough Councillor Rea make enquiries with the Borough Council to establish whether the request for Information under the Freedom of Information Act had been received.
- (ii) That, having established the position under (i) above, Councillor Rea pass the information to the Clerk who would pass the information to the

Secretary of the Management  
Committee of the Pontyclun  
Community Centre.

- (iii) That the Clerk make enquiries to establish whether there were any other Day Centres in the Borough where car parking charges had been introduced.

4. **Police matters**

(a) **Reports from the police**

In the absence of a representative from the police, no police reports were received. The Clerk confirmed that notification of the meeting had been given to the police.

Councillor Rea stated that he had received a letter from the police advising that a new inspector was due to take up duties in Talbot Green Police Station in January, 2010. The inspector intended to attend a meeting of the Pontyclun Community Council after taking up his duties.

Councillor Jenkins wished the Council to know that following a recent report of an assault at The Hollies, Brynsadler, the police had responded very quickly to the incident.

**RESOLVED:** That the reports be noted.

(b) **Reports from Members**

No reports were received.

5. **Minutes of the Council's meeting of 10 November, 2009**

**RESOLVED:** That the minutes of the Council's meeting of 10 November, 2009, be approved as an accurate record subject to the resolution under minute 7 (a) being numbered (i) and the inclusion of a further paragraph stating:

- (ii) That the Council agree in principle that it would be prepared to make an offer to purchase the car park from the Borough Council.

6. **Matters arising**

(a) **Car parking charges**

**RESOLVED:** That no discussion take place under this item of business since the matter had been fully discussed under item 3 (ii) above.

(b) **Community Council's accounts for 2008/09**

The Clerk referred to the report he made to the September monthly meeting of the Council when, due to the considerable increase in work which had arisen during the summer months, he advised that the Council's Annual Return to the external auditor for the 2008/09 financial year would not be completed by the statutory date of 30 September, 2009.

The Clerk had contacted the external auditor in September and advised that the Council's Annual Return would be delayed and proposed a date of 30 November, 2009, for the submission of the Annual Return and the additional documents required for the 5% spot check. The external auditor had agreed to the request.

The Clerk was pleased to be able to report that the 30 November date had been met and that the external auditor had acknowledged receipt of the Council's documentation.

(c) **Member Development/Training**

The Clerk drew Members' attention to the brochure which had been produced by the Borough Council on a wide range of development and training courses.

The Clerk advised that while the courses had originally been prepared for Borough Council members and staff, it had been thought to be worthwhile to extend the availability of the courses to members of community councils in the Borough since several community councils could not partake in the training and development courses provided by One Voice Wales.

**RESOLVED:** That, as a member of One Voice Wales, the Community Council establish what courses were on offer from that organisation before committing to any development and training courses with the Borough Council.

7. **Minutes of the Community Council's Special Meeting of 23 November, 2009**

**RESOLVED:** That the minutes of the Community Council's Special Meeting of 23 November, 2009, be approved as an accurate record.

8. **Matter arising**

**Absence from Council meetings**

The Council received the report of the Clerk following the absence of Councillor Norman from Council meetings since 14 July, 2009, following surgery.

**RESOLVED:** That the Council grant dispensation to Councillor Norman for his non-attendance at any meeting of the Council for six consecutive months from 14 July, 2009.

9. **Matters reported for decision**

(a) **Monitoring of Council's expenditure for 2009/10 against the Council's budget**

The Council discussed its budget for 2009/10 against its expenditure to 30 November, 2009, its projected expenditure to 31 March, 2010, and variances to the budget. Significant variances were discussed in detail.

**RESOLVED:** (i) That the information be noted.

(ii) That the action taken by the Clerk to engage an alternative contractor for the provision, erection and removal of festive lighting be approved.

(iii) That the subject of festive lighting for Christmas, 2010, be discussed at the Community Council's June, 2010, monthly meeting.

(b) **Rhondda-Cynon-Taff CBC Pension Fund Discretionary Policy Statement**

The Council discussed the requirement of the Borough Council for all admitted bodies to its pension fund to make employer decisions on discretionary matters affecting their pensionable employees.

**RESOLVED:** That the Council exercise its discretions in the following way:

**(Benefit Regulation 3) Contributions Payable by Active Members**

### **Policy**

*Pontyclun Community Council will re-determine the contribution band at the end of each financial year should there be a material change to a member's pensionable pay which would have a direct affect on the employer's liabilities. The appropriate notice will be issued to members.*

### **(Administration Regulation 4) Admission Policy**

#### **Policy**

*As an admitted body of the Rhondda Cynon Taf Pension Scheme, Pontyclun Community Council will allow employees who have been given a contract of employment for more than three months to Opt in to the Local Government Pension Scheme.*

### **(Administration Regulation 16) Re-employment and Rejoining Deferred Members**

#### **Policy**

*Pontyclun Community Council will judge each application equally and fairly, and may extend the period of 12 months, beginning with the date that the member became an active member again.*

### **(Administration Regulation 22) Application to make Absence Contributions**

#### **Policy**

*Pontyclun Community Council will extend the period of 30 days in circumstances beyond the member's control or in exceptional circumstances.*

### **(Administration Regulation 25) Shared cost AVC**

#### **Policy**

*The Pontyclun Community Council does not propose to introduce a SCAVC*

### **(Administration Regulation 47) Forfeiture of Pension Rights**

#### **Policy**

*The Pontyclun Community Council will consider each case on its merits*

### **(Administration Regulation 58) Extension to IDRP Appeal**

#### **Policy**

*The decision on whether to extend the Stage One appeal deadline will be made on a case by case basis by Chairperson.*

### **(Administration Regulation 72) Forfeiture of Pension Rights**

#### **Policy**

*Pontyclun Community Council will consider each case on its merits.*

### **(Administration Regulation 74) Recovery of Monetary Obligation**

#### **Policy**

*Pontyclun Community Council will consider each case on its merits.*

### **(Administration Regulation 83) Inward Transfers of Pension Rights**

#### **Policy**

*Pontyclun Community Council will not extend the twelve month time limit.*

#### **(c) Youth facilities**

Councillor Davies expressed his concern that the youth of Pontyclun was at a disadvantage when compared with the youth in neighbouring communities due to the lack of facilities.

It was reported that this issue had been recognised and had been the subject of discussion at a Community Council sub group. It was planned to link up with the youth worker in the Community who was presently drawing up a questionnaire on youth facilities.

When the report from the youth worker was available it would be shared with the Community Council in order that the Council could determine where it could offer support.

**RESOLVED:** That the report be noted.

(d) **Provision of a bus shelter in Brynsadler**

Councillor Davies reminded the Council that residents in Brynsadler had been left without an eastbound/northbound bus shelter as the result of the demolition by builders of the bus shelter sited outside the former Crown Brewery in Brynsadler.

The bus shelter had been demolished to allow residential development to take place but the builders, despite assurances, had failed to provide a replacement bus shelter for Brynsadler residents.

A discussion ensued and the possibility of erecting a replacement bus shelter was suggested in the lay by at the top of Brynsadler hill. There was some doubt whether this would meet the need of Brynsadler residents.

**RESOLVED:** That the Clerk request a site meeting with Borough Council officers to discuss the suitability of the site identified and to discuss the suitability of any other possible site in Brynsadler.

(e) **Weekly Planning Lists**

(Councillor Rea declared a personal interest in this item of business as a Borough Councillor, but not a prejudicial interest. Councillor Rea elected to remain in the meeting)

The Council discussed the planning applications contained in the latest Weekly Lists

**RESOLVED:** That on this occasion no comments be offered on the applications to the Planning Authority.

(f) **Payment of creditors**

**RESOLVED:** That payment be approved to the creditors listed in Appendix 6 to the Council's agenda.

10. **Matters reported for decision since the despatch of agendas**

(a) **Miskin Scouts**

(Councillor Jenkins declared an interest in this item of business as the Chairperson of Miskin Scouts. She vacated the Council chamber)

The Clerk read out a letter he had received earlier that day stating the amount of funds raised by the Scouts as £11052.16 and asking whether the Community Council could now pay any amount from the allocated grant at this time. The Community Council had agreed some months earlier to make a grant of £10,000 towards the Scouts' premises rebuilding fund.

**RESOLVED:** That the Council congratulate the Miskin Scouts on its outstanding achievement in raising a very significant amount of money. Further, that the Council confirm its earlier commitment to awarding a grant of £10,000 towards the scouts' building fund.

(b) **Pontyclun Mini and Junior Sections of the Pontyclun Rugby Football Club**

The Clerk reported that on the previous day he had received a letter from Mr Cliff Williams, Chairman of the Pontyclun RFC, confirming that the re-seeding work at the Juniors' rugby pitch at the Windsor Field had been completed. Mr Williams had enclosed a copy of the contractor's invoice for the re-seeding work with his letter. He asked if the Community Council could now make payment of the £3,000 grant towards the work which had earlier been agreed by the Council.

**RESOLVED:** That the Clerk arrange payment of the £3,000.00 grant to the Pontyclun Junior and Mini Sections of the Pontyclun RFC.

11. **Matters reported for information**

(a) **Car parking charges and traffic congestion in Pontyclun**

The Council discussed letters from the Pontyclun Action Group and Mrs Betty Walker of Rhyd y Nant, Pontyclun.

The Community Council readily understood the concerns and frustrations expressed in both letters. The Council had opposed the introduction of car parking charges since they were first proposed and had objected in the strongest possible terms to the Borough Council.

The Council had also written to the Cabinet Member with responsibility for traffic management inviting him to see the effects of the introduction of parking charges at first hand. A copy of the letter had also been sent to the Leader of the Borough Council. The Leader had responded to the effect that it

was unlikely that there would be any short term resolution to the situation.

Councillor Rea reported that he had asked the Borough Council to look at a range of issues in Pontyclun which would help with traffic management. The Community Council believed that these issues should be addressed holistically, together with parking charges, to resolve Pontyclun's traffic management problems. The Community Council was conscious that a number of proposals had been put forward to the Borough Council over the years to help ease Pontyclun's traffic management problems.

- RESOLVED:**
- (i) That a special meeting of the Community Council be arranged in April, 2010, to discuss traffic management in Pontyclun.
  - (ii) That invitations to attend the meeting be given to representatives of the Highway Authority, Borough Councillors, Community Councillors, the police, shopkeepers, schools, voluntary organisations and residents of the Community.
  - (iii) That a schedule of residents' suggestions for better traffic management be prepared in advance of the meeting.
  - (iv) That a letter be sent to Mrs Walker thanking her for her suggestions and informing her of the steps the Community Council is taking to bring about improved traffic management in Pontyclun.

(b) **Interim Report of the Community Council's Internal Auditor on the Community Council's accounts for the period 1 April, 2009 to 30/11/2009**

The Council discussed the Interim Report of the Community Council's Internal Auditor.

**RESOLVED:** That the contents of the report be noted.

(c) **Christmas, 2009, illuminations in Pontyclun**

The Clerk reported that for the last three years Christmas festive lighting in Pontyclun had been supplied, erected and

dismantled by Floodlighting & Electrical Services, a company based in Coed Cae Lane, Pontyclun.

In late November, 2009, the Borough Council had insisted that before any company is allowed to work and make connections to Borough Council owned lampposts for festive lighting in 2009, it would be necessary for that company to produce four separate certificates demonstrating competency. The Council's usual contractor was unable to produce the certificates in time for Christmas, 2009.

At very short notice it had been necessary to engage another contractor to supply, erect and dismantle illuminations in Pontyclun for Christmas, 2009. The cost quoted by the alternative contractor was £725.

- RESOLVED:**
- (i) That the actions of the Clerk be noted.
  - (ii) That the erection of Christmas festive lighting for 2010 be discussed at the Council's June, 2010, monthly meeting.

12. **Further matter for decision**

(a) **Exclusion of the press and public**

**RESOLVED:** That the press and public be excluded from the meeting for the next item of business on the grounds that publicity would be prejudicial to the public interest.

(b) **Land at Brynsadler**

The Clerk read out the e-mail from Mr Roger Parsons which had been forwarded to the Council by Dr Brendan O'Reilly. The Chairperson read out the e-mail received earlier that day from Mr Andrew Jones, Secretary of the Pontyclun Action Group.

The Clerk also reported that following the Council's instructions at its meeting on 13 October, 2009, he had written to the Welsh Assembly Government and the Borough Council. A reply from the Welsh Assembly Government had been received while the reply of the Borough Council was awaited.

The Council also discussed the letter dated 7 December, 2009, from solicitors acting on behalf of Mr & Mrs Geoffrey Barrington Williams.

**RESOLVED:**

- (i) That the Council request the Welsh Assembly Government to amend clause 19.2 of the transfer by way of a Deed of Variation to make specific reference to a footpath.
- (ii) That the Borough Council be reminded that the Community Council is awaiting a reply to its letter of 16 October, 2009.
- (iii) That the Council provide copies of its letters of 16 October, 2009, sent to the Welsh Assembly Government and the Borough Council to the solicitors acting for Mr & Mrs Williams.
- (iv) That, in response to the request for disclosure under the Freedom of Information Act, reference be made to the Fee Regulations.
- (v) That the Council's solicitors be requested to provide the Council with the "Opinion" referred to in their letter of 17 August, 2009.

13. The meeting ended at 9.05 p.m.

