

**MINUTES OF TAFF'S WELL & NANTGARW COMMUNITY  
COUNCIL HELD AT:-**

**TY RHIW COMMUNITY CENTRE**

**TUESDAY 25 APRIL, 2017**

**PRESENT:** Cllrs: L. Thomas, (Chairman), J Bonetto, S. Lintern, Mel Timothy, Helen Edmunds, C Dyke, Megan Jones and Alun Fowler

**APOLOGIES,** Cllrs: - Charlotte E. Griffin,

**Also present:** Clerk to the Council Derek Allinson

**MINUTE No: 1/014/17 DISCLOSURES OF PERSONAL INTEREST**

Councillor Jill Bonetto declared an interest in all planning applications and took no part in the discussions on these items

**MINUTE No: 2/04/17 POLICE MATTERS:**

No representative was present from the police authority and no apologies presented.

**MINUTE No: 3/04/17 MINUTES OF PREVIOUS MEETING:**

The minutes of the meeting held on 30 March 2017 were confirmed as a true record of the proceedings and signed by the Chairman.

**MINUTE No: 4/04/17 MATTERS ARISING FROM MINUTES:**

There were no matters arising from the previous minutes

**MINUTE No: 5/04/17 CLERK'S REPORT**

**a) COMMUNITY GARDEN – TAFF'S WELL ALLOTMENTS- WATER SUPPLY**

In February 2010 the Council agreed, minute 5/02/10, that the Allotments Association would in future assume responsibility for the water supply at the allotments/community garden. In recognition of this is as agreed that the community council would provide an annual payment/grant of £250.

**Resolved:** - Members noted and approved the payment for the forthcoming financial year.

**b) RENEWAL OF INTERNET SERVICES**

Members will be aware that the cost of supplying internet services is £24.50 per month. The annual agreement is due in April at a cost of £294 p.a. However, as the present Clerk will only use the system for two months (April and May to finish Audit requirements) only two months payment has been claimed i.e. £49.00.

Members were requested to note that payment for the first two months of the current financial year.

**Resolved:** - Members noted and approved the payment for the forthcoming financial year

**c) PLANTERS AND FLORAL DISPLAYS**

In May 2013 the Community Council agreed it would provide an annual grant of £100 to Taff's Well Community Development Association for the purchase of floral decorations etc. (Minute 5/5/ 13)

**Resolved:** - Members noted the report and approved payment.

**d) POP FACTORY LANE MEMORANDUM OF UNDERSTANDING**

In September 2016 agreed a memorandum of understanding is between Taff's Well & Nantgarw Community Council and TWNCDA in respect of the twice yearly cutting of vegetation in the area known locally as 'Pop Factory Lane'.

In recognition of this, as agreed the Community Council would provide an annual payment/grant of £250.

**Resolved:** - Members noted the report and approved payment.

**e) FINANCIAL ACCOUNTS - 2016- 2017**

Members received, a copy of the Council's income and expenditure accounts the financial year 2016- 2017 for approval.

The Clerk confirmed that the accounts have been checked and verified by the Council's internal auditor Mrs T Mota, and that once approved by the Council the accounts will be sent for audit by the Wales Audit Office's external auditors.

**Resolved:-**

1. The Community Council noted and approved the Council's accounts for the year ended 31 March 2017.
2. Approved payment of £45 to Mrs T Mota the Council's internal auditor.
3. Authorised the present Clerk and Chairman to complete the 2016-2017 returns to the external auditor

**d) ANNUAL CHARGE FOR WEBSITE DOMAIN NAME**

Attached for Members information is a copy of the invoice for the Community Council's domain name: - www.taffswellandnantgarwcc.com at a cost of £24.00 inclusive of VAT

**Resolved:** - Members noted the report and approved payment.

**f) MINOR AUTHORITY GOVERNOR – FFYNNON TAF PRIMARY SCHOOL**

At a recent meeting of the governing body of Ffynnon Taf Primary School, our representative Cllr Lynne Thomas was informed that she was not on the list of attendees and it was possible that her term of tenure had expired. However the County Council has informed me that there is currently a vacancy on the governing body of Ffynnon Taf Primary School for a minor authority governor.

In order that there is continuity and to ensure that the Community Council was not disenfranchised by the failure to inform us that the term of office needed reconfirmation I have

nominated Councillor Thomas as our representative for another term. Members are asked to ratify this nomination.

**Resolved:-**

That the nomination of Councillor Lynne Thomas as the Minor Authority Governor to Ffynnon Taf Primary school be approved.

**g) APPLICATIONS FOR FINANCIAL ASSISTANCE**

Attached for Members consideration is the following applications for financial assistance.

- 1. TAFF'S WELL FLORAL ARTS CLUB**
- 2. GWAELOD RANGERS FOOTBALL CLUB**

**Resolved:-**

That a grant of £250 be awarded to each of the above applicants.

**h) REQUEST FOR REASONABLE ADJUSTMENTS UNDER THE EQUALITY ACT 2010 - INJUNCTION CLAIM**

**The Council agreed that, under the provisions made under paragraph 28 of the Council's standing orders, the press and public be removed from the meeting as the item under discussion involved sensitive and confidential information**

The Clerk reported that the Council has recently received a request from one of the recently unopposed candidates to the Council that the Council make reasonable adjustments to the policies and practices of the Council to accommodate their disability and that such adjustment be made with effect from the first meeting of the new Council.

Two of the specific requests are that the Member receive all communications electronically and they be allowed to use as laptop during meetings. Neither of these requests causes any difficulty as they are common practice and the council's existing policies cover these matters.

Councillor X has been informed that the Council is willing to make adjustments to meet the needs of all Members with a disability or a special need but the Council needs to know the extent of the disability so reasonable adjustments can be put in place and an assessment statement obtained to ensure that the Member's needs are fully met.

To date Councillor X has refused to disclose the nature of their disability and informed the Clerk that it is sufficient for Councillor X to just inform the Council that adjustments are required.

Councillor X stated that there is no need to inform the Council that the new member has a disability or request a statement on the nature of the disability. Councillor X has threatened to sue if reasonable adjustments are not made and if the members are informed that Councillor X has a disability.

In addition Councillor X has served both the Clerk and the Council with emergency Injunction papers and asked for a Judicial Review of the Council's decision requesting that an assessment statement be given/obtained outlining Councillor X's disability. Councillor X also requested that Members be stopped from discussing the Clerk's report on this matter and the Clerk be ordered not to brief or discuss the matter with the new Clerk.

The Clerk informed members that Councillor X's injunction to stop members discussing the report, or for the Clerk to discuss/brief the new Clerk on these matters was unsuccessful. However it was voluntarily agreed, by the Council, that Councillor X would not be named in the minutes, the public and press would be excluded whilst this matter was debated and the minutes of the meeting would not be published on the Council's website until a full hearing on Councillor X's claims was heard, and a determination made.

Given Councillor X's refusal to either provide a statement or allow for a statement be made the Clerk reported that as a way of resolving this dispute the Council had suggested that given that Councillor X's initial request for adjustments had been met Councillor X be informed that the Council is unable to consider making any further adjustments under the Equalities act 2010 until a statement was given/obtained.

Councillor X also maintains the police have agreed to record the Clerks actions as a 'hate incident' and has submitted 'evidence' to the court in support of this statement. However the Clerk has had no contact with the police on this matter and despite a request for Councillor X to make available the correspondence with the police on these matters Councillor X has refused.

The Clerk informed members that he would be seeking clarification on Councillor X's claim either with the officers involved or via a Freedom of Information Act request to the South Wales Police.

Members were made aware of Councillor X's threat to sue the Council and Clerk and agreed that both the Council and the Clerk would be legally represented at the full injunction hearing and at any subsequent legal actions brought by Councillor X. It was further agreed that the Council would seek an award of costs in respect of these matters.

### **Resolved:-**

1. Councillor X is informed that whilst the Council is happy for Councillor X to use a computer at meetings, excluding recording the proceedings, and where possible, to receive communications electronically. It is also willing to consider other reasonable adjustments to enable the member to play a full part in Council activities. However, it is unable to make progress on further adjustments without further information as to the nature of the Member's disability.
2. The Council and Clerk is legally represented at the next injunction meeting and any future hearings/claims brought by Councillor X and an award of costs be sought from Councillor X.
3. Given the imminent change of Clerk to the Council and the probable continuation of Councillor X's claims/injunction it was agreed to extend the present Clerk's contract, on a monthly basis, so that he can oversee these matters and bring them to a conclusion

### **MINUTE No: 6/04/17 MEMBERS' REPORTS**

#### **Clr Sandra Lintern**

- Informed Members that she has continued to receive complaints about bus services. It had previously been reported that buses either arrived late or did not turn up at all. Recently buses have been replaced with Mini bus 'vans' that were impossible for some the residents to get onto. The County Council Member reiterated that in order to process this matter details of which buses failed to turn up were needed, In addition, recorded information on the days when mini buses were used would be helpful.

### **Councillor Mel Timothy**

- Noted that ‘Cars for Sale’ were once again parked on the green at the entrance to the estate. The County Member informed the council that she would once again pursue this matter with the authority and investigate a ‘long term solution’ to this ongoing problem.
- Thanked the County Member for ‘sorting out’ the refurbishment of one post and supply of a new goal post at Tawelyfryn Park. It was agreed that the County Council would carry out the work and invoice the Community Council on completion
- Noted that the dog bin had, as requested, finally been relocated.
- Informed members about an incident with, what was considered, a dangerous dog in the area. The police had been informed and were dealing with the matter

### **Cllr Helen Edmunds**

- Informed Members that, as per the memorandum on Pop Factory lane, 1/3 of the lane had now been cut back and it was hoped to complete the rest over the next week.
- Expressed concern that a CCTV camera had been sited on a private house on the corner of Castle Street, The camera did not appear to be directed to the ‘floor ‘ of the property. In addition, no sign had been erected providing information the a CCTV camera was in operation. It was agreed that the Member would furnish the Clerk with details of the address and the Clerk would write to the owner on these matters
- Noted that the recently repaired hole in King Street was sinking. The Clerk informed Members that he would report this matter, on line, to the appropriate department of the County Council.

### **Cllr Lynne Thomas**

- Cllr Thomas gave a comprehensive report on the recently held AGM of the Allotments and Community Garden Association and the subsequent resignation of a key officer. Council members noted that the Member had been invited to sit on the Allotments Committee and welcomed this development. The Member was duly co-opted onto the Allotment and Community Garden Association Committee.

### **Cllr Megan Jones**

- The Member noted that there were a number of large potholes along Cemetery Road, Ty Rhiw with a particularly large one at the junction with the Views. The Clerk agreed that he would report this matter via the County Council’s website.

### **Cllr Alun Fowler**

- Asked if the County Council would consider providing a pedestrian crossing near the former Cross keys public house? The member noted that the bus stop, opposite the former public house, was now the main ‘dropping off point’ for young people attending the local college and for the local school. The member was concerned that crossing the road at this point was hazardous, particularly as there were no pavements along this side of the road. The County Council Member agreed to raise this issue with officers of the County Council

**Cllr J Bonetto**

- Gave a comprehensive report on current issues on the County Council activities and her work with local residents.
- Informed Members the benches for Ty Rhiw Cemetery should be in place by the end of May
- Informed Members that a comprehensive traffic survey of Taff's Well and the surrounding district had now commenced. Once completed the Member will organise a public meeting so that residents can have a say in these matters.
- Reported back on Members concerns about the boundary wall at the cemetery; Officers had inspected the wall and agreed that action should be taken to repair/replace some sections. The wall was however in private ownership and the County Council was in contact with the owner to arrange that the work be undertaken.

**MINUTE No: 7/04/17 FINANCIAL REPORT**

The Clerk presented Members with updated details of balances within the Community Council's current and deposit accounts for March/April 2017.

**Resolved:**

Members approved payment of the April accounts in the sum of £2981.98

**MINUTE No: 8/04/17 –PLANNING APPLICATIONS**

Members' received the following planning applications and **resolved** that the following observations be made known to the County Council.

17/00390/10	Mr Dave Chamberlain 74 Cardiff Road Glan Y Llyn Taff's Well CF15 7QE	Erect two-storey side extension and single storey rear extension at:- 74 CARDIFF ROAD GLAN Y LLYN TAFF'S WELL CARDIFF CF15 7QE	Subject to full consultation with neighbouring properties the Community Council would raise no objection to this application
17/0221/09	Mr & Mrs Kestell 57 Ty Rhiw Taff's Well Cardiff CF15 7RU	Application for a certificate of lawful developments to create an insulated cavity and external wall around an existing side extension at:- 57 TY RHIW TAFF'S WELL CARDIFF CF15 7RU	Subject to full consultation with neighbouring properties the Community Council would raise no objection to this application

**MINUTE No. 9/04/17 – PUBLIC SESSION**

No Members of the public were present

**MINUTE No; 10/04/17 Dates of future meetings**

The next meeting of the Community Council (AGM) followed by the Full Council meeting; will be as follows:

- Thursday 25 May, 2017 at Ty Rhiw Community Centre

It was agreed that the AGM meeting will commence at 7.00 pm, followed by the full Council meeting at 7.15 pm.

The proposed dates of future meetings of the new Council will be made at the first meeting of the new Council

With no further business to discuss the meeting was closed at 8.40 pm.

SIGNED:..... DATE: .....