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PENTYRCH COMMUNITY COUNCIL



CYNGOR CYMUNED PENTYRCH

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Minutes of the Meeting held at 6:30pm, March 15 2021 held online via Microsoft Teams

This meeting is held under the following Welsh Statutory Instrument: The Local Authorities (Coronavirus)(Meetings)(Wales) Regulations 2020

The requirement for the press and public to be present is temporarily suspended. With the Teams login on the Agenda it is possible that the public will join as guests and PCC welcomes them.

PRESENT: Councillors Mike Sherwood, Stuart Thomas, Karen Thomas, Ian Jones, Sandie Rosser, John Harrison, Jena Quilter, Amanda Thorpe, Gary Dixon, Sara Pickard, Teresa Filippini

Cllr Gavin Hill-John.

Arthur Cook, Creigiau Recreation Charity (CRC)
Colin Belward, Creigiau Recreation Charity
Claire Campbell, Creigiau Recreation Charity
Tim Goodson, Creigiau Recreation Charity

Mike Colley for Pentyrch Save Our Surgery (PSOS)

In attendance: Helena Fox, Clerk

- 1. To receive apologies for absence:** Cllr Ellis Owen, Simon Roberts
- 2. To receive any declarations of interest:** Cllr Thorpe declared a personal interest re the Creigiau Recreation Charity as member of Creigiau Cricket Club and DGA. Cllr Sherwood declared a personal interest re the Creigiau Recreation Charity as a member DGA. Cllr S Thomas had previously declared an interest in the Planning Committee Minutes.
- 3. Public and press session:**

The Chairman noted that a letter had been received from CRC but could not be decided on this evening because it had arrived after the agenda had been published on March 9. Any discussion on the letter would be in a confidential session, as advised by One Voice Wales, because the letter contained an emerging complaint against PCC.

Claire Campbell asked why Cllr Dixon had visited the Recreation Area on March 14. Cllr Dixon explained that he was looking at the site with the proposed path plan to understand the issue. He spoke to one member of the public, introducing himself as a PCC Member and explaining why he was there, and they discussed the waterlogging of the ground. It was noted that the Rec is a public open space, and anyone is entitled to be there. All PCC Members represent all the residents in the PCC area.

Mike Colley wanted to record that PSOS's article submitted to the Link 111 was edited to remove reference to the 250 word limit and Pentyrch Surgery patient numbers were altered without any attempt to contact PSOS before-hand. The Chairman, who compiles the Link, said, that he, four Members and the Clerk, during a general discussion of Link 111, had not thought the reference to the word limit was part of the article since all articles are restricted to 250 words, where possible. The Chairman had kept to the patient numbers provided by Llandaff Surgery.

Tim Goodson for CRC asked on what basis CRC's letter was confidential and whether PCC would make any decisions in the meeting. The Chairman and Clerk explained that PCC had been advised that since the letter contained an emerging complaint it should be discussed in a confidential session. They also explained that under the time frame for calling and holding council meetings, the letter had arrived too late to be included on the Agenda. No council can make decisions on a matter that is not on the agenda and there must be 3 clear days' notice between an Agenda being published and the meeting held.

The Chairman had earlier that evening called an Extraordinary Meeting to be held on March 22 to discuss the letter. The Chairman noted that PCC had no remit or power to consider a complaint against a councillor. That is something for the Public Services Ombudsman for Wales.

CRC's letter had referred to a 'simple solution' over the path and the Clerk asked that that be sent to PCC for its consideration. Claire Campbell said it was described in the letter but later Tim Goodson said that it was not and explained it as: surrender the existing lease, redraw the plan to redraw the boundary, use the same wording, send the surrender document to the Land Registry and write short paragraph on PCC's access to retain the boundary fence/trees. CRC had been advised that there should be no legal costs for this. It was also suggested that the references to the yellow boundary markers be removed from the Lease. It was noted by PCC that the existing Lease had no references to the markers – they were removed from it before it was signed.

Claire Campbell felt it was not transparent of PCC to hold a confidential meeting to discuss the emerging complaint and that the voice of residents was not being heard. The Clerk noted again that it was appropriate to discuss an emerging complaint in confidence, as advised by One Voice Wales and that confidential meetings were lawful.

Cllr Mike Sherwood re-joined the meeting noting that he had had a tech failure and had missed some 12 minutes of the meeting.

Colin Belward for CRC asked if the path would be discussed at this March 15 meeting and was assured it would be.

Members agreed to the item on the path being brought forward.

4. To discuss a request from the Creigiau Recreation Charity to move ahead with the footpath project: Members discussed the proposal from CRC to redraw the Lease plan. There followed a discussion, with questions asked of CRC for clarification of some issues.

4.1. It was **RESOLVED** that CRC prepare and submit to PCC a proposed revised lease plan and for PCC to give it full consideration. PCC will await the revised plan. If the plan is received in time for the Extraordinary Meeting of March 22 it will speed the progress.

4.1.1. Some of the issues that will need to be resolved include the overall legal implications, responsibilities of objects such as trees included in the extended leased area, boundary maintenance, planned extended footprint of the Pavilion, possible need for revised planning consent for CRC. Fields in Trust will need to be consulted and give their approval.

4.1.2. The Chairman complimented CRC on the work done to tidy the land on the western boundary and welcomed the proposal to extend the leased land. He hoped it would help to re-establish good relations between CRC and PCC.

4.2. It was **RESOLVED** to make payment of utility costs and rates paid by CRAMC for the Rec Pavilion during the summer of 2020 until the Lease was signed on December 24 2020 once all invoices had been received by the Clerk. The anticipated total is £589.97

4.3. It was **RESOLVED** to refund CRC £50 towards to cost of printing the Schedule of Condition as part of the Lease.

4.4. It was **RESOLVED** not to cover CRC's legal costs of £120 for amending the lease and plan on legal advice since PCC had recently made a grant to CRC.

5. **To approve the Minutes of the Meeting held on February 15 2021:** The Minutes of the meeting were proposed as accurate by Cllr Sherwood seconded by Cllr Filipponi. All but the Chairman agreed. They will be signed by the Chairman with an electronic signature. All agreed.
6. **To approve the Minutes of the Planning Committee Meeting held on March 3 2021:** The Minutes of the Meeting were proposed as accurate by Cllr K Thomas seconded by Cllr Rosser. The Chairman had declared an interest on this and abstained. They will be signed by the Chairman with an electronic signature.
7. **To approve the Notes of the Wellbeing & Climate Change Group:** Cllr Thorpe reported that the group had met since the last PCC meeting. Issues discussed included:
 - 7.1. Meet next Thursday 18th March
 - 7.2. February topics: land management of The Garth, Fairmeadow, Terrace Woodlands. Had attended stakeholder engagement with NRW, Cardiff Council, and others.

Cllr Gavin Hill-John Joined the meeting.

- 7.3. PCC's budget for 2021-22 includes funds for climate change; the group is pleased with this.
- 7.4. Footpaths: condition surveys have been done on more than 30 paths in Creigiau and Pentyrch by volunteers and forwarded to Cardiff and PCC. On online meeting had taken place with the Public Rights of Way Officer. New path walkers had joined and this was all making a tremendous impact.
- 7.5. Community sponsorship: the group is preparing a position statement for PCC on community sponsorship to include donations of benches, trees, bulbs and more. A draft proposal will be submitted to April meeting
- 7.6. PCC's Community Engagement Officer now attended this group which was helpful all round.
- 7.7. Partnership working: land management may be easier and better if PCC's partners with a third party. PCC already budgets for work from Cardiff Conservation Volunteers and perhaps that could be extended.
- 7.8. The Garth: PCC met held a productive meeting with the Williams family (4th generation farmers on The Garth and the only Commoners to exercise their grazing rights) on Friday 19 March. We share the same aspirations and it is hoped to work together on projects such as paths, clearing cattle grids. It is hoped to meet twice yearly.
8. **To receive an update from the Transport group:** Cllr Sherwood reported that the group had not yet met.
9. **To receive the report of the Community Engagement Officer:** This had been circulated in advance.
 - 9.1. The Chairman asked if the new food bank collector was in the way of the Clerk's car and the Clerk said it was not.
 - 9.2. Cllr Thorpe noted that it was a great help to have Deb Hunt involved with the new online forums.
10. **Matters arising not reporting elsewhere:** there were none.
11. **To receive reports from Cardiff Councillors:** Cllr Gavin Hill-John apologised for is late arrival due to Cardiff meetings.
 - 11.1. Cardiff has been focused on its budget
 - 11.2. Road works on Main Road, Gwaelod y Garth: investigatory work by Lanes for Drains had led to all drains being flushed. The results will determine how the resurfacing is done.
 PCC Members commented:
 - 11.3. It was good to see continuing process towards the 20mph in Creigiau, and to pass that back to Cardiff.
 - 11.4. Gwaelod y Garth road resurface: Cllr Hill-John said the original plan was to re-plane the road as had been done for Church Road. There may be a temporary spray resurface if major drainage issues have been found. He will try to confirm.
 - 11.5. Cllr Graham Thomas had been missing from PCC meetings and contact for some 18months. Cllr Hill-John reconfirmed he was happy to help outside his area in Creigiau. PCC could raise the lack of cover formally with Democratic Services but perhaps reach out to Cllr G Thomas

first. PCC will do that. If PCC hears nothing, it can speak with Democratic Services. The Chairman had called and left messages and heard nothing last October/November and January.

- 11.6. Creigiau Play Area: Cardiff had funds for a life cycle replacement. The old equipment was removed in January. Some new equipment is in but is tiny and unfinished. Is there more to come? Cllr Hill-John will chase.
- 11.7. Land behind Station Houses down to Cardiff Road, Creigiau: some of this land has Tree Preservation Orders and is designated a Site of Local Nature Conservation. PCC has previously written to Planning Enforcement and will chase. Cllr Hill-John will look into it.
- 11.8. Commoners Register: Cardiff has a statutory duty to retain and publish the register and PCC is trying to get a copy. The Clerk has approached Legal Services and Cllr Hill-John agreed that was the place to ask.

Cllr Hill-John was thanked for attending and left the meeting.

12. To decide on the award of grants by PCC:

- 12.1. It was **RESOLVED** to grant £339 towards the cost of a defibrillator to Garth Rotary from the existing ear-marked reserve under the Public Health Act 1936 S234. Garth Rotary are welcome to apply for further funding in future
- 12.2. It was **RESOLVED** to grant £76.50 to Garth Rotary as half the cost of the food bank storage unit from the Community Fund ear-marked reserve under the Power of Wellbeing.

13. To discuss management of The Garth: PCC is gathering information about the Garth so as to prepare a management plan. A copy of the Land Registry entry for Garth Uchaf Farm (£3.50) will help make clear land ownership boundaries. PCC is seeking information on the legal status of the Garth as common land and what that means for the public, PCC and other landowners regarding access, use and responsibilities. As above, PCC has met with another landowner and will keep them informed.

- 13.1. The Clerk advised that PCC contact Cadw for advice about protection of the ancient monuments and that there may be financial consequences for PCC if Cadw require works to be done. PCC is concerned about deterioration of the surface following the increased number of visitors in 2020. Should the cost be considerable, PCC will have to plan to vire money within the budget and consider loans and grants.
- 13.2. It was **RESOLVED** to consult with Cadw about management of the ancient monuments as PCC are custodians of the ancient monuments and owners of part of the Garth.

14. To discuss quotes for tree work: Insufficient quotes had been received for a decision. This was deferred to April.

15. To discuss the plans to relocate Pentyrch Surgery: There was nothing to report.

16. To discuss any consultations

- 16.1. Welsh Government consultation: *Litter & Fly-tipping Prevention Plan for Wales*: It was **RESOLVED** that PCC welcomes the plan and makes no further comment
- 16.2. Ombudsman's amended Code of Conduct: It was **RESOLVED** that PCC supported the document and had no comments to submit. The Chairman noted that Cardiff's Standards and Ethics Committee applauded the document's examples that emphasize how regulations and guidance should help.

17. To decide on Planning: The following items were deferred to the April 7th Planning Committee and the Clerk will ask Cardiff Council for consent to make late submissions:

- 17.1. 21/00506 The Granary Gwaelod
- 17.2. 21/00541 Pentir Hir Heol y Parc Pentyrch
- 17.3. 21/00460/DCH, CAE GLAS, 42 CARDIFF ROAD, CREIGIAU, CARDIFF, CF15 9NL
- 17.4. 20/02090/DCH 13 Lon y Fro, Pentyrch
- 17.5. 21/00502/DCH, IS Y COED, STAR LANE, CREIGIAU, CARDIFF, CF5 6JH

17.6. 21/00505/DCH. LYNDHURST, HEOL-Y-PARC, PENTYRCH, CARDIFF, CF15 9NB

18. To consider any actions needed in relation to Coronavirus including future PCC meetings:

Outdoor staff are still working separate days to minimize the risk of spreading Covid-19. This will continue while the Welsh Government maintains the current lockdown rules and the level of virus in the community is dangerously high.

18.1. From April it is currently looking safe for CMOs to return to working outside on the same days. They are taking leave during March and the Clerk will keep up to date with advice.

19. To receive reports from Councillors:

Councillor	Meetings/events attended and Issues raised All meetings in the previous month unless stated
Stuart Thomas	Finance Committee Planning Committee Main meeting Health & Safety Meeting Wellbeing and Climate Change Group Staffing Committee Time Credits Standards & Ethics 3/3/21 CRC meeting
Mike Sherwood	Main Meeting Finance Committee Planning Committee Staffing Committee CRC Meeting
Sandie Rosser	Main meeting Planning Committee
John Harrison	Main meeting Planning Committee Finance Committee Pentyrch Neighbourhood Watch CRC meeting
Jenna Quilter	Main meeting Staffing Committee
Wynford Ellis Owen	Apologies received
Simon Roberts	
Amanda Thorpe	Main Meeting Wellbeing and Climate Change Group Health & Safety Meeting Natural Resources Wales
Karen Thomas	Main Meeting Finance Committee Planning Committee Wellbeing and Climate Change Group Natural Resources Wales
Sara Pickard	Main meeting Wellbeing and Climate Change Group

Teresa Filipponi	Main Meeting Wellbeing and Climate Change Group
Ian Jones	Main meeting Planning Committee Health & Safety Meeting
Gary Dixon	Main meeting Finance Committee

Confidential Session: to discuss staff pay the Press and Public will be excluded under the Public Bodies (Admission to Meetings) Act 1960:

20. To approve the Confidential Minutes of the Staffing Committee Meeting held on February 24 2021: The Minutes of the Meeting were proposed as accurate by Cllr Sherwood seconded by Cllr K Thomas. All agreed. They will be signed by the Chairman with an electronic signature.

20.1. The recommendations on staff pay were rejected and the meeting relied on those of the Finance Committee below.

20.2. PCC's Staffing Committee will meet when the cost-of-living rate is agreed as part of the national pay negotiations by NALC. PCC will review the NALC settlement against the latest national data.

It was **RESOLVED**:

20.3. to carry out a regrading exercise for the Clerk's role in preparation for the current Clerk's retirement in September 2022, including the ability to speak Welsh.

20.4. a timetable be drawn up to plan the recruitment of a new Clerk in time to inform the budget for 2022-2023.

20.5. to adopt the Safeguarding Policy with the addition of a paragraph on the Community Link, website and Social Media.

20.6. It was **RESOLVED** that the extra 11.25 hours worked by the Clerk over March 12-14 be paid. As the Clerk had had to cancel leave to deal with urgent PCC business in March any days not taken beyond the 10 previously approved for carry-forward, be paid. It was noted that this was done as an exception because of Covid-19 and the urgent PCC business. The Clerk was thanked for her work over the last weekend.

21. To approve the Minutes of the Finance Committee Meeting held on March 8 2021: The Minutes of the Meeting were proposed as accurate by Cllr S Thomas seconded by Cllr Sherwood. All agreed. They will be signed by the Chairman with an electronic signature. It was **RESOLVED**

21.1.1 that each staff member be placed on the national scale at a point giving them an approximate full-time equivalent £350 annual increase before cost of living is added. Once the new NALC rates are published, any cost-of-living increase will be back-dated to April.

21.1.2 that before the next set of staff appraisals and budget, PCC establish a structure and spine point range for deciding staff pay.

21.1.3 Community Link: that any costs of bumper issues be dealt with at budget control meetings.

22. Creigiau Rec Perimeter path : Letter from CRC: On the advice of One Voice Wales this matter was deemed confidential because it involved an emerging complaint against PCC. Since the letter arrived too late (on March 12) to be an agenda item, PCC cannot make any decisions in relation to it in this March 15 meeting. The letter will be discussed on March 22 in the Extraordinary Meeting called earlier in the evening by the Chairman for March 22. At the start of this March 15 meeting, representatives of CRC said that the letter was not a complaint. The letter did contain serious allegations against PCC and its Members which was why PCC had been advised to treat it as an emerging complaint. A brief general discussion of the issues took place.

It was noted that this meeting was the anniversary of the last PCC face to face meeting held last March.

Date of the next meeting: April 19 2021 online via Microsoft Teams at 6:30pm

The meeting closed at 20:55.

Signed by digital signature _____ Dated April 19 2021