

## COEDFFRANC COMMUNITY COUNCIL

### **Minutes of a Meeting of the Council held on Wednesday 20<sup>th</sup> February 2013 at Carnegie Hall.**

**Attendance:** Cllrs APH Davies, DK Davies, HR Richards, P Bebell, H Bebell, JS Jones, M Harvey, P Davies, J Thomas, I Whitehead Ross, K Whitehead Ross, HC Clarke.

**9164: To receive a report from Chief Supt Julian Williams & Andy Kingdom.**  
Chief Supt Julian Williams gave a presentation and then responded to Members questions.

**9165: Apologies:** Cllrs J Davies, P Fellows, R Didcote, A Wingrave, B Richards.

**9166: To receive Declarations of Interest.**

Cllrs APH Davies and P Bebell and declared an interest in item 9171 as Members of the Planning Committee. They left the room during discussions.

Mike Harvey declared an interest in item 9171- P2012/0171 & P2013/0104.

Additionally, it was noted that no Member that had declared an interest in the last meeting took any part in the approval of the minutes for that meeting.

**9167: To approve and sign the Minutes of Previous meetings: -**

**a) Council Meeting held on 6<sup>th</sup> February 2013.**

Approved as a true and accurate record.

**b) Festival Meeting held on 13<sup>th</sup> February 2013.**

Approved as a true and accurate record.

**9168: Matters arising from the minutes. (FOR INFORMATION ONLY)**

Cllr H Bebell reported that the agreement had been signed with Wilson Homes for the development at Ocean View, Jersey Marine. The Clerk reported that there is a meeting arranged for Wednesday 27<sup>th</sup> February to discuss how the consultation should progress for the community to have their say on how the Section 106 money should be spent.

**9169: To receive and approve the accounts schedule for payments and to select two account numbers for a full explanation at the next meeting.**

Accounts were received in the sum of £5,826.64. Account No's 478 and 479 were selected at random for an explanation by the clerk at the next meeting. Copies of the accounts were circulated and the Clerk responded to member's queries.

**9170: To receive an explanation from the Clerk concerning Account No's: 472 and 474.**

The Clerk provided explanations, which were accepted by the Council.

**9171: Planning Applications: -**

**P2013/0023 – Agricultural Building (Prior Notification) Land at Oak Farm, Drummau Rd, Skewen. (Applicant – Mr John Smith, Oak Tree Farm, Drummau Rd, Skewen)**

No Observations.

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**P2012/1066 – Change of use from Car Showroom to MOT Testing Station with car repairs. J & J Motors, Siding Terrace, Skewen. (Applicant – Mr Pilmmer, 25 Heol Standllyd Crosshands).**

Observations that the garage is in a residential area, and that there are concerns about the additional parking in the area, the noise that could be generated and a possible increase in hours of trading.

**P2012/0171 – Construction on 29 dwellings (amended plans and amended drainage plan). Land rear of 102 Crymlyn Road, Skewen. (Applicant – Hale Homes, Unit 2 Milland Road Ind Est, Neath).**

Check if Social Housing commitment has been fulfilled.

**P2013/0100 – Retention of temporary use and external alterations to detached garage as sales office and associated car parking (18 months only). Plots 75 & 76 Phase 1A Coed Darcy. (Applicant – Persimmon Homes).**

No observations.

**P3013/0104 – 17 no semi detached and link two storey dwellings and infrastructure. Land at 58 Cardonnel Road, Skewen. (Applicant – Greenhill Construction, The Green House, Esperanto Way, Newport).**

Objections regarding parking concerns, difficult junction on Talbot Road – Cardonnel Road, existing Highway infrastructure not sufficient for additional traffic, drainage issues, Right of Way running through sites and query Social Housing commitments.

**Late Application: P2013/0106 – Flight of steps. Former BP Oil Refinery, Coed Darcy. (Applicant – St Modwens).**

No observations.

**Late Application: - P2013/0073 – detached garage. Land adjacent , 1 Back Drive, Lonlas, Neath. (Applicant – Mr Miller, 1 Back Drive, Lonlas).**

No observations

**9172: To receive a report from any Member concerning meetings at which he or she represented the Council.**

None.

**9173: To receive a report from the Festival Committee.**

The Clerk reported on the recommendations.

**Resolved:** That all the recommendation are approved.

**9174: To receive a response from the contractor who laid the flooring in Caewathan Community Centre.**

The Members discussed the issue.

**Resolved:** That the Clerk contacts the Engineer from NPTCBC to get their advice on temporary repairs and the longevity of the flooring in its current condition.

**9175: To receive a request for financial assistance from Bobath Children's Therapy Centre Wales.**

The Members discussed the issue.

**Resolved:** That no donation is made at this time.

**9176: To discuss the protocol for Community Councillors to inform the public on Community Council decisions as raised by Cllr Harry Bebell.**

Cllr H Bebell reported that the Clerk had circulated a Protocol Information Booklet in November last year. Cllr Bebell stated that he felt that the correct protocol for providing information within the Community was not being followed, and that Peter Black should not be circulating flyers within his Ward. Additionally Cllr Bebell reported that there could be a conflict of interest because one of Coedffranc Community Council's Members was editing the leaflets being circulated.

Cllr HC Clarke stated that Coedffranc was within the Peter Blacks Assembly Constituency area and that he had every right to circulate leaflets within the area. Cllr HC Clarke also stated that the correspondence that Peter Black had sent to the Council was in response to complaints or correspondence that he had received from residents within the area.

Cllr DK Davies stated that he had been informed that there was literature circulating from the Labour Party that named him in an item. Cllr Davies reported that he had not seen the literature himself, but if he found it to be true that he would consider taking the issue to the Ombudsman.

Cllr JS Jones stated that she had seen both leaflets, and that in her opinion, it seemed to be tit for tat and that all the squabbling was bringing the Community Council into disrepute.

Cllr HR Richards reported that he has not seen either of the leaflets, and as the Chair of the Council he should be extended the courtesy of being provided with any literature circulated by any of the Members or Political Parties. Cllr HR Richards further stated that it was out of order to a Member to criticize the Community Council in a newsletter, following the discussion of an issue that had been discussed openly and democratically during a Council Meeting. Cllr HR Richards reported that Members should be aware that once a democratic decision had taken place, every Member should abide by the decision regardless of whether they were in favour of the issue or not, when it was discussed because the decision had been taken democratically.

**Resolved:** That all Members should look at the Protocol Booklet that was sent out last year, and that the item should be put back onto the next Agenda to confirm the correct protocols that should be used by all members and political parties.

**9177: To receive a request from Paul Hinder to approve a draft Environment Policy and a draft Equal Opportunities Policy within the constraints of the budget and Health & Safety (needed for the grant application form for the Skate Park proposal) and to confirm the Council's ongoing commitment that we will maintain, insure and inspect the new Skate Park.**

The Members discussed the issue.

**Resolved:** That the Environment Policy and the Equal Opportunities Policy are approved.

It was also confirmed that the Council give their on-going commitment to maintain, insure and inspect the equipment.

**9178: To receive a request for Dog and Litter Bins in Llandarcy Park by Peter Black AM**

The Members discussed the issue.

**Resolved:** That the issue is deferred.

**9179: To receive a request from the Secretary of Cytun to hold their Annual Praise in the Park in the Memorial Hall or in the Park if the weather is fine free of charge again this year.**

The Members discussed the issue.

**Resolved:** That permission is granted to hold the Annual Praise in the Park free of charge.

**9180: To receive information from the Welsh Government regarding financial support for the purpose of website development.**

The Clerk reported that the Council had resisted getting a web site in the past because of the work and cost of the development of the website, the cost of translating all the Agenda's and Minutes into Welsh, and the time constraints of the Clerk in keeping the website up to date once it was up and running. The Clerk reported that if it were likely to become compulsory that Town/Community Councils must have a website within the next couple of years, then we might as well make advantage of the grant to get the website established. The Members discussed the issue.

**Resolved:** That the Clerk finds out more information and reports back to the Council at a future meeting.

**Cllr DK Davies left the meeting at this stage.**

**9181: To receive a request from Neath Cluster Communities First to nominate one Councillor as a representative to attend meetings of the Neath Cluster Communities First Steering Group.**

The Members discussed the issue.

**Resolved:** That Cllr Ian Whitehead Ross is nominated.

**Cllr HC Clarke and APH Davies left the meeting at this stage.**

**9182: To receive information from Alyson Thomas about a grant application submitted on behalf of Caewathan Community Centre.**

The Members discussed the issue.

**Resolved:** That the information should be noted and approved.

**9183: To receive information from the Clerk regarding the costs associated with creating a second door into the Kitchen in Carnegie Hall.**

The Clerk reported that the costs associated with creating the doorway were far more than had originally been estimated by the Handy Man.

The Members discussed the issue.

**Resolved:** That Standing Orders should be suspended and that the quote to move the radiator should be approved so that the work can go ahead.

**9184: To inform the Members that the next Business Forum will be held on Wednesday 13<sup>th</sup> March 2013 at 6pm as raised by Cllr Annette Wingrave.**

The information was noted by the Members. Cllr I Whitehead Ross reported that the Chair and Vice Chair would be invited to the meeting. Cllr JS Jones queried if other Members could attend, and it was discussed if the Forum should be run by a Committee with the Clerk attending to take the minutes. It was agreed to monitor the situation and decide at a later date if the Forum should be run formally as a Committee. Additionally it was discussed if the Forum should be opened up to the extended business community rather than just the businesses on New Road.

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Cllr I Whitehead Ross agreed to investigate opening up the Forum for more businesses. The Clerk reminded all the Members that no Member can act or speak on behalf of the Council and that the Council can only make decisions as a Corporate Body.

**9185: To receive information from NPT Working in Partnership 2013-2023 regarding a consultation survey available to Members through the Consultation Portal.**

The information was noted by the Members.

**9186: To receive information from the Clerk regarding formalising the agreements with the Management Committees of the 3 Community Centres to comply with VAT legislation and the implications of the VAT partial exemptions for the costs of the associated works to bring gas into the Memorial Hall and replace the boiler.**

The Clerk reported that in line with the exempt business element of the Council that we would need to formalise our arrangements with the Management Committees for the three Community Centres not managed and run by the Council's own staff. This would be by way of a formal Lease Agreement for the Sum of £1.00.

This would also tie up the Management Committees legal obligations in the running of the Community Centres. The Council would/could continue to own, insure, maintain and pay the costs associated with the utilities used on site.

Additionally, the Clerk reported that because of the Capital Works projects agreed to bring gas into the Memorial Hall and the replacement of the boiler, the Business Exempt threshold would be exceeded in the next financial year.

The Clerk reported on the options:

- The Council could opt not to claim the exempt VAT back, which will have a financial impact on the Council as they would be losing out on up to £7,500 of reclaimed VAT, and in fact, far more if there is exempt Capital expenditure.
  - To opt to Tax a building, which effectively means that we have to charge the user VAT on top of the hire fee which is then paid over to HMRC. This would then make the building taxable rather than exempt.
  - The Council could Opt to Tax but take the 20% VAT out of the current prices which effectively means that the Council would bear the VAT element out of the hire costs, and pay the VAT to HMRC, effectively reducing the income revenue of the building by 20%. Again this would then make the building taxable rather than exempt.
  - There are special method calculations which take into account if a building is part used for Statutory purposes such as the Council Office, and a calculating method is used to deduct a percentage of the use from exempt into Out of Scope, but these can be very difficult to introduce and HMRC seem to be reluctant to use this route.
- The Council could opt to Tax just one of their exempt buildings, more than one of the exempt Buildings or all of the Councils exempt activities but this would mean either passing the 20% VAT charge onto the customer, or losing 20% of their income revenue.

The Members discussed the information.

**Resolved:** That the Clerk gets further information from a VAT Consultant and reports back to the Council at a future meeting.

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**9187: Correspondence.**

**a) Letter of thanks from the Skewen & District Industrial Heritage Assoc.**

The information was noted by the Members.

**b) Notification of a conference on the Welsh Language and the Census at the Mountain Gate Hotel, Tycroes, Ammanford on Thursday 14<sup>th</sup> March 2013 between 9.30am and 4pm.**

The information was noted by the Members.

**c) To receive a response from Inspector Huw Griffiths from the South Wales Police regarding a letter sent on behalf of the Skewen Business Forum.**

The information was noted by the Members.

**9188: To resolve to exclude the public for the following item pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and Paragraph 15 of Part 4 of Schedule 12A to the Local Government Act 1972.**

**Resolved:** That the press and public are excluded from the Meeting.

**9189: To receive an update from the Clerk on legal issues.**

The Clerk provided an update which was noted by the Members.

**Cllr HR Richards**  
**Chair**