

Pembrey and Burry Port Town Council

Ordinary Meeting

Wednesday 19th February 2020

**Present: Councillor Peter Freeman (Mayor)
Councillors Richard Adler, Linda Edwards, Robert John, John Hedley Jones, Lisa Mitchell, Karen Morris, David Owens, Hugh Shepardson, Michael Theodoulou, Moira Thomas and Bob Walpole.**

In attendance: Huw Thomas (Acting Clerk and Responsible Finance Officer), Shân Loudon (Temporary Assistant Town Clerk), Kevin Williams (Projects Manger) and Louise Robinson (Community Development Officer)

Minute taker: Ed Davies (Administrative Assistant)

(Memorial Hall 7.00pm – 8.15pm)

138. Opening prayer

A prayer was read out by the Rev. Nicholas Jones.

Members noted the recent passing of Edna George, the wife of former Councillor Les George.

Cllr Peter Freeman **PROPOSED** that a condolence card be sent from the Council, seconded by Cllr Robert John.

Members **RESOLVED** unanimously in agreement to the proposal.

ACTION: Assist Town Clerk

139. To receive apologies for absence

Apologies had been received from Cllrs Stephen James and Mary Wenman.

140. To receive members' declarations of interest in respect of the business to be transacted

Cllrs John Hedley Jones, David Owens and Hugh Shepardson declared an interest in agenda item 6 as there would be an update related to Pembrey School, and they served on the school governing body.

141. To consider Police Business, if any

No report had been received.

142. To confirm the minutes of the meeting held on Wednesday 15th January 2020

Cllr Richard Adler **PROPOSED** that the minutes be accepted as an accurate record of the meeting, seconded by Cllr Hugh Shepardson.

Cllrs Robert John and Bob Walpole stated their intention to abstain due to not being present at the meeting.

In the ensuing vote 10 members voted in favour with 2 abstentions and 0 against. It was therefore **RESOLVED** to accept the proposal.

ACTION: Admin Assist

143. To receive an update from the Chairs Committee.

Members heard that the following had been discussed:

- The attendance of Town Councillors at County Council scrutiny committee meetings.
- Workload for staff related to Committee instructions and Forum requests.
- The need to reduce the number of meetings.
- The need for Councillors to contact staff in advance to arrange a suitable time to meet instead of calling in the office unexpected.
- Coordinating the comments from each Committee related to the Council structure, with the advice to be discussed by the Town Council.
- Set the agenda for this meeting.
- An issue for discussion in camera
- Pembrey School.

Cllrs John Hedley Jones, David Owens and Hugh Shepardson, in line with their declared interests left the meeting at 7.05pm.

The update continued the Chairs Committee, in line with its responsibilities had considered a recommendation from the Facilities and Assets Committee related to the development of a new school facility for Pembrey School.

A synopsis of the situation was given to members, where it had become apparent to the County Council that there was a deed of trust placed on the play area currently on the school site, for it to be available for public use. Because the nature of the development would remove the play area, an independent panel had come up with two possible solutions, both of which involved the Town Council taking on a transfer of the deed of trust to Waun Sidan play area, and for the new school play area to be made partially open to the public outside of school hours. It was strongly indicated that if a satisfactory solution could not be achieved then it would jeopardise the whole project.

The recommendation from the Facilities and Assets Committee had been to allow the Chairs Committee to indicate to the County Council at the recent public meeting that it would be prepared to take on that deed of trust subject to conditions, so as to allow the new school to be built.

Following on from this the Council had been informed of some more of the details surrounding the conditions and had been asked to accept in principle the two options currently on the table, subject to details and a final vote to follow.

- 1) For the County Council to remain in ownership, with the land being leased to the school during schools hours and a management agreement with the Town Council for times outside of school hours.
- 2) For the Town Council to become the owners with a lease agreement with the school for sole use during school hours.

Members discussed the options placed before them and some additional information that they had learned during the recent public meeting.

Cllr Michael Theodoulou **PROPOSED** that the Council should agree in principle to both of the options put to it, subject to conditions and legal advice with a final vote to follow in due course., seconded by Cllr Robert John.

In the ensuing vote 9 members voted in favour with 0 against and 0 abstentions. It was therefore **RESOLVED** to accept the proposal.

ACTION: Acting Clerk

Cllrs John Hedley Jones, David Owens and Hugh Shepardson returned to the meeting at 7.15pm

143. To consider the budget monitoring report

Members had received copies of the report in advance of the meeting. Each Committee had already seen and approved their respective budgets.

The RFO stated that the current totals were at 63% net operational expenditure, which was under the target budget of 75%.

In relation to the Facilities and Assets Committee budget, if the Section 106 payments were excluded, income was shown at 93% and expenditure was at 67%. He reminded members that the S106 payments were exceptional and unbudgeted for and so caused some confusion to the overall figures if not treated in this way.

In relation to the Finance, Governance and Personnel Committee budget, expenditure was at 68% and as this includes the largest single expense item, staffing costs was the reason the overall budgets were at the level they were.

In relation to the Regeneration and Community Engagement budget, the total expenditure was just under 48%, although it was noted that some of this Committees budget was being looked at for virement.

Members discussed whether or not the replacement heritage board had been purchased. Many points were raised but it was requested that it be referred to the Facilities and Assets Committee which had delegated authority over the matter.

ACTION: Ref to Facilities Cmte

In response to a query the RFO confirmed that the Digital Community Project budget had recently been paid, while some of the other headings were likely to be fully spent by the end of year also. Those which weren't likely to be were being looked at for virement, possibly to budgets outside of the Regeneration and Community Engagement budget.

In response to a query the RFO confirmed that the refuse disposal costs had been reviewed and members could expect a reduction once the current tendering and appointment process was complete.

Cllr David Owens **PROPOSED** that the report be accepted, seconded by Cllr Lisa Mitchell.

In the ensuing vote 12 members voted in favour with 0 against and 0 abstentions, it was therefore **AGREED**, to accept the report.

144. To consider the following planning applications

Members were informed of the discussion had by the Planning Sub-Committee, and made the following recommendations:

<u>Application No.</u>	<u>Date</u>	<u>Name and Address of Applicant</u>	<u>Description of Application</u>
S/40038	07.01.2020	Mr Paul Jones, 5a Clos Pendderi, Bryn, Llanelli, SA14 9PT	Demolition of existing dwelling and erection of 1 no. new dwelling at Cedar Cottage, The Links, Pembrey, Llanelli, SA16 0HT
Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was AGREED .			
S/40050	09.01.2020	Mr Rowland, 52 Dan y Bryn, Pembrey, Burry Port, SA16 0UY	Extend existing living room and utility room to the side elevation at 52 Dan y Bryn, Pembrey, Burry port, SA16 0UY
Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was AGREED .			
S/40060	13.01.2020	Carmarthenshire County Council - Jonathan Fearn, Parc Myrddin, Richmond Terrace, Carmarthen, SA31 1HQ	Medium priority harbour wall repairs. The harbour is designated as a Grade II listed structure (Cadw 20527) and, as such, listed building consent will be required for the proposed works. The works will include repair and restoration of the east dock, west dock and outer harbour walls at burry port harbour. The works are required to restore and ensure the long-term stability of the existing listed harbour walls. (see form for full description) at Burry Port Harbour, Burry Port, SA16 0ER.
Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was AGREED .			

Cllr David Owens wished it to be recorded that he was glad progress was being made. Members noted that the delays had been caused by additional legislation protecting the harbour walls as they were a Listed Building. Members also noted that consideration had been given to an endangered species found on the walls, by the Resilience Forum.

S/40111	22.01.2020	Carmarthenshire county council, property design &, c/o agent	Discharge of conditions 12 & 22 on S/38235 (Proposed construction of residential development comprising 32 units with associated access, parking, landscaping & infrastructure works) Condition 12 - windows acoustic report. Condition 22 - construction traffic management plan at land at Glanmor Terrace, Burry Port, SA16 0NE.
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Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED.**

S/40116	23.01.2020	Mr Hywel Harries, Block 3, Parc Myrddin, Richmond Terrace, Carmarthen, SA31 1HQ	Discharge of Condition 5 on S/38465 (Water vole conservation strategy / method statement) at land at Garreglwyd, Pembrey, Burry Port, SA16 0UH
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Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED.**

S/40137	28.01.2020	Mr & Mrs Neil Attwell, 54a, Danlan Road, Pembrey, Burry Port, SA16 0UL	Single storey rear extension at 54a Danlan Road, Pembrey, Burry Port, SA16 0UL
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Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED.**

S/40151	28.01.2020	Mr Steven Mathias, 4 Orchard Close, Burry Port, SA16 0DQ	2 Storey side extension and rear conservatory at 4 Orchard Close, Burry Port, SA16 0DQ
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Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED.**

In addition the following applications were discussed having arrived following distribution of the agenda.

S/40228	14.02.2020	Memorial Hall and Institute, Memorial Square, Burry Port, SA16 0BN	Conversion of existing first floor to meeting rooms and installation of lift
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Members heard that the Sub-Committee had no observations as it was the Councils own application. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED.**

S/40229	28.01.2020	56 Colby Road, Burry Port, SA16 0RL	Raised balcony in rear garden with privacy screen
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Members heard that the Sub-Committee had no objections and recommended this application be approved. In the ensuing vote 12 members voted to confirm the recommendation and it was **AGREED**.

Members noted that the Sub-Committee had also discussed an invitation to comment on a consultation regarding changes to planning and application fees. As much of the detail related to planning procedure beyond the control of the Town Council's involvement in the planning application process, they did not feel it was possible to comment.

Cllr Michael Theodoulou **PROPOSED** that the Council make no comment, seconded by Cllr David Owens.

In the ensuing vote 12 members voted in favour with 0 against and 0 abstentions. It was therefore **RESOLVED** not to make a comment.

145. To receive the County Councillor's report

Cllr Hugh Shepardson reported the following:

- that the Local Development Plan consultation was being extended by two weeks
- the budget session meetings were ongoing but an increase of 4.89% was very likely, adding that the next meeting would be in March.
- The County Council was looking at options to provide a play area outside of the restaurant in Pembrey Country Park.

In response to a query, he was unsure if or where the Local Development Plan documents were being displayed during the two week extension.

146. To receive the Mayor's report

The Mayor reported on the following activities he had undertaken:

- 18th January – the AGM of the British Legion in the Burry Port Legion
- 27th January – Cydweli Town Council Holocaust Memorial event
- 29th January – Llanelli Town Council charity event
- 30th January – Llanelli Rural Council charity event
- 13th February – Ysgol Glan y Môr School's performance of We Will Rock You the musical

Members expressed regret that so many had been unable to attend the school's performance due to a clash with Council meetings.

147. To receive reports by elected members as Council Representatives on outside bodies

Cllr Michael Theodoulou reported that he had recently attended the One Voice Wales Larger Councils Committee meeting, where they had received a presentation from the Future Generations Commissioner, Sophie Howe, on progress with regards implementing the Wellbeing of Future Generations Act (Wales) 2015. Her report highlighted the following:

- Progress to date had been slow but with pockets of excellence.
- The economic impact was limited.

- The wealth gap was still growing.
- Focus was shifting to creating low carbon jobs.
- Welcomed Carmarthenshire County Council's commitment to a net 0 carbon plan.
- Success for the Commissioner in ensuring £100 million of the transformation fund was distributed more fairly amongst the County Councils and Health Boards.
- Ensuring that the environmental impact assessments were given prominence during consideration of the M4 relief road discussions – leading to its eventual refusal.
- Gradual forcing of organisations to rethink their approaches.
- To work across bodies and limit the number of risk averse people in senior positions.

He added that she had shown an interest in the Town Council's solutions to meeting the Act's requirements and had requested more information, which would be provided in due course.

There had also been a presentation from Kevin Griffiths on developments with the Local Government Bill.

- An adjustment to the powers of competence ruling to prevent Town Councils which had co-opted members from becoming qualified, in certain circumstances, such as following resignations a short time from the regular election cycle.
- It would be a requirement for Clerks to have suitable qualifications.
- Fixing term length to 5 years.
- Larger Council's to set up a formal training plan.

Members heard that the Committee had also discussed and noted the following:

- The number of Town and Community Councils with qualified accounts had increased with only 56% having submitted theirs on time.
- Ensuring that Town and Community Councils were not looked at as one uniform sector as there was great diversity in the composition of them across Wales.
- OVW would be establishing 4 new pots of funding which would be available for Town and Community Councils,
 - Training budget
 - Litter collection
 - Local nature partnerships
 - Greening public asset base
- A meeting on 20th February between OVW and the Auditor General which would look at the impact of austerity on the cutting of non-statutory services and the gap between Town Councils and County Councils, in the context of breaching the Wellbeing of Future Generations Act (Wales) 2015.

Members were informed that to qualify as a Larger Council it needed £200,000 or more in its precept, and that this represented only 12% of Wales' Town Councils. They also noted that Cllr Michael Theodoulou had been appointed Chairman of the Larger Councils Committee.

148. Consideration of correspondence relating to the harbour area

Cllr Michael Theodoulou declared an interest as he had only recently resigned from the Friends of Burry Port Harbour group, the author of the correspondence.

Copies of the correspondence had been distributed to members in advance and they were invited to comment. The letter requested the Council look to see what it could do to expediate the process of harbour rejuvenation by the Marine Group and County Council.

Members discussed and noted that the County Council was only responsible for the harbour wall repairs, which had been delayed by planning control measures, but that permission had recently been granted. It was also noted that the Marine Group managed the running of the harbour. In addition it was noted that the Town Council had arranged for a public meeting between representatives of the Marine Group and that very recently they had requested that another meeting be arranged as they had an update they wished to give to the public on their planned investments. A discussion took place of the known information of the Marine Group and their management of other marinas. It was highlighted that the Resilience Forum had been set up by the Town Council which covered work in this area.

It was discussed whether or not the County Council should be invited to send representatives to the meeting, with many feeling it would be appropriate in relation to the County Council's involvement of structures and areas surrounding the harbour. Members noted that the letter mentioned getting the local County Council members to act on the matter, and that a response should include advice to contact them directly.

Cllr Robert John **PROPOSED** that a response be sent which highlighted the work the Council had done already in relation to the harbour, clarifying the responsibilities of the parties involved and the limited role the Town Council had, notifying of the upcoming meeting and advising them to contact their County Council representatives to request them to act also, seconded by John Hedley Jones.

Members **RESOLVED** unanimously for the letter to be prepared and sent.

ACTION: Acting Clerk

Members noted concerns from the public in relation to wheelchair and pushchair access at the harbour and requested it be discussed by the Resilience Forum.

ACTION: Ref to Resilience Forum

149. To note the following minutes for information:

Date	Meeting
Wednesday 8 th January 2020	Regeneration and Community Engagement Committee
Wednesday 10 th January 2020	Facilities and Assets Committee
Monday 13 th January 2020	Finance, Governance and Personnel Committee
Tuesday 14 th January 2020	Chairs Committee
Tuesday 14 th January 2020	Burial Sub Committee

Members noted the minutes.

150. To consider communications received

Members discussed a letter received recently from a member of the public which congratulated it on the success of the Christmas lights switch on event and parade and questioned whether or not it would seek to run the carnival.

Prior to discussing the contents some members queried why they had not been provided with the name and address of the correspondent, as they believed it to be important information when considering it.

The Acting Clerk stated that the letter had been addressed to him personally as the Clerk and not to the Council with a request for this matter to be put on the agenda, which duty was being performed presently.

Members noted that there were obligations related to GDPR and data protection whereby the name and address of a correspondent could not be distributed without their express permission. Staff had sought advice on this matter and had been advised not to share the information.

Some members felt that future correspondence that did not include the information should not be discussed by the Council, but this was understood to be against the law.

The Acting Clerk stated that in future staff would contact the correspondent if possible, to seek express permission to share their details but stated that neither he nor staff would go against the received advice from One Voice Wales on this matter.

Cllr Michael Theodoulou **PROPOSED** that a response be sent thanking them for their kind words in relation to the recent Council events and to clarify that the Summer Carnival and parade was organised by a community group, the Carnival Committee, which had done so successfully for many years, that the Town Council was supportive of their work and wished it to continue running it, and as such would not be seeking to run the Summer Carnival and Parade, seconded by Cllr Moira Thomas.

In the ensuing vote 12 members voted in favour with 0 against and 0 abstentions. It was therefore **RESOLVED** for the response to be sent.

ACTION: Acting Clerk

151. In camera discussions

Cllr Hugh Shepardson **PROPOSED** that the meeting move to in camera, seconded by Cllr Richard Adler.

In the ensuing vote 12 members voted in favour. It was therefore **RESOLVED** to move the meeting to in camera.

Ed Davies, Louise Robinson and Kevin Williams left the meeting 8.15pm

In camera - That under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press be excluded from the meeting during consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

152.

a) **To confirm the confidential minutes of the Town Council meeting held on Wednesday 15th January 2020**

The minutes of the above meeting were approved.

b) To note the following confidential minutes

Date	Meeting
Wednesday 8 th January 2020	Regeneration and Community Engagement Committee
Wednesday 10 th January 2020	Facilities and Assets Committee
Monday 13 th January 2020	Finance, Governance and Personnel Committee
Tuesday 14 th January 2020	Chairs Committee

Noted.

c) Update on staffing issues

Staffing issues were discussed.