

## CYNGOR CYMUNED GELLIGAER ~ GELLIGAER COMMUNITY COUNCIL

Minutes of the ORDINARY Council Meeting held on Wednesday 28<sup>th</sup> June 2023 7.30pm at Gelligaer Community Council Office in a MULTI-LOCATIONAL format in accordance with the provisions of the Local Government and Elections (Wales) Act 2021.

### PRESENT

**Councillors:** A Angel, R Bevan, G Bruford, R Callison\*, D Cushing\*, M James, A McCarthy, C Moss, W Matthews, T Parry (Chair), H Pritchard, J Pritchard and A Wood (Vice Chair).

**Clerk:** C Mortimer

**In Attendance:** PCSO Macauley Jessop – Gwent Police

\* denotes remote attendance.

*Chair Cllr Teresa Parry and other twin hatted members sent their apologies as they were delayed in an important Caerphilly County Borough Council meeting.*

*The meeting was quorate and therefore Vice Chair Cllr Adrienne Wood opened the meeting and warmly welcomed everyone.*

- 29 **Police Update for St Cattwg, Hengoed and Ystrad Mynach Wards** – to receive and discuss reports for MAY and to receive an update in relation Operation Harley and the persistent illegal off road bikes using Pottery Lane and Black Ash Path between Cefn Hengoed and Tiryberth. Despite barriers being reinstated on Pottery Lane the problem of off-road biking persists. Pedestrian safety, including children, is being compromised.

*Chair Cllr Teresa Parry, Cllr Haydn Pritchard and Cllr Judith Prichard arrived in person at the meeting.*

*Cllr Donna Cushing arrived at the meeting remotely.*

*Chair Cllr Teresa Parry chaired the rest of the meeting.*

### Gelligaer Council

#### Police Update, May 2023

Crimes logged between 01/05/23 & 31/05/23

121 calls

Incidents include:

Violence against the person- 24

Highway disruption- 4

Road related offences- 12

Missing persons- 1

Concern for safety- 14

ASB- 11

Theft and handling- 4

Domestic incidents- 2

Criminal damage- 5

Sexual offences- 1

Other/ police generated incidents-43

### ASB

Fire set behind Haman Place, Gelligaer.

### HIGHWAY DISRUPTION

Call received on 13/05/23 in relation to parking issues on A469, vehicles were present for car boot sale.

### OFF ROAD BIKES

Operation Harley is still ongoing x1 warning was issued to a vehicle on Gelligaer common.

INCIDENTS OF NOTE - No incidents of note.

### **Council Report for Ystrad Mynach and Hengoed wards**

#### **Numbers from May 2023**

#### **Crime & ASB Overview**

Crimes recorded for all Ystrad Mynach Wards

<b>Ystrad Mynach</b>	41 (42 with Custody related crimes)
<b>Hengoed</b>	32
<b>Nelson</b>	23
<b>Maesycwmmmer</b>	27

#### **Ystrad Mynach incidents include –**

Violence Without Injury	20	48%
Public Order Offences	9	21%
Criminal Damage & Arson	5	12%
Violence With Injury	5	12%
Drug Offences	1	2%
Residential Burglary	1	2%
Vehicle Crime	1	2%

awr

The vehicle crime relates to a bike stolen in Newbridge – unsure why on Ystrad's figures.

Residential burglary is being decrimed and is now classed as a civil trespass

Criminal damage –

Damage caused to belongings by ex-partner – Forge Mill estate

Genital spray painted on wall by 11 year old – Central St

Unknown male thrown stone at house – no damage caused 7 only witnessed through CCTV – Cwm Calon

Window smashed in Cwrt y Baddondy

Front windscreen smashed – Church View Estate.

#### **Hengoed incidents include –**

Violence Without Injury	11	34%
Criminal Damage & Arson	10	31%
Public Order Offences	6	19%
Violence With Injury	2	6%
All Other Theft	1	3%
Misc Crimes Against Society	1	3%
Possession Of Weapons	1	3%

Criminal damage numbers are high but a number of these relate attempt damage not actual damage caused.

3 relate to youths throwing items into a garden from a field – Cheriton Avenue – No damage.

Threats to cause damage – Lansbury Avenue.

Youths smashed window – Carn Gethin

Car kicked by ex-partner – Trem Penallta

Door damaged by family member – Birch Crescent

Cracked window – Hengoed Avenue.

Youths damaged garden table when garden hopping – Birch Crescent.

### **Anti-Social Behaviour calls received for all Ystrad Mynach Wards**

<b>Ystrad Mynach</b>	9
<b>Hengoed</b>	4

#### Ystrad Mynach incidents include –

3 out of the 9 were youth related –

Youths in street shouting and swearing – Penallta Road

Youths kicking bins – Nelson Road

Youths playing ball in the street – Beech Embankment

#### Hengoed incidents include –

Only 3 out of the 4 calls were youth ASB –

All 3 relate to youths playing football in the street on Heol Rees

#### Police Surgeries

Monday 3rd July 2023

10:00 – 11:00 @ Ystrad Mynach Library

12:00 – 1:00 @ Nelson library

3:00 – 4:00 @ Maesycwmmmer Community Centre Car Park

Monday 17<sup>th</sup> July 2023

3:00 – 4:00 @ Ystrad Mynach Library

5:00 – 6:00 @ Nelson library

7:30 – 8:30 @ Maesycwmmmer Community Centre Car Park

The PCSO will report back to council as to whether surgeries will be held in Hengoed and if the violence with injury was being investigated.

*Chair Cllr Teresa Parry thanked the officer for his attendance and he subsequently left the meeting.*

**30 Apologies** - there were no absences.

#### **31 Declarations of Interest**

Councillors and Officers were reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution, and the Code of Conduct for both Councillors and Clerk.

Cllrs J Pritchard, G Bruford and D Cushing declared an interest in minute no. 42 (iii)

– Cefn Hengoed Foodshare Distribution Scheme.

Cllr A Angel declared an interest in minute no.47 - Planning.

**32 Public Participation** - members of the public are requested to speak with the clerk in advance of the meeting should they wish to address members on a particular agenda item.  
There were no members of the public present.

**33 Annual Report 2022/23** – retired Chair Cllr Martyn James.  
This item was deferred until the next meeting.

**34 Minutes**

**Minutes of the ANNUAL COUNCIL meeting held on 24/05/2023** were received, approved and signed as an accurate record.

**35 Matters Arising**

(i) Members agreed that future Annual Meetings and the Ordinary Meetings be held on different dates due to the length of the combined meetings exceeding our standing orders. Therefore it was agreed that the Annual meeting be held on 22<sup>nd</sup> May 2024 and the Ordinary be held on 29<sup>th</sup> May 2024.

**36 Minutes**

**Minutes of the ORDINARY COUNCIL meeting held on 24/05/2023** were received, approved and signed as an accurate record.

**37 Matters Arising**

(i) Members received and noted correspondence from Tony Godsall  
Re: Default speed limit consultation on restricted roads in Caerphilly from 30mph to 20mph

*“The Welsh Government has developed ‘Exception Criteria’ that can be applied to retain 30mph speed limits on roads where the lower 20mph speed limit is not deemed appropriate. The ‘Exceptions Criteria’ can be found on the Welsh Government website at the following web address:  
<https://www.gov.wales/setting-exceptions-20mph-default-speed-limit-restricted-roads-html>.”*

*With regard to Hengoed - New Road, Tir-y-Berth from south of William Street to southern end of village, the 30mph Exception is considered appropriate for the following reasons. The A469 is a principal road that forms part of the strategic highway network and the affected length of road is not within 100m walk of any educational setting, community centre or hospital. There is no frontage development and there are likely to be low numbers of pedestrians and cyclists travelling along or across the road as there are few roadside amenities/attractors within the extents of the Exception. A pedestrian refuge island is provided to aid crossing manoeuvres.*

*With regard to St Cattwg - B4254 Church Road, Gelligaer and Gelligaer Road between the junction with Aneurin Bevan Avenue and west of its junction with Penywrlod the 30mph Exception is considered appropriate for the following reasons. The B4254 forms part of the strategic highway network and the affected length of road is not within 100m walk of any educational setting, community centre or hospital. There is limited frontage development on one side of the road only and surveys have shown that there are low numbers of pedestrians and cyclists travelling along or across the road. There are few roadside amenities/attractors within the extents of the Exception. The 20mph speed limit will apply where there is increased frontage development further into the village. The proposed 30mph Exception will provide a buffer zone on the approach to the village and help to encourage compliance with the new 20mph speed limit.*

*With regard to Ystrad Mynach - A472 Caerphilly Road from west of its junction with Maes-y-coed Terrace to west of its junction with Station Road (including Tredomen roundabout), the A472 forms part of the strategic highway network and the affected length of road is not within 100m walk of any educational setting, community centre or hospital. There is limited frontage development. There are few roadside amenities/attractors within the extents of the Exception. The 20mph speed limit will apply where there is increased frontage development further into the village. The proposed 30mph Exception will provide a buffer zone on the approach to the village and schools and help to encourage compliance with the new 20mph speed limit.*

*Your comments/objections, along with any others that may be received from the Public Notice consultation exercise, will be included in a report that is being taken to the Environment & Sustainability Scrutiny Committee on the 19<sup>th</sup> of July and Cabinet on 26<sup>th</sup> July 2023. The Council’s Cabinet will make the final decision as to whether the proposed 30mph Exception/s are taken forward”.*

**38 Finance to 23<sup>rd</sup> June 2023**

**(i) Balance of Funds**

Balance of Funds' document was received, approved and signed as an accurate record.

**(ii) Reconciliation**

Reconciliation document was received, approved and signed as an accurate record.

**(iii) Bank Statements**

Bank statement no's 49, 65 and 90 were received, approved and signed as an accurate record.

**39 Completed Full Triennial Audit for Year Ended 31<sup>st</sup> March 2022**

**(i) RESOLVED:** Council received and noted completed annual return and noted external auditor's comments

(ii) Council received and noted Clerk's Report and correspondence and approved the following recommendations:

1. Qualification Issues

Re: Basis of Qualification in respect of Annual Return 2021/22

The accounts were qualified for two reasons, both of which relate to typographical errors when figures were copied from working papers to the annual return.

The clerk has accepted that these were errors and have responded to the auditor as outlined below, however one of the errors could have been corrected if the external auditor had responded to the audit for 2020/21 in accordance with the agreed timetable.

Response to auditors 19<sup>th</sup> June 2023:

"Please find response below in respect of your comments (in blue) on my Annual Return 2021/22 and the basis for qualification.

***The Council's prior year accounts are arithmetically incorrect, and I am unable to conclude as to where within the annual return the misstatement lies***

The arithmetic error in the accounts ending 31 March 2021 was drawn to my attention by yourself on 11<sup>th</sup> October 2022. I responded on the same day explaining it was a typographical error on staff costs which should have been £27,458 and not £24,458 – copies of the email are attached.

Unfortunately, the Accounting Statement for 2021/22 was completed and returned, prior to your email dated 11<sup>th</sup> October 2022 (in respect of 2020/21), and therefore the figures for 2020/21 were copied from that return year ending March 31<sup>st</sup> 2021. As a result, the error was replicated because as that stage you had not brought it to my attention.

Had I received notification from your department in a timely manner, the error would not have been replicated.

***The Council's current annual return includes a typographical error within the balances carried forward line within the income and expenditure statement and therefore line 7 should equal line 13.***

With regard to a typographical error I agree that line 7 is incorrect and should read £131,927 not £132,927

You also state that ***Line 7 should equal line 13***. I think this is inaccurate, it should read line 7 should equal line 11".

## 2. Annual Governance Statement

The external auditors have also recommended changes to financial practices for the future.

The auditors two recommendations are stated below:

• Assertion 1 – effective financial management.

The Council has not completed any VAT returns We recommend that the Council complete VAT returns and keep up to date with the relevant VAT guidance issued by HMRC and One Voice Wales.

***VAT can be claimed up to 3 years after the end of the year and this was not appreciated to be an issue, however VAT returns will now be submitted annually.***

• Assertion 3 – noncompliance with laws, regulations and codes of practice. The Council does not operate PAYE as it is required to do under the Income Tax (Earnings and Pensions) Act 2003 for payments made to members. Failure to operate PAYE exposes the Council to the risk of fines and/or penalty charges being imposed by HM Revenue and Customs.

***Previously we have considered that remuneration is classed as an allowance as opposed to a salary as per the guidance below by the Independent Remuneration Panel's report 2023/24.***

***This appears to contradict the advice of the auditors and I will make further enquiries to determine what action if any is required.***

“Guidance on taxation It is not within the remit or authority of the Panel to provide specific advice on matters of taxation. Advice can be provided by One Voice Wales and guidance is available on the HMRC website. The £156 should fall under the statutory provisions of section 316A ITEPA: Income Tax (Earnings and Pensions) Act 2003 (legislation.gov.uk) and the current amount that can be paid without attracting a tax liability is £6 per week: Expenses and benefits: homeworking: Homeworking expenses and benefits that are exempt from tax - GOV.UK (www.gov.uk)”.

## 3. Other matters arising and recommendations

The following matters do not affect my audit opinion but should be considered by the Council Members allowances – misclassification in Accounting Statement

The Council has included member's allowances within staff costs. Members are not considered as staff and their remuneration should be included within line 6.

***This recommendation has been implemented for the annual return 2022/23.***

(iii) Council received and noted the Notice of Conclusion of Audit and Right to Inspect Annual Return for Year Ended 31<sup>st</sup> March 2022, which is published on our notice boards and website.

## **40 Audit Year Ended 31<sup>st</sup> March 2023**

(i) Council received and noted Internal Auditors Report

(ii) **RESOLVED:** Council received and approved the Annual Return, which was then duly signed by the Chair and Clerk (by 30<sup>th</sup> June 2023)

(iii) Members received and approved accompanying working papers.

(iv) Members received and noted Notice of appointment of the date for the exercise of electors' rights which is published on our notice boards and website.

(v) Members received and noted the audit timetable.

- 41 Financial Assistance/Grants 2023/24**  
**(i) Cylch Meithrin Penpedairheol Financial Assistance Application No. 6**  
**RESOLVED:** Council agreed to grant the sum of £600 to Cylch Meithrin Penpedairheol
- (ii) Aventurion Emeralds Jazz Band Financial Assistance Application No. 7**  
**RESOLVED:** Council agreed to pledge the sum £300 towards rental or instruments
- 42 Projects**  
**(i) Project Summary 2023/24** – was received and noted  
**(ii) Cymru yn ei Blodau ~ Wales in Bloom, Ystrad Mynach**  
**RESOLVED:** Council ratified the additional spend and agreed to increase the limit of the spend to £1,500 which could cover spring bulb planting and rewilding.
- Cllrs Judith Pritchard, Gaynor Bruford and Donna Cushing declared an interest in the next item and subsequently left the meeting, thus playing no part in the ensuing discussions.*
- (iii) Cefn Hengoed Fareshare Food Distribution**  
**RESOLVED:** Council agreed to grant the sum of £2k from our Food Poverty budget
- Cllrs Judith Pritchard, Gaynor Bruford and Donna Cushing returned to the meeting.*
- (iv) Gelligaer AFC – cameras**  
It was agreed that at least one further quote be obtained.
- (v) Additional rail planters for Gelligaer Square**  
**RESOLVED:** Council agreed to purchase a further 6 rail planters for Gelligaer Square  
(vi) Other projects
- 43 Eco Officer – update**  
(i) Members received and noted correspondence in relation to the provision of back office support and expertise from Keep Wales Tidy and agreed to the clerk signing the Service Level Agreement.
- 44 Vacancy exists - Minor Authority Representative on the Board of Governors at Ysgol Bro Allta** – this item was deferred. In the meantime, it is to be advertised on our social media page.
- 45 Training for 2023**  
(i) Members received and noted OVW training for 2023  
(ii) Members received and approved Schedule for publication, which will be regularly refreshed as and when members attend new training sessions.
- 46 Governance and Financial Management Toolkit**  
**Part 1: The health check**  
The health check is designed to be completed by the clerk, working with the chair or a small group of members as appropriate, to **assess whether fundamental governance and financial management arrangements, policies etc are in place**, highlight any action that needs to be taken, and report back to full council or a designated committee.  
**RESOLVED:** Council agreed to forming a small working group with the clerk, consisting of Cllrs Teresa Parry, Adrienne Wood and Donna Cushing. Meetings will be held monthly generally, to work through the document and the group will feed back to council periodically.
- Cllr Alan Angel declared an interest in the next item and subsequently left the meeting thus playing no part in the ensuing discussions.*

## 47 Planning Applications

Members received and discussed the following planning applications. Comments or enquiries must be emailed to [planadmin@caerphilly.gov.uk](mailto:planadmin@caerphilly.gov.uk) within 21 days of receipt of the email date.

23/06/2023

Case Ref. 23/0244/FULL Site Area: 48m<sup>2</sup> Location: Bowls Pavilion Ystrad Mynach Park Caerphilly Road Ystrad Mynach (UPRN 000043171984) Proposal: Erect storage shed Case Officer: Joshua Burrows ( 07874 641749 : burroj1@caerphilly.gov.uk Ward: Ystrad Mynach Map Ref: 314525 (E) 193725 (N) Community Council: Gelligaer Community Council Expected Decision Level: Delegated  
**RESOLVED:** No objection

19/06/2023

Case Ref. 23/0370/RET Site Area: 336m<sup>2</sup> Location: 21 Tansy Close Penpedairheol Hengoed CF82 8LF (UPRN 000043043054) Proposal: Retain extension to pre-existing decking from 5.0m wide by 2.30m deep to 5.0m wide by 5.30m deep and erect privacy screen Case Officer: Joe Simmons ( 07874 641751 : simmoj1@caerphilly.gov.uk Ward: St Cattwg Map Ref: 314285 (E) 196952 (N) Community Council: Gelligaer Community Council Expected Decision Level: Delegated  
Cllr Judith Pritchard was going to investigate further and report back to the clerk.

ADDENDUM

**RESOLVED:** No objection

APPLICATION NO. 22/0567/FULL

Conduct engineering works to provide site drainage, an enhanced landscape bund and areas of hardstanding along with landscaping and associated works for the more efficient storage of recyclable waste Gelliargwellt Uchaf Farm, Gelligaer Road, Gelligaer.

I refer to the application for planning permission for the above development and write to advise you that I have received amended plan(s), which can be viewed online at

<http://publicaccess.caerphilly.gov.uk/PublicAccess/>

I should be grateful if you would let me have any additional comments within 14 days of the date of this letter. 15.06.2023

from Mr A Pyne

Cllr Judith Pritchard was going to investigate further regarding drainage and report back to the clerk.

ADDENDUM

**RESOLVED:** Council maintains our original objection.

**48 Next meeting Date: ORDINARY Meeting on Wednesday 26<sup>th</sup> July 2023, 7.00pm Gelligaer Community Council office.**

**Meeting closed at 9.47pm**

Signed: \_\_\_\_\_ CHAIR

DATE: 26<sup>th</sup> July 2023