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**MINUTES OF AN ORDINARY MEETING OF NEYLAND TOWN COUNCIL, HELD ON MONDAY 8TH
JANUARY 2024, 6.00PM AT NEYLAND COMMUNITY HUB.**

This meeting was recorded.

This meeting was livestreamed.

IN ATTENDANCE: Cllr B Rothero (Chair)

Cllr S Thomas
Cllr A Phelan
Cllr M Harry
Cllr P Hay
Cllr S Campodonic
Cllr A Richards
Cllr A Thomas
Cllr D Devauden
Cllr A Radice (livestream)

APOLOGIES: Cllr E Phelan

ALSO IN ATTENDANCE: Libby Matthews – Town Clerk & RFO

C. Cllr S Hancock (livestream)
Rhian Young – Monitoring Officer for PCC (livestream)
Sarah Banner - Member of Public

The meeting opened at 6.03pm

**4329 – TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS REGARDING THE BUSINESS TO
BE TRANSACTED**

The onus is on Members to declare interests which may relate to the meeting and/or any transactions to be made.

Member:	Interest:	Agenda Item:
Cllr Mike Harry	Personal; Non-paid Director of The Hub	N/A
Cllr Steve Thomas	Member of Llanstadwell Community Council Member of the Burial Board	N/A

4330 - REPRESENTATION BY THE PUBLIC (limited to 15 minutes)

Cllr B Rothero addressed the member of public in attendance and advised she was welcome to address Council with anything they could help her with. Sarah Banner, member of public, advised she was in attendance today purely as an observer of the meeting. Council thanked Ms. Banner and moved to the next item of the agenda.

4331 – TO APPROVE THE MINUTES OF THE ORDINARY MEETING OF COUNCIL DATED 13.11.2023

4311 – Cllr S Thomas advised he had also declared as a member of the Burial Board Committee

4324 – Cllr S Thomas advised that the additional £20.00 donation for the Fireworks display that Cllr B Rothero had handed over to the Clerk during the meeting of 13.11.2023 had not been reflected in the figures, meaning the overall loss incurred for the display should be £18.53. The Clerk apologised for the oversight on this.

Proposal: To approve the minutes, with amendments, of the Ordinary Meeting held on 13th November 2023.

Proposed: Cllr A Phelan

Seconded: Cllr A Thomas

All in favour.

RESOLVED: MINUTES, WITH AMENDMENTS, TO BE APPROVED AS A TRUE RECORD.

4332 – MATTERS ARISING

90/23 – Cllr M Harry asked the Clerk if any minutes or accounts had been received from the Burial Board. The Clerk advised she had not received these as of yet.

4262 – Cllr M Harry asked if there had been any update regarding returning this to the Agenda from OVW. The Clerk apologised and advised that due to many other enquiries with OVW, along with sickness over the festive period, she had mistakenly not liaised with OVW regarding this. Cllr B Rothero spoke and told Members he had received direct advice from OVW stating that the item does not need to be returned to the agenda. Members asked the Clerk if she could verify this.

4297 – Cllr S Thomas advised that he believes that the Clerk should not have removed Standing Order 25B without it being returned to Full Council. Cllr A Phelan disagreed, stating that Standing Order 25B was advised to not be legally enforceable, so would therefore not need to be brought back to Council to remove. There was some dispute on the matter. The Clerk had been asked to confirm this advice with OVW.

4321 - Cllr S Thomas does not feel that the comment “lack of support/guidance in organizing 4 separate events” is a fair comment. Cllr Thomas addressed the Clerk and asked for explanation of the comment, while also advising that the Christmas Working Group had provided the Clerk lists of jobs that required completion for the events. The Clerk agreed that lists had been provided and that every job asked of her had been completed, however, at the time of this meeting and comment being made, there had been several weeks since any further instruction on events had been received or confirmed and that there were only 3 weeks remaining until the advertised date of the events, with much still to accomplish. Cllr Thomas disagrees that the Clerk completed the jobs given to her.

96/23 – Cllr Hay advised that as the parts for fixing the gate in the Play Park are required, this would not need a committee meeting to confirm as this is an obligation of NTC due to the advisory on the inspection report.

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4333 – TO AGREE A RESOLUTION ON MEMBERS OBTAINING AN ENHANCED DBS CERTIFICATE WHEN SUITABLE AND ON REQUEST

Cllr A Phelan opened the discussion by saying that as it had been advised that obtaining an Enhanced DBS certificate for Members was not enforceable by law, so could not be added to Standing Orders, but as all Members had agreed that this was a good practice, he would instead like to propose that we make a resolution to encourage Members to obtain an Enhanced DBS certificate upon requirement and request and that all costs, if any, would be borne by Council. There was further discussion between Members surrounding the complexity of the DBS certificates and that they are non-transferable and specific to related requirements. i.e. If a certificate was obtained for working with young people, it would not be transferable to work with vulnerable adults. Cllr A Phelan mentioned that he believed that as Members were volunteers, there would not be a charge for obtaining any certificates required. This is to be confirmed by the Clerk.

Proposal: To resolve to encourage Members to obtain an Enhanced DBS certificate upon requirement and request and that any costs for obtaining the relevant certificate would be borne by Council.

Proposed: Cllr A Phelan

Seconded: Cllr B Rothero

8 in favour, 1 against.

RESOLVED: TO ENCOURAGE MEMBERS TO OBTAIN AN ENHANCED DBS CERTIFICATE UPON REQUIREMENT AND REQUEST AND FOR ALL COSTS RELATED TO THE RELEVANT CERTIFICATE TO BE BORNE BY COUNCIL

4334 – TO RECEIVE A REPORT FROM THE FINANCE COMMITTEE AND TO FURTHER DISCUSS THE BUDGET FOR 2024-25

Members had been circulated a document showing the budget figures for 2023-24, the initial estimated budget figures for 2024-25 and a revised estimated budget for 2024-25 following the Finance Committee meeting on 21st November 2023. Discussions followed the subitems listed on the agenda.

a) Clerk's Pay Rise

The Clerk advised Members on the NALC pay rise agreement for point 23 on the pay scale, of which she was subject to under her contract. The Clerk provided overall figures and actual figures, pro-rata. The Clerk also advised Members of the back dated amount owed from August 2023-December 2023.

Proposal: To accept and confirm the Clerk's pay rise, as dictated by the NALC pay rise agreement.

Proposed: Cllr A Thomas

Seconded: Cllr A Phelan

All in favour.

RESOLVED: CLERK'S PAYRISE FOR 2023-24 TO BE ACCEPTED AND IMPLEMENTED.

b) The Clerk to obtain a mobile phone for NTC and cancel the landline

The Clerk advised Members that during the Finance Meeting, the potential of the Clerk obtain a work mobile phone contract for NTC, due to the Clerk working hybrid between the office and home, may be more beneficial than continuing with the landline. During the meeting, the Clerk was asked to confirm if NTC are contractually obliged to keep the landline in accordance with the contract with the CIC. The Clerk advised she had liaised with the CIC over this, but this was awaiting further confirmation. The Clerk also told Members that the CIC were at present also looking to reduce the costings of the internet and telephone by researching alternative providers, but that this was still in the early stages, so further communication will be required for a definitive answer. Cllr A Phelan advised that he felt it would be a good idea for the Clerk to obtain a mobile phone for NTC, regardless of whether we were contractually obliged to continue with the landline. It was agreed that more information would need to be gathered before a decision was confirmed.

c) Additional Member's allowance of £52 per annum

In accordance with the Independent Remuneration Panel for Wales, mandatory payments for Members are set at £156 per annum for costs incurred for working from home. Additionally, there is a requirement to set either a mandatory payment of £52 per member per annum for consumable costs, or alternatively, it is a matter for Council to record a policy decision to enable Members full reimbursement for the cost of their office consumables whilst undertaking CTC work from home. Members discussed whether the additional £52 should become a mandatory payment for each Member, or whether it would be more beneficial and appropriate to reimburse members for consumables when a receipt is presented. There was a difference of opinion on the matter, with a resolution not presently being agreed upon.

d) Funding for the Public Toilets at the Marina

Members had been presented with an approximation of costs from PCC for the annual running costs of the public toilets, which surmounted to approx. £10,000 per annum. There was a discussion between Members on the financial feasibility of bearing the cost of running the public toilets as this would consume a substantial portion of NTC's annual budget. There was a suggestion of implementing a "Pay to Use" system to recoup running costs. The Clerk was asked to look into costs of implementing such a system.

It was agreed by all Members that an EGM should be called to discuss and finalise the budget and precept request for 2024-25, as further information was required for an informed decision to be made.

The date of the Extraordinary Meeting of Full Council to further discuss and finalise the budget and precept request for 2024-25 was set for Tuesday 16th January 6.00pm at Neyland Community Hub.

4335 – A DISCUSSION ON MOVING THE BATTERY OPERATED SPEED SIGN TO THE HIGH STREET DUE TO COMPLAINTS OF SPEEDING CARS AND/OR PURCHASING AN ADDITIONAL SPEED SIGN

Cllr M Harry addressed Members with his concerns over not only witnessing, but receiving multiple complaints from members of the public regarding the speed of which cars are travelling through High Street in Neyland. The Clerk also added that she had received complaints of the same nature, asking Council for support. Cllr Harry advised that the speed sign currently situated on The Promenade was

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battery operated and therefore, could be moved to the High Street, as the High Street seems to be more problematic for speeding than The Promenade, or alternatively, could NTC purchase an additional speed sign to be placed in the High Street. Cllr Harry advised that he believes the signs to cost approximately £3,500. There was further discussion between Council surrounding the concerns of speeding vehicles throughout Neyland and if there were any other traffic calming measures we could look to implement. Cllr B Rothero raised a suggestion of looking at having a similar measure as seen in Waterston and Milford Haven, whereby there is a large, noticeable red road marking advertising the 20mph speed limit. All Members agreed that this was an issue that needs to be addressed and the Clerk was asked to gather further information.

Action: The Clerk to find costings for a battery operated speed sign.

Action: The Clerk to contact PCC and enquire about road markings advertising the 20mph speed limit.

4336 – A DISCUSSION TO QUERY WHY THE HAVERFORDWEST TO TENBY (349) BUS SERVICE HAS BEEN SIGNIFICANTLY CUT

Cllr M Harry advised he had been approached by members of the public with concerns over the significant cut in bus service 349, Haverfordwest-Tenby. The bus company has decreased the frequency of the service from every hour to every two hours and has completely cut out the final two hours of service. Cllr Harry raised the concern that members of public who rely on this service to attend Withybush Hospital during visiting hours no longer have this service available to them. Cllr A Phelan had also received complaints from the public. The Clerk was asked to write to the bus company outlining concerns.

Action: The Clerk to write to the bus company for clarification and to outline concerns with the reduction of service.

4337 – AN UPDATE ON CHRISTMAS EVENTS AND A DISCUSSION ON ANY RECOMMENDATIONS FOR THE CONTINUATION OF EVENTS NEXT YEAR

As the Christmas Working Group had not yet met to discuss the outcome of the Christmas Events, this item was deferred until the next meeting.

4338 – A DISCUSSION ON ARRANGEMENTS FOR THE 80TH ANNIVERSARY OF D-DAY (06.06.2024) AND TO ORGANISE A WORKING GROUP FOR THE EVENT

Members had been circulated a 'D-Day 80th Anniversary Guide'. All Members agreed this was an important date and should be acknowledged with some form of community celebration. There was discussion between Members on the potential celebrations NTC could put on/support within our community. The formation of a Working Group to discuss this further was agreed. Members of the Working Group are confirmed as follows:

Cllr's D Devauden, A Thomas, S Thomas, A Phelan, A Richards.

C. Cllr Simon Hancock, who attended the meeting via livestream, also advised he would like to be a part of the Working group for D-Day. This was welcomed gratefully by all members.

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4339 – A PROPOSAL ON THE MATTER OF EMAIL VOTING IN URGENT SITUATIONS

This item has been brought to the agenda by Cllr S Thomas due to situation arising during December 2023, whereby, as the meeting of December did not go ahead due to various reasons, decisions regarding payments and the granting of plenary powers of spend and decision needed to be addressed. The Clerk has looked into this matter and advice received is that any voting undertaken via email is not lawful and would need to be brought back to Full Council for ratification in a public meeting. It was noted that the Clerk and the Chair hold the authority to call an EGM within 24 hours in an emergency situation. With the understanding that some situations are unavoidable, and a decision may be urgent, and in the case that an EGM cannot be called for circumstances beyond control, the following was proposed for the Council to adopt as a policy:

Proposal: In the event of urgent matters needing to be dealt with, in the form of payments or decisions to be made, and in the event that for circumstances beyond control an EGM cannot be called, the Clerk may circulate an email fully detailing the decision in question to all Members, marked as urgent. Members henceforth have 48 hours to respond to the email with their vote on the matter, with email responses being “reply all”, to ensure all Members can clearly see the vote of others, as would be appropriate in a face to face meeting. If 48 hours has passed with no response from a Member, their vote will be considered as an abstention to the vote. Any decision must hold a quorate vote from Council in order to proceed. All decisions determined via this manner must be brought back to Full Council at the next scheduled meeting for ratification in a public meeting.

Proposed: Cllr S Thomas

Seconded: Cllr B Rothero

8 in favour, 1 against

RESOLVED: TO BRING THE ABOVE PROPOSAL TO THE NEXT FULL COUNCIL MEETING OF 5TH FEBRUARY 2024 FOR APPROVAL OF ADOPTION INTO COUNCIL POLICY

Cllr S Thomas asked the Clerk to add the ratification of the plenary powers of spend granted via email voting for the Community Cohesion Fund to the agenda for February.

4340 – ONLINE ATTENDANCE TO COUNCIL MEETINGS LEGISLATION

Cllr Rothero has brought this to the agenda for discussion following concerns that legislation states non-attendance to Council meetings for a consecutive six months surmounts to automatic dismissal, however, he raised a concern that if Members had attempted to join a Council meeting via livestream, but that the livestream had failed, non-attendance would therefore not be a Members fault and would they still be subject to the legislative rule. The Clerk advised she had sought advice from OVW regarding the matter and advice given is that if a Member has attempted to join but could not through the fault of the Council’s inability to provide an adequate livestream, it is highly unlikely a Member could be held accountable for non-attendance. There was a brief discussion on the matter between Members, where it was discussed that Standing Orders be amended to reflect the above advice.

Action: Clerk to bring a provisional amendment to Standing Orders to the next meeting, scheduled for 5th February for discussion.

4341 – TO ORGANISE A WORKING GROUP FOR THE MAYORS CIVIC SERVICE

Cllr B Rothero advised Member's that he intended to organise a Mayor's Civic Service for April 2024. Cllr M Harry raised his concern that whilst not cast in stone, Mayor Making Ceremonies are traditionally held upon the Mayor taking office, around June/July time and not towards the end of the tenure in April, where re-elections are due in May. He also raised his concerns over the current financial position and asked if NTC really needed to spend on a Civic Service. Cllr Rothero replied that as there was a budget for the Civic Service, he intended to use it. Cllr Rothero asked Members if anyone would like to volunteer to be a part of the Working Group for the Civic Service. The following Member's volunteered to be part of the group:

Cllr's Devauden, S Thomas, A Thomas, A Richards, S Campodonic, B Rothero.

4342 – THE FORMATION OF A HR/STAFFING COMMITTEE

Cllr Rothero advised he would move this item to the end of the meeting, as he believes it should be held in a closed setting without members of the public present.

4343 – COUNCILLOR VACANCY FOR NEYLAND WEST

Cllr Rothero raised the discussion that there was currently a vacancy on the Council for Neyland West and that we should begin the process of pursuing another member for appointment. There was discussion between Members surrounding the process of advertising for and appointing a new Member to fill the vacancy. The Clerk was asked to clarify the correct procedure with PCC before this commenced.

Action: Clerk to clarify and begin the process of appointing a new Member for Neyland West.

4344 – OUTSTANDING MATTERS

- 1. Kensington Road Speed Issues** – The Clerk advised she had further attempted to contact PCC for an update on this matter on her return to work after the Christmas break on 3rd January. She had received an 'out of office' automated email response that the Traffic Team at PCC would not be back in work until 8th January, so there was currently no further update.
- 2. Public Toilets** – This matter had been discussed during item 7d and would be further discussed at the EGM scheduled for 16th January 2024.
- 3. Speed Limit on A477** – The Clerk advised she had had no further updates on the matter from PCC. The Clerk was asked to confirm and follow up with PCC that the C. Cllr's had been contacted further regarding this issue.
- 4. 20mph Speed Limit Exemption** – The Clerk referred Members to the response she had circulated which was received from PCC. The response clearly outlined that PCC policy allows for a 12 month 'bedding in' period after the implementation of new road traffic measures before they will assess and alteration request. The Clerk also referred Members to the information she had circulated about the Community Speed Watch Initiative and advised that due to an increase in concerns over speeding throughout Neyland, this may be something we could advertise and support within the community. The Clerk was asked to look further into requirements.

5. **HHVC School Transport** – Whilst a response had been received from PCC regarding the issue, Members felt that the response was not very good and feel that we should further complain about the situation. Cllr Rothero advised that he had been made aware that for the next Year 7 intake at HHVC in September 2024, there had been a further approx. 25 children enrolled to start at HHVC school, which would bring the number of children requiring transportation to approx. 50. It was agreed by all Members that with more children attending it would absolutely be reasonable for PCC to look at implementing a bus service for transportation. The Clerk was asked to write to PCC further outlining the situation.
6. **Hywel Dda Dental Provision** – The Clerk had circulated the response received from Hywel Dda regarding the request for information on the current situation of NHS Dental provision in Pembrokeshire. Cllr M Harry raised that he felt that the response was pretty dismal and there was no clear explanation of what Hywel Dda were planning to do to improve the situation. The Clerk was asked to further write to Hywel Dda with the concerns that the response was completely unsatisfactory, and we would like a factual response on what is intended to be done to improve the situation, along with clarification of a full list of NHS Dental Practices for Pembrokeshire.

4345 – PAYMENTS TO BE APPROVED AND A FINANCIAL UPDATE

Members had been presented with the following updates of the bank accounts:

November

Current Account:	£42,269.35
Mayor's Fund:	£290.34
Earmarked Reserves:	£19,000.00
General Reserves:	£9,054.26

Total in Accounts: £70,613.95

The list of income for November 2023 totaled £4,326.51 (inclusive of a £1,500 grant for Community Cohesion and receipt of donations from the Fireworks Display of £2,418.97, with the remaining income generated from Christmas Events).

The list of expenditure for November 2023 totaled £9,661.98 Gross, £8,696.11 Net.

December

Current Account:	£64,751.23
Mayor's Fund:	£290.34
Earmarked reserves:	£19,000.00
General reserves:	£9,085.79

Total in Accounts: £93,127.36

The list of income for December 2023 totaled £36,114.52 (inclusive of £33,839 precept payment, £1,000 donation from Valero Energy, £1,000 donation from Egnedol UK and the remaining income generated from Christmas Events).

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The list of expenditure for December 2023 totaled £12,433.97 Gross, £12,247.42 Net.

Members had been presented with a list of payments for approval totaling £5,516.29 Gross, £5,360.16 Net.

Proposal: To authorise the list of payments for approval

Proposed: Cllr D Devauden

Seconded: Cllr S Campodonic

All in favour

RESOLVED: TO AUTHORISE ALL PAYMENTS ON THE LIST OF PAYMENTS FOR APPROVAL

Cllr M Harry queried with all Members regarding the whereabouts of the remaining selection boxes left over from the Santa's Grotto. The Clerk had previously queried this with Cllr Harry during a visit to her office and had asked him if he had obtained them over the festive period, or if he knew what had happened to them, as they had been locked in her office before she left for the Christmas break. Cllr S Thomas responded that he had taken the chocolate selection boxes to the Christmas meal provided by Cllr Rothero at the Foresters Bar & Bistro on Christmas day and that the Haribo selection boxes had been left in the Clerk's office to be given to the food bank at Bethesda. Cllr Thomas explained that as the December meeting was cancelled, a discussion surrounding the remaining selection boxes had not been had, but that he had consulted with the Christmas Working Group on the decision.

4346 – CLERK'S REPORT

Planning Committee Meeting

The Clerk advised that a Planning Application had been received, so a Planning Committee Meeting will be required imminently, The Clerk asked Members for clarification of who was currently part of the Planning Committee:

Cllrs A Phelan, Richards, Hay, Radice and S Thomas confirmed that they were on the Planning Committee.

Environmental and Leisure Committee Meeting

The Clerk advised that an Environmental and Leisure Committee meeting will be required ASAP to discuss the most up to date inspection reports for both the Play Park and Skate Park. The Clerk asked Members for clarification of who was currently part of the Environmental and Leisure Committee:

Cllr's Hay, Rothero, Devauden and E Phelan confirmed that they were on the Environmental and Leisure Committee.

Town Improvements Committee

The Clerk advised that two applications for the Town Improvements Grant had been received, so a meeting of the Committee will need to be organised ASAP. The Clerk asked Members for clarification of who was part of the Town Improvements Committee.

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Cllr's A Phelan, Harry, Hay, Rothero, S Thomas and E Phelan confirmed that they were on the Town Improvements Committee.

Annual Leave

The Clerk advised Members that she has annual leave scheduled for between 12th February and 16th February for a family holiday, and that this was pre-advised before commencing her employment.

Cllr S Thomas addressed the Clerk and raised a concern he had over the figures depicted for the Fireworks Display in her previous report. Cllr Thomas feels that the VAT element, consisting of £400, should also be shown in the figures. Cllr Thomas also feels that he believes the agreement with the CIC, whereby they agreed to reimburse NTC 50/50 for any losses incurred for the Fireworks Event, should only be based on donations received at the gate and not the overall income which includes the donation received from the rides and catering company. Members advised Cllr Thomas that as all VAT is paid back to NTC at the end of the financial year in the tax return, costs to Council are always worked out at Net value. The same is for all businesses. Cllr Thomas disagreed with this and claimed he believes the full cost to NTC should be shown as the gross value of £2,400. There was further discussion between Members, advising Cllr Thomas that this was not the way costs were worked out as Council are fully reimbursed for all VAT elements of purchases and that VAT is a cashflow issue, not a cost, however, Cllr Thomas would not accept this advice. Cllr Thomas continued with his perspective that the CIC agreement should only have been based on donations received on the gate. He provided the Clerk with a copy of an email she had sent to the CIC prior to the Fireworks display, shown in minute 4285, and further advised on his perception of the agreement. Members discussed with Cllr Thomas that his impression of the agreement had not been one that had ever been historically implemented and overall income of the event was always taken into account. Cllr Thomas asked the Clerk to liaise with The Hub and further consider his perceived understanding of the agreement. The Clerk agreed she would look into this further.

4347 – MAYOR'S UPDATE

The Mayor advised he had no further updates.

4348 – DEPUTY MAYOR'S UPDATE

The Deputy Mayor advised he had no further updates.

4349 – EXCHANGE OF INFORMATION AT THE DISCRETION OF THE MAYOR

Cllr Hay advised that the Town Clock was not working. He advised that we need to write to the Men's Shed and ask them if they are able to repair this for us and if not, could they confirm what we would need to do to repair this ourselves.

Action: Clerk to write to the Men's Shed regarding the fixing of the Town Clock

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Cllr A Phelan asked the Clerk if she was aware if NTC were up to date with submitting accounts to Audit Wales. The Clerk advised that she was unsure, due to her employment commencing after the date accounts should have been submitted, but that she would follow up with Audit Wales and add this to the agenda for the EGM. The Clerk advised she would also take advice from Bernie Scourfield, internal auditor.

4350 – DATE OF THE NEXT MEETING

The date of the next meeting was set for 05th February 2024, 7.00pm and Neyland Community Hub.

Cllr B Rothero addressed the member of public in attendance and C. Cllr Simon Hancock, who was still in attendance via livestream and thanked them for their attendance but advised that as the following discussion to take place was of a sensitive nature, it would be discussed in a closed setting.

4351 – THE FORMATION OF A HR/STAFFING COMMITTEE

This item on the agenda had replaced the former item 15 requested by Cllr B Rothero which read “Clerk’s Appraisal and extension of probationary period”. Cllr Rothero advised he had brought this to the agenda as the Clerk’s appraisal was outstanding. Members raised concerns, which were addressed to Cllrs Rothero, S Thomas and Devauden, regarding their conduct and behaviour that had been displayed towards the Clerk, along with concerns over the conduct and understanding of their roles as Councillor and Chairman. Cllrs Rothero, S Thomas and Devauden refuted and challenged the concerns which were raised. A robust debate ensued between Members regarding the issues that were raised.

The meeting closed at 8.32pm

Signed:..... (The Chair)

Signed:..... (Town Clerk/Proper Officer)

Date:.....