

KERRY COMMUNITY COUNCIL ORDINARY MEETING AGENDA NOTES & PACK
Cyngor Cymuned CERI /KERRY Community Council – Serving the villages of Kerry, Sarn and Dolfor
 Clerk: Ria Roberts, Oak Cottage, Sarn. SY16 4HG. Phone: 01686 671275

Ria Roberts – 24th January 2024

Email: clerk@kerrycommunitycouncil.gov.uk

PUBLIC AGENDA NOTES & PACK – COUNCIL ORDINARY BUSINESS MEETING to be held on Wednesday 31st January 2024 - 19.30, Kerry Village Hall

In accordance with the Public Bodies (Admission to Meeting) Act 1960 Section 1, extended by Local Government Act 1972 Section 100, the meeting is open to the public to attend as observers except where excluded (during the whole or part of the proceedings) by resolution of the Community Council by reason of the confidential nature of the nature of the business to be transacted.

1.	Welcome by Chair, Attendance, Apologies for Absence and Remote Meeting Etiquette
	Summons Issued to: Cllr. D. Jones (Sarn), Cllr. C. Seal. (Kerry), Cllr. R. Gardner (Dolfor), Cllr G. Evans (Kerry), Cllr D. Lush (Kerry), Cllr P Jenkins (Kerry), Cllr S Holloway (Kerry), Cllr I. Jones (Dolfor), Cllr V Wildish (Kerry), Cllr. B. Pryce (Sarn), Cllr M. Morgan (Sarn), Cllr L Powell (Kerry), Cllr S Robertson (Kerry) Apologies received: Cllr S Holloway (Kerry) County Councillors invitations: PCC Cllr B Breeze & Cllr K Lewis Councillors to sign attendance register
2.	Declaration of Interest of any items on the agenda
	To receive declarations of interest from Members in accordance with Part III of the Local Government Act 2000, which established the Local Government Code of Conduct for Members, and to note Members' dispensations. Members are asked to submit any declaration forms to the Clerk either prior to the meeting or at the meeting.
3.	Confirm, Approve & Sign Minutes of Ordinary Meeting held 29th November 2023, Grant Sub-Committee Meeting 29th November 2023 & Additional Planning Meeting 10th January 2024.
	Minutes provided with Agenda Pack & Circulated to Cllrs via email. Minutes to be formatted & signed in accordance with LGA 1972, Schedule 12, para 41.
4.	Matters Arising
a.	Cllr Training Requests - Council to review & approve.
	<u>Clerk Training</u> <ul style="list-style-type: none"> • Agendas, Summons & Minutes Feb 15, 2024, 12:00 PM Virtual Scribe (Free) • Navigating the Path to a Successful Internal Audit Feb 19, 2024, 01:00 PM Virtual Scribe (Free) • SLCC Internal Audit Introductory Course 25 January 2024 Virtual (Free) Councillors to advise any training requests.
b.	Proposed 20 MPH Speed Limit in Kerry (A489) – Public Consultation – PCC Cllr B Breeze to report to Council.
	PCC Cllr B Breeze has put forward a recommendation, supported by highways, for a proposed 20 MPH speed limit in Kerry (A489). The decision to hold a public consultation will be made on Monday 22 nd January by Cabinet member for Highways coming into force 5 days later – 29 th January 2024.
c.	Status of Playground Lease – Kerry Recreation Playground – Council to resolve actions to be taken.
	Clerk circulated KCC Copy of the lease and associated minutes/ documentation 16 th January to Councillors. The Council's documentation is incomplete and the Clerk requests permission to liaise with PCC so that I can obtain a signed copy of the lease for our legal file and ascertain the status of lease payments. The lease agreement ends in 2030 and therefore the Council would have to extend the lease before applying for grant funding. In addition to undertaking any further resolutions decided by the Council related to this matter.
d.	Cemetery Rules/ Loose Headstone update – Council to review & approve rules. Clerk to advise loose headstone status.
	<ul style="list-style-type: none"> • Clerk circulated existing Cemetery rules, which require review and updating, if appropriate.

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	<ul style="list-style-type: none"> • Cllr S Holloway has raised the issue of dogs not being on a lead in the cemetery and requested that appropriate signs are in place at the cemetery. • R George Headstone - Relatives made contact and will be arranging maintenance. • Cemetery hedge that was overgrown and covering a headstone was cut back by contractor.
e.	Remote/ Hybrid Meeting Process Review – Clerk to update Council & Council to resolve actions to be taken.
	Clerk reviewed equipment options however both a microphone & speakers are required for hybrid meetings together with a separate laptop/ monitor for managing remote attendees. Costs for a microphone/ speaker – omni-directional price range from £120.00 to £1000.00 plus.
f.	Internal Auditor reappointment – Council to resolve to reappoint Internal Auditor for FYE 31 st March 2024.
	Clerk confirmed with LRS Auditing – Mr L Stephens that he is prepared to complete our internal audit for FYE 31/03/2024. There is an increase in the hourly rate from £22.00 to £23.00. Last year’s invoice was for £110.00 (5 hours) therefore it is anticipated that this year’s costs would be approximately £115.00.
g.	Area reports outstanding – Clerk/ Councillors to provide updates on outstanding matters.
	<ul style="list-style-type: none"> • TPO Application Ref: 23/1913/TPO Proposal: Works to trees subject to Tree Preservation Orders. Location: Dolforgan Park has been approved by PCC and Clerk has arranged with contractor (as agreed 29th November) to commence the maintenance works on 29th January, subject to weather conditions, and contractor has supplied PL & RAMS for Council records. Quote for tree works - £1850.00 + VAT. • Gilfach Lane landslip (no 9934-5969-7645-5389) – issue is still active and under investigation – PCC Cllr B Breeze to update. • Kerry bin location report submitted to PCC. Missing lamp post mounted bin at the junction of Fairfield Rd PCC informed will not be replaced. Action with PCC Cllr Breeze for reinstatement. Cllr Breeze to update. • Dolfor Bin prospective location - Dog waste - "identified an alternative location by the church in Dolfor which is where we get the most issues regarding dog fouling, if this would be agreeable to the Community Council". email from PCC K Lewis 6th December 2023. Dolfor Councillors to advise Council if they would like to proceed. • Cllr D Lush has refurbished the old playground bench – Council to advise siting of bench – deferred from 29/11/2023. • Sarn Road Noise – loose/ raised ironworks and red road markings - PCC Report 5045-0570-5206-6140 - December2023. Complaint received from Sarn Resident regarding excessive road noise. Issue raised with Cllr S Robertson and reported to Clerk to raise with PCC. PCC are dealing with the ironworks. Cllr Robertson to report to Council. • Fallen Tree - Kerry Recreation Adventure Playground - Cllr S Holloway/ Cllr V Wildish - no damage to equipment and fallen tree dealt with. • Kerry Bin - adjacent to St Michael's School Playing Field - Clerk reported to PCC Waste Awareness who will chase. • RoSPA Report costs – Playsafety Ltd quoted £196.00 + VAT for the 2 playgrounds. PCC will circulate their charges in April. • Area reports allocated to Clerk 29th November – actioned.
h.	IRPW – Basic Councillor Payment - £156.00 – Clerk to provide “Opt out” forms for councillors.
	Remaining Councillors wishing to opt out of basic payment to complete opt out forms before 14 th February 2024. Forms available from Clerk at meeting or via email. (6 forms received to date).
i	Tenders for Council contracts – Council to review tender evaluations and to resolve to award contracts.
	<p>Tenders received at closing date 20th January 2024 – Tenders opened after closing and circulated to Councillors.</p> <p>Toilet Cleaning/ Maintenance Contractor – 1 tender submission (existing contractor) - £3650.00 – Zero VAT – PL/ RAMS to be clarified.</p> <p>Cemetery Maintenance Contractor – 1 tender submission (existing contractor) - £9,140.00 +VAT – 2 years</p> <p>Grass Cutting Kerry – 3 tender submissions - Tender price range from £4350.00 to £5180.00 + VAT – 2 years.</p> <p>Note (Ex VAT): Grass Cutting previous contract £2,400.00 (2 years) & Cemetery Maintenance £7,200.00 (2 years).</p>

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	<p>Tender Evaluation sheets provided to Councillors for completion and return to Clerk, as set out in the Tender specification.</p> <p>Tender submissions can be deemed commercially sensitive and therefore are not included in the Public Agenda pack.</p> <p>Tenders were advertised in County Times (in print & digitally), on KCC Website, KCC Noticeboards and KCC Facebook from 19th December 2023.</p>
j.	<p>Freedom of Information request – Council to resolve response.</p> <p>FOI request received (name supplied) requesting the following information. “Please provide details of any meetings between the council (and members of) and representatives of CPRW (the Campaign for the Protection of Rural Wales) since January 1st, 2023. Please disclose.</p> <ul style="list-style-type: none"> • Date of meeting • Attendees of meeting • Reason for meeting • Any minutes or notes taken.” <p>Note: In accordance with legislation the Freedom of Information Act 2000 allows any person to request recorded information held by the council and to be told, normally within 20 working days, whether the council holds the information.</p> <p>If the council holds the information, the Act requires the council to supply copies of it to the requester or to explain why it is exempt from disclosure.</p> <p>The council is allowed to charge for the cost of photocopying documents and postage but not for the staff time spent answering the request.</p> <p>The council is not required to provide information if answering the request would cost over £450, equivalent to 18 hours of work, so it may be necessary to refine requests to fall within these limits.</p> <p>The request was received on the 18th of January and therefore the 20 working days are applicable from this date.</p> <p>Clerk does not have any records of meetings meeting the above-mentioned criteria and Councillors to confirm and/or provide information related to any meetings that could fall within the criteria.</p>
k.	<p>One Voice Wales Meeting 16 April 2024 – Cllr V Wildish requesting funding for refreshments for meeting. Council to resolve to review/approve.</p> <p>Cllr V Wildish to provide estimate of costs.</p>
l.	<p>Kerry Football Club Status & amendment of lease – Council to review and resolve actions to be taken.</p> <p>KFC has corresponded with the Council (8th January) as follows: “At present the Community Council kindly leases the ground to the football club in our current guise. Would the Community Council have any issues transferring the current lease from the football club Committee to a Limited company.”</p> <p>KFC requests a letter confirming that KCC has no objection/ issues with the change in legal status of the club. The correspondence and associated documents were circulated to Councillors via email 8th January.</p> <p>Clerk recommends that the Council takes legal advice regarding this issue with costs to be borne by the lessee as the lease will need to be amended/ extended.</p>
5.	<p>Amenities Report from Amenities Committee – including Playground Maintenance</p> <p>Amenities Committee Meeting – 10th January 2024. Report to Council from Amenities Committee.</p>
6.	<p>KCC Website Analytics/Facebook</p> <p>Website analytics – Since 21st December to date – 352 page views of which 97 were new users. 185 sessions & 106 users.</p>
7.	<p>Biodiversity Report</p> <p>Cllr Morgan to update regarding the re-siting of the willow tree (Kerry Cemetery). Cllr M Morgan to update B/f from 29/11/23.</p>

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8.	Visits & Meeting attended
	OVW Meeting 15th January 2024 - Remote - Cllr V Wildish – Meeting summary attached. VMRC Meeting 15th January 2024 - Cllr C Seal/ Cllr G Evans – Meeting summary attached.
9.	PCC Cllrs Report
	No additional reports submitted other than detailed elsewhere in the agenda documents.
10.	Correspondence Incoming & Outgoing
	<u>Incoming via Email:</u> OVW - Local Government Finance (Wales) Bill - responses by 15th January 2024 - circulated to Council. OVW Cost of Living Crisis Survey - response by 19th January – Clerk completed as instructed by OVW. PCC, Town and Community Council Minutes 22nd November - circulated to Council. PCC - Powys Replacement Local Development Plan (LDP) – Key Issues, Objectives and Vision - comments must be received by 5pm Sunday 28th January 2024 - circulated to Council. Welsh Air Ambulance EMRTS Cymru stake holder update 15th January 2024 - circulated to Council. <u>Outgoing</u> Letter of condolence - Jill Kibble S137 Grant Awards - applicants advised by email
11.	Planning Applications Received
	Council to resolve responses to consultations (full application(s) detail(s) at http://pa.powys.gov.uk/online-applications/?lang=EN) including but not limited to those listed below. Late applications may be considered at the discretion of the Chair. None received by 24 th January 2024
11.1	Planning Correspondence
	Application Ref: 23/1913/TPO Proposal: Works to trees subject to Tree Preservation Orders. Location: Dolforgan Park, Kerry, Newtown SY16 4DE. Application was submitted by Kerry Community Council. Application approved 16 th January. Advised by email.
11.2	PCC Planning Meeting - PA 23/0630/FUL Brynllwarch Hall School – PCC Planning, Taxi Licensing & Rights of Way Committee - 11th January 2024 – Attending Councillors to report to Council.
12.	Finances - Payments & Receipts report. Council to review & approve report.
	<ul style="list-style-type: none"> • Bank Balance as at 31st December 2023 – CA <u>£40,512.64</u> MM <u>£5,000.00</u> • See Appendix A for detailed Payments & Receipts from 21st November 2023 to 22nd January 2024 • Bank Reconciliation to 31st December 2023 be approved/ signed by Chair/ Clerk • Expenses to be authorised by Chair. • Q3 VAT reclaimed & received £12,498.25. • Precept 24/25 for £33,871.00 submitted to PCC – 02/01/2024 • VMRC Subscription 2024/25 - £250.00 to be approved by Council. • Finance & Governance meeting to be scheduled w/c 12th February
13.	Area Reports – January 24
	Cllrs to advise area issues. Note: any issues that require Council to resolve, approve or comment on will be added to the agenda for the next ordinary meeting to allow Cllrs the opportunity to review the issue and to be tabled on the agenda.
14.	Items arising for next meeting – February 24
	Cllrs to advise items for next meeting
15.	Confidential Session
	Resolution to Exclude the Public and Press: Under the Public Bodies (Admission to Meetings) Act 1960 (2) to resolve members of the public and press be requested to leave the meeting by reason of the confidential nature of the business about to be transacted. Reason to be specified. Confidential Correspondence [confidential reason i.e., data protection of individuals]: to receive, and resolve if desired, such other business or correspondence of a confidential nature as will be brought to the attention of the council by the Clerk.
	<ul style="list-style-type: none"> • Clerk contract updated regarding pension provision. (Exclusion – Staffing matters/ Data Protection) • Staff Appraisals - Clerk/ Playground Caretaker.

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Appendix A

Payments		
Date	Description	Amount
26-Nov-23	BANK CHARGES TO 04NOV2023	-£ 5.80
29-Nov-23	Clerk Salary November	-£ 774.70
29-Nov-23	Playground Caretaker Salary November	-£ 56.63
30-Nov-23	EDF ENERGY DD	-£ 71.00
01-Dec-23	Toilet Cleaning/ Maintenance Contract	-£ 304.40
04-Dec-23	Andrew Mills Inv 2130	-£ 300.00
05-Dec-23	Ray Parry Playgrounds Chq 200440	-£ 54,000.00
07-Dec-23	G.D.Davies Inv 1807	-£ 120.00
18-Dec-23	Border Janitorial Inv 224263	-£ 108.78
18-Dec-23	Bridgen Contracting Inv 1347 6 of 6	-£ 960.00
18-Dec-23	Playsafety Limited Inv 76175	-£ 302.40
18-Dec-23	Starboard Systems Inv 4738 (Scribe)	-£ 417.60
20-Dec-23	Newsquest WAR2909224	-£ 140.35
22-Dec-23	Russell Francis Haulage Inv 4115	-£ 5,544.00
26-Dec-23	BANK CHARGES TO 04DEC2023	-£ 6.20
29-Dec-23	Clerk Salary December	-£ 794.10
29-Dec-23	Playground Caretaker Salary December	-£ 56.63
02-Jan-24	SLCC ENTERPRISES LBK213919-1	-£ 36.00
02-Jan-24	One Voice Wales Inv 7642	-£ 38.00
02-Jan-24	Russell Francis Haulage Inv 4156	-£ 424.80
02-Jan-24	Audit Wales C00771 Inv 009946	-£ 200.00
02-Jan-24	Toilet Cleaning/ Maintenance Contract	-£ 304.40
12-Jan-24	Arthur J Gallagher19500263 529718391	-£ 70.27
12-Jan-24	POWYS C/TAX NDR 10021626 20174509	-£ 480.00
19-Jan-24	EDF ENERGY Bill	-£ 241.96
Receipts		
Date	Description	Amount
01-Dec-23	GROSS INTEREST TO 30NOV2023 MM Acc	£ 93.87
29-Dec-23	PRECEPT PAYMENT 3/3	£ 10,752.56
15-Jan-24	HMRC VTR	£ 12,498.25

End of Agenda Notes & Pack

Attached Meeting Summaries.

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Meetings Attended

Cllr. Wildish attended a meeting of One Voice Wales Montgomeryshire Committee via Zoom on 15 January 2024.

The invited speaker was Emma Palmer, PCC's recently appointed CEO. Ms Palmer outlined her three major priorities:-

No 1 – the structure of the Corporate Leadership Team and reported that there have been 70 applications for the roles advertised for the Team. The candidates will be interviewed over a 3-day period. Those shortlisted will go on to be interviewed in the presence of all 68 PCC councillors on the 24/25th January when the selections will be made.

No. 2 – A Sustainable Powys – this has become increasingly challenging. She will be presenting a draft paper to Cabinet tomorrow (16th Jan).

No. 3 – Partnership Working – in addition to working with the Health Board, PAVO and the Chief Fire Officer, she believes Town and Community Councils and Schools also need to be involved to ensure we are 'all heading in the same direction'. It is proposed to hold an engagement survey in February 2024

Ms Palmer concluded her presentation by answering questions posed by Town and Community Councillors in attendance.

The Meeting continued in accordance with the Agenda.

Matters discussed included –

An Update re the Wales Air Ambulance Service :

Reports from bodies on which OVW is represented including the National Executive Committee and Powys Public Service Board:

News and Reports of Good Practice from Councils:

OVW update (a) Cost of Living Project : (b) Training Programme : (c) Larger Councils Committee (d) Correspondence :

(Further details on these topics will be included in the Official Minutes a copy of which will be lodged with KCC's Clerk in due course.)

It was proposed by the Chair to invite representatives from non OVW member councils to attend a future meeting and this was unanimously supported.

The date of the next meeting is Tuesday 16th April 2024. Venue – Kerry Village Hall

VMRC meeting January 15th 2024 in Abermule Community Centre

Attended by Cllr. Carmen Seal and Cllr. Gareth Evans

Cllr. Robert Nash of Castle Caereinion attended the meeting to ascertain the possibility that many Community Councils would have more influence than individual Community Councils when it came to requesting particular actions by Powys County Council. Castle Caereinion Community Council have been frustrated during recent flooding in the village caused in part by blocked drains not being cleared in a timely manner. It was noted that Staffing issues, particularly in the Welshpool area, had played a large part in the lack of action and, that intervention by individual County Councilors would carry more weight than the voice of the VMRC.

The VMRC have agreed to try to combine the efforts of all member Councils regarding the attempts to impact biodiversity within our areas.

We intend to combine our ideas and methods of best practice and bring these to our next meeting which we hope will be attended by the biodiversity officer from Powys County Council and/or Rachel Carter of One Voice Wales.

It is hoped that we will be able to hold cross village events later in the year which will encourage local schools as well as individual members of the public to engage and participate in projects which will encourage biodiversity within our wards. This should assist all Community Councils in addressing our responsibilities to the "section 6 duty to maintain and enhance biodiversity".

We hope to encourage members of the public as well as local Councillors to attend the next meeting of the VMRC in order to encourage as many people as possible to get involved with our proposed events.

Abermule with Llandyssil CC are now in the process of applying for funding in order to replace the playground which currently remains closed due to the extortionate cost of repairs. The UK Government Gigabit Voucher scheme is now available in Berriew.

The next meeting will be held on April 8th, Venue to be confirmed.