

February 6, 2025

## Meeting

Members of the St Nicholas with Bonvilston Community Council are summoned to attend a meeting of the council. Those attending may do so remotely (link on our website) or by being physically present at the Field Study Centre, Amelia Trust Farm on **Tuesday 11<sup>th</sup> February 2025 at 7pm**. Members of the public are welcome, and encouraged to attend, and will have opportunity to address the council.

The meeting will be held in accordance with the Local Government and Elections (Wales) Act 2021. The Act makes permanent provision for remote meetings (multi-location) and electronic publication of documents. The meeting will be recorded to ensure the accuracy of the Minutes.

*Cllr Ian Perry* - Chair

## Agenda

- 1. Chair's welcome and introduction**
- 2. To accept apologies for absence**
- 3. To receive declarations of interest**
- 4. Police Matters**
- 5. Co-option of Member**
- 6. Vale of Glamorgan Council Matters**
  - a. X2 bus service
  - b. Litter bins
- 7. To approve Minutes**
  - a. Meeting of January 28
- 8. Review Warm up with a Cuppa**
- 9. Updates from other meetings attended**
- 10. Correspondence from organisations including One Voice Wales**
- 11. Clerks' activity report and updates on Community Council projects**
  - a. Memorial paving, picnic bench and living bollards
  - b. Accessible footpath gates
  - c. Warm Up with a Cuppa
  - d. Forces Fitness – Wednesday, April 23
  - e. Training completed and to do
  - f. VE80 – Thursday, May 8
  - g. Brass and tea on the Green, Bonvilston – Sunday, June 1
  - h. Community Day

**12. Discussion Forum – Matters not on the agenda**

**13. Planning decisions and updates**

**14. To consider planning matters**

- a. Pwll Sarn Farm, A48, St. Nicholas  
The proposed change of use of an existing redundant stone barn with an additional extension for the creation of a new 4 bedroom detached dwelling.  
Reconsultation.

**15. To consider**

- a. Request for ongoing funding for St Nicholas Church
- b. Request for financial assistance for new paving to St Nicholas Church
- c. March and April coffee mornings – ‘Warm Up with a Cuppa’
- d. S106 projects

**16. To consider financial matters**

- a. Payments received
- b. Payments to Approve

**17. Community Council Support Officer – Clerk and Responsible Financial Officer**

- a. To consider contract terms
- b. To consider pension scheme

**18. Next meeting**

Tuesday, February 25, 7pm.

Part ii – The public and press may be excluded from the meeting during consideration of sensitive item(s) in accordance with section 100A(4) of the Local Government Act, 1972, where necessary, by resolution of the Council.



## Supporting Documentation

### Chair's welcome and introduction

The Chair will confirm quorum.

St Nicholas with Bonvilston Community Council intends to provide a safe, friendly and productive place for friends, neighbours and all residents in our community to come together to be constructive, collaborative, to share ideas and problems and seek advice, support and/or actions for the benefit of our community and future generations. The Community Council has a duty to the health and well-being of all residents, including employees and members of the council.

Please raise your hand when you wish to speak and the Chair will bring you in at the appropriate time. Please do not participate in conversations whilst other are speaking. Please keep to the topic raised for discussion or consideration.

Section 48 of the Local Government and Elections (Wales) Act, 2021, makes provision for public participation at full community council meetings or those part of meetings which are open to the public. Whilst members of the public cannot participate in the debate, they may make representations. To speak, a members of the public must raise their hand and the Chair will grant permission when appropriate.

Members of the public may raise matters of concern to them in writing or verbally in the Discussion Forum at the meeting of February 11. This section of the meeting does not allow for formal decisions to be taken by the council.

### Police Matters

#### Incidents recorded:

03/01/2025 (A48 St Nicholas) – Report of a single vehicle Road Traffic Collision.  
Outcome: Vehicle recovered no further action.

24/01/2025 (St Nicholas) – Report of a road traffic collision.  
Outcome: Police attended no injuries, and vehicle recovered no further action.

27/01/2025 (St Nicholas) – Report of an abandoned vehicle causing an obstruction.  
Outcome: Police attended vehicle was not causing an obstruction, owner was contacted vehicle had broken down and recovery was in hand no further action.



## Training

### Forthcoming dates:

20/02/2025	Thursday	New Councillor Induction	6.30-8.00pm
05/03/2025	Wednesday	New Councillor Induction	6.30-8.00pm
18/03/2025	Tuesday	The Council - Module 1	6.30-8.00pm
27/03/2025	Thursday	The Council - Module 1	6.30-8.00pm
04/03/2025	Tuesday	The Councillor - Module 2	6.30-8.00pm
20/03/2025	Thursday	The Councillor - Module 2	6.30-8.00pm
12/02/2025	Wednesday	The council as an Employer - Module 3	6.30-8.00pm
17/02/2025	Monday	The Council as an Employer - Module 3	6.30-8.00pm
18/02/2025	Tuesday	The council as an Employer - Module 3 - Welsh	6.30-8.00pm
04/03/2025	Tuesday	The council as an Employer - Module 3	6.30-8.00pm
12/03/2025	Wednesday	The council as an Employer - Module 3	6.30-8.00pm
17/03/2025	Monday	The council as an Employer - Module 3	6.30-8.00pm
20/02/2025	Thursday	Understanding the Law - Module 4	6.30-8.00pm
06/03/2025	Thursday	Understanding the Law - Module 4	6.30-8.00pm
19/03/2025	Wednesday	Understanding the Law - Module 4	6.30-8.00pm
19/02/2025	Wednesday	Local Government Finance - Module 6	6.30-8.00pm
05/03/2025	Wednesday	Local Government Finance - Module 6	6.30-8.00pm
24/03/2025	Monday	Local Government Finance - Module 6	6.30-8.00pm
17/02/2025	Monday	Code of Conduct - Module 9	6.30-8.00pm
20/02/2025	Thursday	Code of Conduct - Module 9	6.30-8.00pm
03/03/2025	Monday	Code of Conduct - Module 9	6.30-8.00pm
11/03/2025	Tuesday	Code of Conduct - Module 9	6.30-8.00pm
31/03/2025	Monday	Code of Conduct - Module 9	6.30-8.00pm



## Updates from other meetings attended

### Community Liaison Committee Meeting

Cllr Hadley of Colwinston Community council was elected to represent Town and Community Council's on the Public Services Board (PSB). This is a two-year term of office. It was resolved to alternate the committee's representative to the PSB between and Town and a Community Council. A request for a second representative, so a member of a Town Council and a rural Community Council would represent the committee had been declined.

Town and Community Councils have an advisory vote at the meeting, with the actual committee being made up of Vale of Glamorgan Councillors. In future, the advisory vote will be taken ahead of the decision vote by the committee!

Martin O'Keefe represented South Wales Fire and Rescue Service. He made a lengthy presentation, responding to some questions as follows:

Thank-you for the opportunity to present to the Community Liaison Committee on the activity of South Wales Fire and Rescue Service on the 30<sup>th</sup> of January.

As discussed during the meeting, I took an action to source further information relating to a number of questions posed for which I didn't have sufficient information to answer fully at the time.

Councillor Malcom Phillips requested information relating to an incident on the 7<sup>th</sup> of January in Dinas Powys incident where it was reported that crews were delayed undertaking firefighting action due to Hydrant failure. I can confirm that this was not the case and has unfortunately been misreported.

Crews were mobilised to reports of a domestic fire by joint fire control from Penarth and Cardiff Central to the incident in Dinas Powys at 20:19hrs. The first appliance from Penarth arrived at scene six minutes later. At 20:25hrs.

Within 4 minutes of arriving at scene crews were committed, wearing breathing apparatus into the building to fight the fire following information gathering, development of a tactical plan and allocation of resources and briefings to crews by the incident commander.

No hydrants were used during the incident. Spare crew members were originally tasked to locate a hydrant; however this was concurrent activity creating no delay in firefighting activity.

The incident commander quickly established that we had sufficient water to tackle the fire using onboard tanks and the crew members were re-tasked. There were no hydrant failures or issues identified related to hydrants at this incident.

It was reported incorrectly by the resident to the BBC and quoted in a news article that hydrants had failed which delayed firefighting actions. I can confirm that this was not the case and that any perceived delay from the resident in our crews taking



action on arrival at scene related to safe systems of work being established as required to safeguard our crews prior to deploying into an extremely hazardous environment.

Crews were committed into the property within 10 minutes of the initial call and just 4 minutes after arriving at scene which falls well within the performance standards we would expect and were not hindered by any issues with water supplies or hydrants at this incident.

In relation to the testing of hydrants question asked by Councillor Mark Wilson I can confirm that, South Wales Fire and Rescue Service manages the testing and maintenance of approximately 44,000 hydrants across South Wales, these hydrants are on a two-year inspection and maintenance cycle. During this testing our hydrant inspectors test pressure, operation and flow of water, the hydrant pit is cleared of silt and debris and the hydrant sign and lid is repainted if required.

In terms of hydrants being reported defective/damaged, we are currently working at around the 12% of tested hydrants across the entirety of the South Wales area being identified as requiring repair. I am unfortunately unable to interrogate the data to specific areas at this time, however we are currently upgrading the reporting system so that we will be able to do so in the future.

As a service we have a number of contingency measures in place to support us in the event of water supply challenges or failure.

All of our front-line appliances carry between 13,00 – 17,00 litres of water depending on the model of appliance that enable crews to work from onboard tanks straight away on arrival at scene. All front-line appliances also have the ability to pump from open water supplies (Rivers/Lakes/Sea) and can operate in a water relay system covering large areas where required.

We have a number of 8,000 litre water bowsers strategically placed across the service area to support operations in the event of water supply failure (Including Barry in the Vale of Glamorgan) and we also have a Hose layer that can be used to create an overland main for firefighting purposes in remote areas or in the event of water supply failure from either nearby working mains or using the High Volume pump from open water supplies.

In relation to councillor Ian Perry's question regarding our road safety activity I can confirm that SWFRS Road Safety Teams have engaged with a total of 442 members of the public over 14 separate sessions within the Vale of Glamorgan area this financial year.

I have broken the operations down into more detail below:



## Ugain Operations in Vale of Glamorgan

Due to the introduction of 20mph as the default limit on most restricted roads within Wales the SWFRS Road Safety Team collaborated with the Police Ugain Teams to offer an education presentation as an alternative to points and a fine to those motorists who were travelling through the sites at 26mph or above.

So far in this financial year we have completed:

- 6 Ugain sessions at Penarth Fire Station engaging with 155 motorists
- 1 Ugain session at Sully Sports and Social Club, engaging with 22 motorists
- 4 Ugain sessions at Flying Start Centre, Skomer Road, Barry, engaging with 87 motorists

In total we have completed 11 Ugain Operations within the Vale of Glamorgan and 264 Motorists received education from the Road Safety Team.

If there were any other motoring offences witnessed by the attending Police Officers at these events such as using a mobile phone whilst driving, not wearing a seatbelt or driving without insurance these were addressed by the Police in accordance with the law. No alternative presentation or option was provided for these offences during Ugain sessions.

## Other SWFRS Road Safety Initiatives within Vale of Glamorgan

### Seatbelt Options Presentation

In collaboration with the Police, the Road Safety team have also run Seatbelt Options Operations within the Vale of Glamorgan.

During this initiative the Police are on the Road, spotting anyone within a vehicle who is not wearing a seatbelt, the vehicle is stopped and the person not wearing the seatbelt (be it passenger or driver) are offered the alternative of either a 10-minute presentation with SWFRS Road Safety team or a £100 fine for the offence.

The Road Safety team have completed 2 Seatbelt Operations at Barry Fire Station so far this financial year, engaging with a total of 78 Members of the Public who were identified as not wearing their seatbelts.

### DOMINO Presentations

In addition to the programmes above our Road Safety Team have also engaged with a total of 100 Year 12 and 13 students at Ysgol Bro Morgannwg with our Domino Presentation. The Domino Presentation is primarily directed at 16–25-year-olds, focusing on the positive aspects of driving and the benefits it can bring to their lives.



The session discusses a variety of issues affecting young drivers and their passengers, including speeding, peer pressure, lack of experience, not wearing seatbelts, using mobile phones, lack of concentration and driving under the influence of drink or drugs.

In addition to the Dominos presentations our crews also deliver road and water safety messaging when visiting schools and undertaking community visits. So far, this financial year we have delivered this presentation during 63 school visits across the Vale of Glamorgan area.

In relation to councillor Mark Wilson's question regarding the development of Penarth fire station I can confirm that we are currently planning to relocate the fire appliance and staff from Penarth to a temporary site that we have secured on the Tollgate close industrial estate during the spring of 2025. Work is then scheduled to begin on the Penarth site during the autumn.

This work is vital in ensuring the safety of our crews from a contaminant's perspective, improving the facilities on site for female firefighters and ensuring that the service is able to continue to deliver operational excellence throughout the Vale of Glamorgan in the future. The current station at Penarth is no longer fit for purpose, has insufficient decontamination facilities and requires modernisation to ensure it remains fit for purpose moving forward.

We are due to begin a programme of engagement with the community in the Tollgate close area in preparation for the move, the temporary station is equipped to provide the required operational base for our crews during the development process to enable continued 24/7 operation from the site and ensure that fire cover across the Penarth area is not impacted during this period.

### **One Voice Wales Bridgend, Cardiff and the Vale Area Committee Meeting**

There was a presentation from the sustainable Development Advisor of the Future Generations Commissioners that touched on on Cymru Can, the Future Generations Commissioners strategy for the Future. This document can be found online.

<https://www.futuregenerations.wales/wp-content/uploads/2025/01/Cymru-Can-strategy.pdf>

They are looking for examples of "good practice".

In relation to public finances at this current time, the Commissioner has said:

"Current fiscal frameworks do not distinguish clearly between spending on acute services and prevention, despite the evidence that investment in prevention can deliver greater long-term return. Without action, spending on prevention will continue to be a casualty of intense pressures on day-to-day budgets and a victim of short-term thinking. This will undermine the Welsh Government's commitment to taking a long-term, prevention-led approach to improving public services which is a duty under the Well-being of Future Generations Act."



## Financial matters

### Payments Received

None

### Payments to approve

- PR Accountancy (Gocardless) – Payroll – £20.00 (direct debit) – March
- Acrobat DC subscription – £19.97 (card) – March
- Enwau – Clerks email – £10.26 (card) – March
- Giff Gaff – phone and data – £6 (card) – March
- Scribe – accountancy package – £58.80 (direct debit) – March

### Planning Updates & Decisions

The Pound, Duffryn Lane, St Nicholas

To enlarge existing Ground Floor Entrance Hall, and Build up to allow 1st Floor access with Pitched Roof to match existing roof style. The extension will not be forward of the existing house.

Approved – 31/01/2025

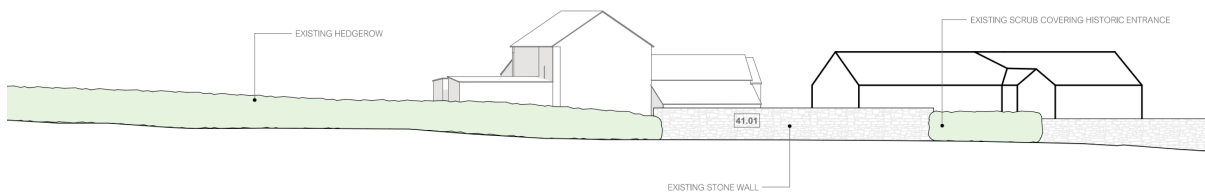


# Planning Applications

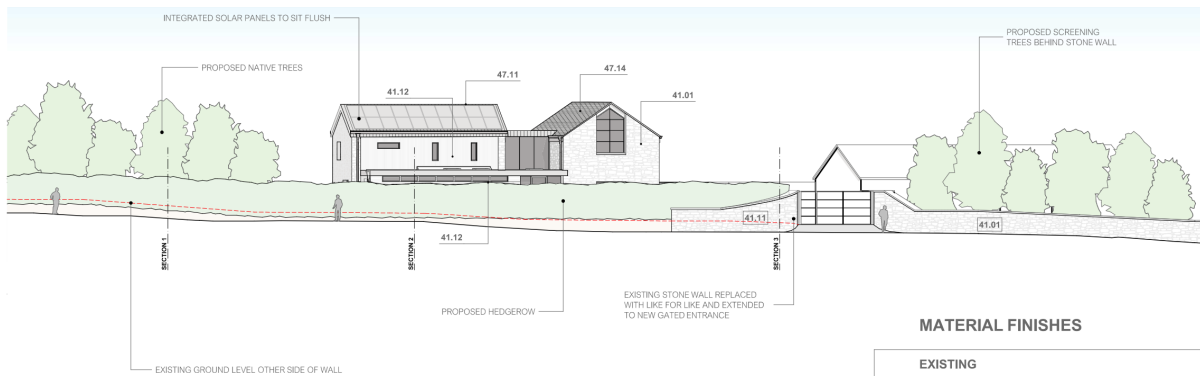
## Pwll Sarn Farm, A48, St. Nicholas – [2024/00252/FUL](#)

The proposed change of use of an existing redundant stone barn with an additional extension for the creation of a new 4 bedroom detached dwelling. Reconsultation.

Existing elevation

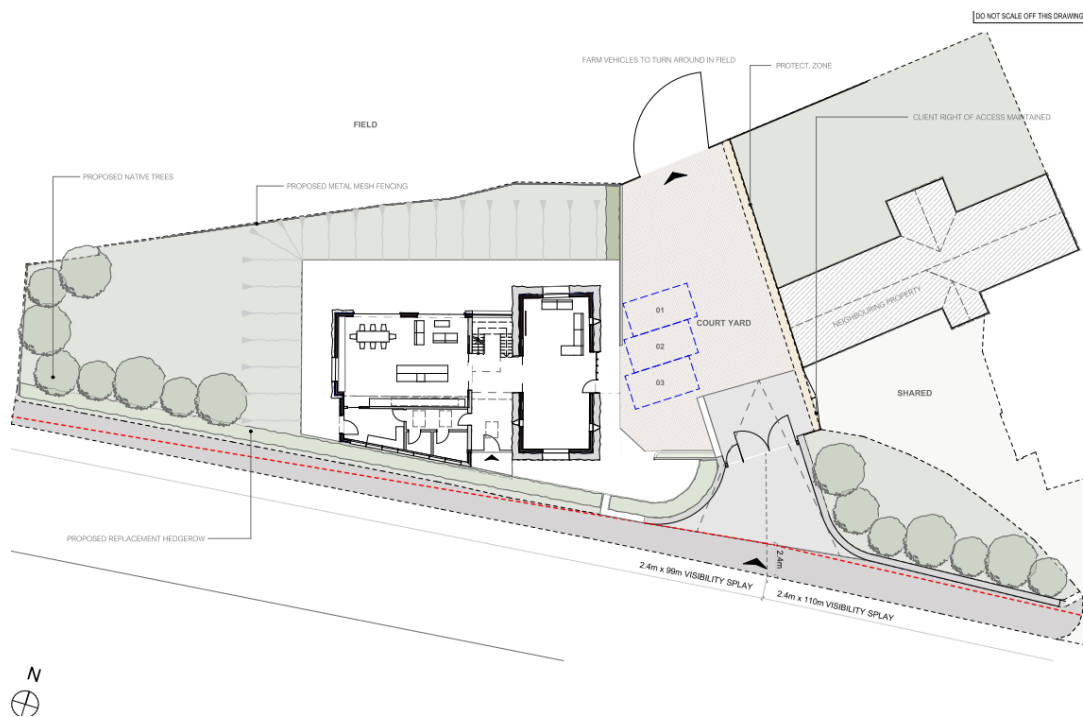


Proposed elevation



**MATERIAL FINISHES**

**EXISTING**  
41.01 STONE WALL TO BE REPOINTED WHERE NECESSARY



31 JANUARY 2018

### L01-18 | FINANCIAL ASSISTANCE TO THE CHURCH

#### Introduction

The purpose of this briefing is to consider whether a parish council or, in Wales, a community council may provide financial assistance to the church (or other religious bodies).

#### Relevant legislation

s.6(1) (a) of the Local Government Act 1894 (“1894 Act”) transferred powers from the Vestry and Churchwardens to the newly formed parish councils **“except so far as relates to the affairs of the church or to ecclesiastical charities.”** s.6(1) (c) of the 1894 Act confirms the powers, duties and liabilities conferred on parish councils include “the holding and management of parish property **“not being property relating to affairs of the church or held for an ecclesiastical charity”**”.

S.8 of the 1894 Act gives parish councils further powers including the power “to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers in s.6 , **“not being property relating to affairs of the church or held for an ecclesiastical charity”** and further “to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council to do or contribute towards the expense of doing any of the things above mentioned”. It should be noted that the prohibition relates to the nature of the property concerned not to the use to which that any funding will be put. Thus funding to make a church hall suitable for meetings of the guides and scouts is still prohibited because the building is church property.

Despite references in the above provisions to parish councils, the 1894 Act applies to both England and Wales.

The powers in the 1894 Act prohibit councils’ involvement in property relating to the affairs of the church e.g. the maintenance or improvement of buildings or land or contributing to the costs. The question often asked is whether that prohibition still applies or is it overridden by legislation made after the 1894 Act. Examples of such legislation are:

- s.214(6) of the Local Government Act 1972 (“the 1972 Act”) which provides that councils which are burial authorities may contribute to another



person's expenses (e.g. the PCC or synagogue) in providing a cemetery in which residents in the council's area may be buried.

- s.215 of the 1972 Act permits a council to maintain a closed churchyard.
- s.137 of the 1972 Act which allows a council to incur expenditure for any purpose except one which is subject to a statutory prohibition, restriction or limitation.
- s.138B of the 1972 Act empowers a parish council to support or facilitate a religious event.
- The General Power of Competence in s.1 of the Localism Act 2011 ("the 2011 Act") is available to eligible parish councils that satisfy the conditions in Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012/965.

### **NALC's views**

There is an accepted legal principle, applied by the courts, which is that in interpreting what an Act of Parliament means, a specific provision overrides one of a general nature. In other words, if two statutory provisions are in conflict or overlap, the detailed provision will prevail over the more general one. In applying this principle, NALC's views are as summarised below.

Ss.137 and 138B of the 1972 Act and s.1 of the 2011 Act constitute general provisions and do not override the specific prohibitions in s.8 of the 1894 Act. S.137 expressly provides that expenditure cannot be incurred purposes which are subject to a statutory prohibition, restriction or limitation.

S.2 of the 2011 Act confirms that the general power of competence does not allow an eligible parish council to get round any statutory prohibition, restriction and limitation which existed before the general power was introduced.

S.214(6) of the 1972 Act which permits a council as a burial authority to contribute to the expenses of anyone else providing a cemetery, appears to overlap with the specific provision in s.8 of the 1894 Act which prevents a council from contributing to the affairs of the church and, in NALC's view, the specific provision would prevail.

S.215 of the 1972 Act is a specific provision in respect of the responsibilities of a council (whether or not a burial authority) to maintain a closed churchyard which, in NALC's opinion, thus overrides the prohibitions in ss. 6 and 8 of the 1894 Act.



## Summary

There is no current case law to resolve the question of whether or not the 1894 Act restrictions override the provisions in later Acts of Parliament and ultimately it would be for the courts to determine the extent of any prohibition from the 1894 Act. Any court action started so as to resolve this point is likely to be expensive and time consuming.

It would, of course, be possible for Parliament to clarify the point with a specific provision in new legislation, however, the Government's current view on the legal issues is that there is no need for any further legislation as they believe the 1894 Act restrictions do not override the provisions in later Acts of Parliament.

Whilst there is no consensus on this issue, a council that considers making a payment in these circumstances needs to consider whether it is prudent to take a course of action that it cannot be certain is legally valid.

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