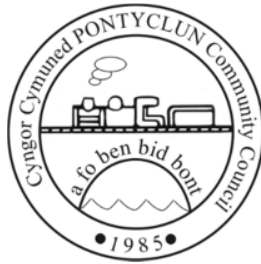


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M I N U T E S

Minutes of the Pontyclun Community Council Extraordinary Meeting held at 7:00 pm on Wednesday **5 August, 2015** at Café 50, Pontyclun Community Centre, Heol yr Orsaf, Pontyclun,

PRESENT: Community Councillors: Ann Bennett Ken Forsdyke, Margaret Griffiths (Chair), Paul Griffiths, Janis Jones, Tony Lane, Brendan O'Reilly, Huw Rees and Bethan Theaker

1. **Apologies for absence**

Councillors Gordon Norman and Gwynn Griffith

Declaration of Interest

None received

3 To consider passing the following resolution:

"By virtue of the Public Bodies (Admission to Meetings) Act, 1960, the press and public are excluded from discussions on the following item(s) on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted."

RESOLVED: That the Council passed the resolution

Councillor Tony Lane raised two Points of Order.

1. Item 4 of the 27 July Meeting at which the Council resolved to delegate the task of
 - a) obtaining quotes from solicitors to check and advise the Council on the Head of Terms and
 - b) chose and engage the services of a solicitor from the quotes receivedwas unlawful based on the information taken from the Good Councillors Guide.

Clerks note: Good Councillors Guide page 12, paragraph 2 under the heading 'Respecting the Chair' 'It is unlawful for a council to delegate decision-making to any individual councillor' <http://gov.wales/docs/ds/jlg/publications/localgov/120806gcguideen.pdf>

Members discussed the Point of Order raised by Councillor Tony Lane and agreed that it had acted lawfully as the task was delegated to both the Clerk and Councillor Bethan Theaker. Therefore the Council had not delegate decision-making to any individual councillor.

Recorded vote to the question put to Council by the Chair - That the Council had acted lawfully when delegating decision-making to both the Clerk and Councillor Bethan Theaker.

For: Councillors Paul Griffiths, Huw Rees, Ann Bennett, Janis Jones, Bethan Theaker, Ken Forsdyke, Margaret Griffiths

Against: Councillors Tony Lane and Brendan O'Reilly

2. Councillor Tony Lane second Point of Order - The Council had acted unlawfully in agreeing to the Welsh Government Funding for the Maes y Felin project as it has not received sufficient documentation to make this decision.

Members discussed the second Point of Order raised by Councillor Tony Lane and agreed that the Council has had sufficient information at previous meetings to enable Members to accept the funding. It has also taken the steps to appoint a solicitor to provide legal advice on the Heads of Terms and Lease.

Recorded vote to the question put to Council by the Chair – that the Council has acted lawfully when considering and progressing the Maes y Felin project.

For: Councillors Paul Griffiths, Huw Rees, Ann Bennett, Janis Jones, Bethan Theaker, Ken Forsdyke, Margaret Griffiths

Against: Councillors Tony Lane and Brendan O'Reilly

- 4** To confirm the minutes of the Council's extraordinary meeting, 27 July, 2015 as an accurate record subject to Appendix 1
Item 4. 'Terms of Lease' is amended to read Heads of Terms

RESOLVED: That the Council approved the minutes of the 27 July, 2015 extraordinary meeting as an accurate record. **A357**

- 5** To consider any advice received by a solicitor for the draft Terms of Lease

The Clerk advised the Council that Devonalds Solicitors had kindly offered a generous saving of over 50% on the legal fees.

RESOLVED: That the Council supported the decision to engage the services of Devonalds Solicitors to provide legal advice on the Heads of Terms and lease if required for the Maes y Felin Fields project.

- 6 To decide on the tender bids submitted for work to be carried out in regenerating Maesyfelin Field.

Councillors Ann Bennett, Paul Griffiths and Janis Jones reported to Members on their findings of the site visit made the two examples provided by Company Z of completed work.

Members gave careful consideration to all tenders received.

Councillor Tony Lane raised his concern that the fence surrounding Maes y Felin field is the responsibility of landowners Rhondda Cynon Taff County Borough Council.

Councillor Paul Griffiths informed the Council that RCT CBC has used its legal right to assign the responsibility for the condition of the fence to the current lessees and will use the same right to assign that responsibility to the Community Council if we agree the lease.

Recorded vote: For: Councillors Paul Griffiths, Huw Rees, Ann Bennett, Janis Jones, Bethan Theaker, Ken Forsdyke, Margaret Griffiths

Abstained: Councillors Tony Lane and Brendan O'Reilly

RESOLVED: That the Council agreed to award the contract for the work on the fencing to Sovereign Steel Services Ltd. **A358**

- 7 To agree on the wording of the signage to be used during the project phases instructed by Welsh Government.

RESOLVED: That the Council agreed to the wording 'Maes y Felin Field Regeneration Project'.

Meeting finished at 8.00 pm