

Sully and Lavernock Community Council

Minutes of the Ordinary Meeting of the Council

2 April 2019 at 6.15pm at The Pavilion, Burnham Avenue, Sully.

Present: Cllrs Barlow, Garland, Scaglioni, Thomas, Baguley, Tatt and the Acting Clerk

	Ref No.	Minutes	Matters Discussed	Action.
1	182/2019	To receive Apologies for Absence	Cllrs Jones and Sylvester sent apologies.	
2	182/2019	To receive Declarations of Interest	Cllr Sylvester declared that he had an interest in any discussion relating to the Cricket Pitch or to Sully Centurions Cricket Club.	
3	182/2019	To vote in New Chair	Cllr Barlow was voted in as new Chair by 5 Cllrs. 1 Cllr abstained.	
19	182/2019	To Approve Payments	Brought forward from agenda item 19, in case the meeting was adjourned. Payments were approved.	
4	182/2019	To receive the report of the representative of the Vale of Glamorgan County council	<ul style="list-style-type: none"> • Cllr Penrose notified the meeting the Poll Day to fill the casual vacancy on the SLCC would be 9 May 2019. • Cllr Penrose outlined the proposal from the Vale to cease funding travel for pupils to and from school (unless entitled to free travel). 	
Democratic Session (lasted 45 minutes)			<p>The Chair advised the meeting that the democratic session would last for 30 minutes.</p> <ul style="list-style-type: none"> • A resident asked if the Council could consider the complete upgrading and enlarging of the Children’s Play Area. The Chair replied that this had been on the Council wish list for some time but that funding had not yet allowed us to proceed, as play ground equipment was very expensive. However, it was agreed that the Acting Clerk would work with a group of residents to look at possible grant funding. 	

	<ul style="list-style-type: none">• A resident wanted to know why his messages were not published to all members of the Sully & Residents Association despite asking the administrator – Cllr Scaglioni - to do so. Cllr Scaglioni said he did publish all emails sent to him but that he may miss a few. The Chair made it clear that the SLRA was a separate organisation to SLCC and it was not appropriate for the matter to be discussed.• A resident apologised for remarks he had made in a previous meeting. He notified the Council that he had received a letter purporting to be from Aspinall's Town Planners & Lawyers which had turned out to be not genuine. No further detail can be disclosed in the minutes. The Chair again stated that these were confidential matters.• There were around 40 residents present and the room was packed, with some residents standing. There was a reluctance to heed the Chair's advice. There were demands to know how long the situation regarding the suspended Clerk was going to take, because they felt, it was no longer acceptable that they should be paying the salary of the suspended Clerk. The Chair explained that he was doing his best to hasten matters. There were calls for all Cllrs to resign. However, it was pointed out that this would mean the Council would cease to exist and that the Vale may take over. It was suggested that Cllrs could resign in two's and three's so that replacements could be elected, however the costs of following this course of action were prohibitive.• The Ex- Chair of the Fairwater Social Club (no longer in existence) began to talk to the meeting about a matter that these minutes cannot disclose, and she did manage to talk a little before the Chair was able to stop her. Residents were not happy that she had been asked to stop, despite the fact that it had been explained that these matters were confidential, and in fact not Council business.• Cllr Baguley left the meeting.	
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5	182/2019	To approve the minutes of the Ordinary Meeting held 29 January 2019	The minutes were then approved.	
6	182/2019	To consider Matters Arising from minutes of the Ordinary Meeting held 29 January 2019	An update was requested as to the situation with the Youth Club. The Chair reiterated that he would be happy to meet with Cllr Penrose to discuss the possibility of resurrecting the Youth Club. Cllr Penrose was not hopeful however due to lack of volunteer leaders. The Chair agreed to liaise with Cllr Penrose and arrange a meeting.	The Chair & Cllr Penrose
7	182/2019	To approve the following new or updated documents. <ul style="list-style-type: none"> • Terms of reference of the Personnel & Policy Committee • The Disciplinary Policy & Procedure • The Whistleblowing Procedure • The Grievance Policy & Procedure • The Harassment and Bullying Policy 	It was resolved to refer this to the next Personnel Committee Meeting. The Acting Clerk pointed out that Cllrs had received the documents on 28 February and therefore had had plenty of time to read the documents.	Acting Clerk
8	182/2019	To consider the report of the Chair of the Council.	The Chair has only just been voted in and so there was nothing to report.	

9	182/2019	To receive the report of the Acting Clerk to the Council.	The Clerk had nothing to report.	
10	183/2019	To consider correspondence received.	<ul style="list-style-type: none"> • A resident had called to the Council Office to complain about the uneven surface of the path between the bowling green and the back of the house of Smithies Avenue. It was decided to put down stone dust and hire a whacking machine to make the surface flat. Cllr Tatt volunteered to ask the builder working in the garden of one of the houses backing onto the path, for a quotation for completing this work. The builder would be carrying out this work to part of the path in any event. • A resident had called to the Council Office to say how please she was that the Kissing Gate leading to Sully Sports Field from the Coastal Path at the bottom of Cleveland Avenue. IT meant that her husband who used a disability Scooter could now get onto this section of the path. She asked for the Council's assistance to get another Kissing Gate at the other end of the path adjusted to enable him to continue on to Beach Road. It was decided that the Acting Clerk would make enquiries with the Sully Sports Club regarding this. • The Acting Clerk informed the Cllrs that the deadline for the set up of Cllr email addresses had been 1/4/19. She extended the deadline to the 1/5/19. After that date emails would be sent to the new Cllr email addresses only. Any Cllr who had not set up their new email address would therefore no longer receive emails from the Acting Clerk. 	<p>Cllr Tatt</p> <p>Acting Clerk</p> <p>All Cllrs</p>
11	184/2019	To consider Health & Safety Matters	No matters were raised.	
12	185/2019	To consider the reports of the Meetings of the Committees.	No Committee Meetings had taken place. It was resolved that Planning and Personnel Committee Meetings would take place on 9 April 2019, and Playing Field/Jubilee Hall, and Finance Committee Meetings would take place on 16 April 2019.	Acting Clerk

13	186/2019	To consider the reports of the representatives on the external bodies	<ul style="list-style-type: none"> • Sully Primary – the Council representative had resigned from the Council, so a new one needed to be appointed in May. • Evenlode Primary – the Council representative had resigned from the Council, so a new one needed to be appointed in May. • The Chemical Advisory Meeting had been attended by Cllr Jones but there was nothing to report back to Council. • Community Liaison Committee – No one had volunteered to attend. 	
14	187/2019	To receive a report from Cllr Garland on the Penarth Wellbeing Hub	Cllr Baguley returned to the meeting. Cllr Garland gave a concise report. The new Wellbeing Hub would be built next to Cogan Leisure Centre. The Redlands Road Surgery would move from its current location in Redlands Road Penarth to the new Hub and would take on new staff. New services would be provided at the Hub which previously could only be obtained at Llandough Hospital or UHW. For example, physiotherapy.	
15	188/2019	To consider hire charges for pitches, Pavilion and Jubilee Hall as suggested by the Acting Clerk.	This referred to new and existing long-term hirers and casual hirers. The matter was referred to the next Playing Field/Jubilee Hall Committee Meeting.	Acting Clerk
16	189/2019	To appoint representatives from the Council to be on the War Memorial Working Group with the Saving Sully Group.	Cllrs Garland and Scaglioni appointed.	
17	190/2019	To appoint Cllr Scaglioni as the Council's disability representative.	Cllr Scaglioni was appointed.	
18	192/2019	To give authority to Cllr Thomas to work with the Acting Clerk, to prepare a specification	Authority was given.	Cllr Thomas and the

		and obtain quotes for the installation of an Outside Gym. Report back to council, then complete the application for a Strong Community Grant.		Acting Clerk.
19	193/2019	To consider and approve payments.	This item was considered after item 3. See above.	
20	194/2019	To reconsider which, if any, Cllrs are prepared to undergo Freedom of Information training and sit on a FOI Review Committee. If non are prepared to do this, approve the referral of requested for reviews under the FOI Act to be considered by the Information Commissioners Office instead.	Cllrs Tatt, Barlow and Garland volunteered. Training would be arranged.	Acting Clerk
21	195/2019	To sign a direct debit to BT, to avoid late payment.	Direct Debit signed.	
22	196/2019	To note receipt and content of the External Auditor's certificate and report.	The report was noted.	

23	197/2019	To consider the Financial position of the Council.	The Acting Clerk provided the Cllrs with a spreadsheet showing the financial position. The Cllrs agreed that matters would need further consideration in terms of how to budget for the next financial year and referred the matter to the next Finance Committee Meeting.	Acting Clerk
24	198/2019	To consider whether to apply for funding from the Welsh Government to set up joint arrangements with other Community and Town Councils.	It was resolved to refer this matter to the next Finance Committee. The Acting Clerk confirmed that the maximum amount that could be claimed was £5000	Acting Clerk
25	199/2019	To consider matters that the Chair considers should be urgently referred to Council.	No matters were referred by The Chair.	
26	200/2019	To agree the time and date of the next council meeting.	The Council agreed that the next council meeting should be on Tuesday 14 th May 2019 at 6.15 at Jubilee Hall. Larger numbers are expected. This would allow for the new Cllr to be elected on 9 th May 2019.	Acting Clerk

The Chair asked the public and press to leave the meeting pursuant to section 1 (2) of the Public Bodies Admission to Meetings Act 1960 as the business to be transacted is considered to be confidential and that disclosure of which would be prejudicial to the public interest.

Part 2

27	182/2019	To consider quotes for work to the wall (next to containers) of Jubilee Hall.	The Acting Clerk confirmed that three quotations had been sought from local building firms. Only two had responded: Grabbit & Swanbridge Maintenance. The Council resolved to instruct the latter firm, because their initial inspection of the site had been more thorough and they had taken into consideration the report of the pest controller, with regard to the insertion of metal plates into the wall at ground level to prevent access by vermin.	Acting Clerk
28	182/2019	To consider the proposals made at the meeting with Sully Centurions Cricket Club on 22 November 2019	This item was overlooked and not addressed.	
29	182/2019	To Consider matters relating to employees.	The Acting Clerk passed on a request made by the Head Groundsman for every other Thursday off for personal reasons, using his annual leave. Council agreed to the request as it meant that the Head Groundman would not be off work for more than a week in the Summer.	
30	182/2019	To consider the appointment of a new employment law solicitor to act on behalf of the Council.	<p>The Chair and Cllr Thomas left the room.</p> <p>The remaining Cllrs voted Cllr Tatt in as Chair for this item on the agenda. Cllrs Tatt, Baguley, Scaglioni, and Garland resolved that a new solicitor should be appointed. The Acting Clerk had been found a list of the best solicitors in Wales from the Wales Online website. She had narrowed the list down to three local solicitors based on whether the firm had HR/Employment Law expertise. She had then telephoned all three to find out initial costs and to obtain their initial thoughts on the suspended clerk situation. The firm of Darwin Grey had most impressed the Acting Clerk and was prepared to offer the Council a free initial consultation. The Council agreed to instruct Darwin Grey in the following terms:</p> <ul style="list-style-type: none"> • ONLY the four concerns identified by Nerissa Williams of Blue Turtle as being cases to answer, should be referred for consideration by Darwin Grey. Advise should be sought on best way to deal with the suspended Clerk issue going forward. For example, settlement, disciplinary 	Acting Clerk

			<p>hearing, or reinstatement should be considered, or any other process that the solicitor thinks is applicable.</p> <ul style="list-style-type: none"> • There be a proviso to the above that if further evidence came to light, which related to those four concerns identified by the investigation as having no case to answer, then these concerns should be reinvestigated by Darwin Grey. • If the advice from Darwin Grey was such that a disciplinary hearing should take place, then DG should also advise SLCC if a consultant or similar could be appointed to examine the investigation report and recommend to the disciplinary panel what steps would be appropriate. <p>The Chair and Cllr Thomas returned to the room.</p>	
At 9.45pm. as it was late, Council resolved to end the meeting without considering the following agenda items.				
31		To consider the involvement of some Cllrs in the purchasing of goods and services contrary to the procedures laid out in the Council's Standing Orders,		
32		To consider use of the emergency spending limit of £500.00		
33		To consider why meetings are not taking place as defined by Standing Orders and why the Chairman did not turn up for several full council meetings.		

34		To hear why the planned Ordinary Meeting for 5th March 2019 was cancelled.		
35		To investigate which Councillor/s were responsible for data Protection breaches in leaking confidential information to the press. Penarth Times and Gem 14th February 2019, and South Wales Echo 22 February 2019.		
36		To consider the concern regarding the use of the Council's email system, following the leak of Councillor's personal and confidential emails. Emails should not be used to discuss or approve Council business. Matters should be discussed and dealt with at Council Meetings in the proper manner.		

37		To consider the concern that the council has failed to publish accounts for the past two years, and also failed to have an annual budget in order to compare spending with.		
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Minutes approved as a true record by

Dated: