

19 March, 2024

LLANELLI RURAL COUNCIL

Minute Nos: 410 – 418

At a Meeting of the **RECREATION AND WELFARE COMMITTEE** of the Llanelli Rural Council held at the Council Chamber, Vauxhall Buildings, Vauxhall, Llanelli, and via remote attendance on Tuesday, 19 March, 2024 at 4.45 p.m.

Present: Cllr. D. M. Cundy (Chairman)

Cllrs.

T. M. Donoghue	S. N. Lewis
E. M. Evans	J. S. Phillips
N. Evans	A. J. Rogers
R. E. Evans	A. G. Stephens
O. Williams	

410. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs. J. P. Hart, A. G. Morgan, and B. M. Williams (Cllr. N. Evans deputising).

411. MEMBERS' DECLARATIONS OF INTEREST

The following members declared an interest in the following matters:

<i>Minute No.</i>	<i>Councillor</i>	<i>Interest</i>
414	A. G. Stephens	Personal interest – he was Trustee and Treasurer, Pro – Vision Llwynhendy.
416	E. M. Evans	Personal interest – her son attended Ysgol Y Felin.
416	N. Evans	Personal interest – her grandson attended Ysgol Y Felin.
416	R. E. Evans	Personal interest – his grandson attended Ysgol Y Felin.
418	D. M. Cundy	Personal interest – he was the Chairman of Trallwm Hall Management Committee.
418	T. M. Donoghue	Personal interest – her husband audited the accounts of Saron Hall Management Committee and she was a member of Trallwm Hall Management Committee.
418	S. N. Lewis	Personal interest – she was the Treasurer, Dafen Welfare Hall Committee.
418	A. J. Rogers	Personal interest – he was the Secretary, Dafen Welfare Hall Committee.

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412. COMMUNITY FACILITIES – MAINTENANCE WORKS

RESOLVED that the Facilities Manager’s report on work undertaken be noted.

413. COMMUNITY FACILITIES - WASTE SEPARATION REQUIREMENTS

Members received the report of the Deputy Clerk informing of the new Welsh Government Regulations being imposed at all workplaces, charities and public sector bodies which required them to separate recyclable materials from mixed waste. The Waste Separation Requirements (Wales) Regulations 2023 would apply from 6 April, 2024.

The Welsh Environmental Regulator, Natural Resources Wales (NRW) would be responsible for enforcing the new Workplace Recycling obligations. Any organisations or responsible persons found to be non-compliant with the separation requirements could be liable to receive Fixed Monetary Penalties (FMP) for each occurrence of non-adherence.

The legal requirements to separate waste would affect:

- All workplaces (businesses, charities, the public and third sector).
- Those who collect the waste, or arrange for waste to be collected.
- Those who collect, receive, keep, treat, or transport waste who would need to keep the waste separate from other types of waste or substances.

The following materials would need to be separated in the following defined streams at all times; including when being stored, collected and transported for disposal:

- Paper and card.
- Glass.
- Metal, plastic, and cartons and other fibre-plastic composite packaging of a similar composition.
- Mixed waste. Non-recyclable materials, contaminated recyclables and food waste.
- A separate food collection system was required for premises that produce more than 5kg of food waste a week.

In preparation for the deadline of 6 April 2024, the committees of community and sports changing facilities had been advised of the new Regulations by council officers and encouraged to consider the type and volume of waste typically produced at their facilities. Existing waste collection and storage methods at these premises needed to be revised to comply with the new regulations.

Members were informed that in 2017, the council elected to support community facilities in meeting their waste management obligations by providing pre-paid mixed waste disposal bags purchased from a local licenced waste carrier.

To take advantage of this system the community facilities only needed to set up their own agreement with the waste carrier to pick up the filled pre-paid bags. The facilities also hired an external waste bin from the waste carrier.

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Whilst investigating service comparisons with licenced waste carriers, officers discovered that only one local company, Cwm Environmental Services, intended to provide a pre-paid waste bag contract that supported the new regulations. This was not the company the council presently purchased the pre-paid bags from. A budget of £2,000 had been set for purchasing the pre-paid waste bags.

Following discussion, it was

RESOLVED that:

1. The council shall continue to support the hall committees and associated sports teams in offering pre-paid waste disposal bags to maintain legally complaint waste management systems.
2. Pre-paid waste disposal bags would be purchased from Cwm Environmental Services. Officers would continue to seek out the most efficient and cost effective services available to comply with the Regulations.
3. Community hall committees would arrange their own agreement with Cwm Environmental Services to collect the waste from each of the council's community facilities.

Arising out of discussion of the above, members were also informed of exemptions from the separation duties in public open spaces such as parks, play areas and the like. However the exemptions only applied to principal litter authorities and highways authorities. The interpretation of a principal litter authority set out in the Environmental Protection Act 1990 excluded community and town councils. Similarly community and town councils were not classed as highway authorities for the purposes of satisfying the provisions of the 1990 Act. Accordingly advice had been sought about this anomaly from both Welsh Government and Natural Resources Wales (the regulator) citing various examples of concurrent service provision delivered by local councils, where an exemption ought to apply, in instances where they managed public open spaces in the same vein as the unitary authorities did (principal litter authorities). The initial Welsh Government response seemed to suggest the exemption would not apply to local councils whereas Natural Resources Wales suggested that if local councils were not part of a principal litter authority that they should seek further legal advice. The Clerk opined that the intention and general principles behind the new regulations would not have been designed to deliberately discriminate against community and town councils in this way when managing the collection of litter from their public open spaces and so this anomaly had been raised with the Society of Local Council Clerks in order for it to lobby Welsh Government officials in the hope of some form of guidance being issued to address the situation. Either that or the new regulations would need to be revisited and amended to cover all local authorities under the exemption where they managed public open spaces. Until the position could be ascertained, members were informed of the steps the council had taken to gather evidence in the interim, to demonstrate the impracticality of attempting to separate waste at its public sites, which was wholly reliant upon the good will of members of the public to separate their waste into the bins provided for the different category of waste materials to be collected. Members learned of the trial taking place at Llanelli District Cemetery and of further plans to extend the trial to the council's parks and play areas. It was hoped that this evidence could be submitted to the regulator if ultimately the exemption could not be extended to cover the activities of the local council sector. Otherwise the regulator could penalise the council if no proof was obtained. It was hoped that common sense would prevail to bring about parity by extending the separation exemption to cover all local authorities.

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414. LLWYNHENDY HWB PROJECT

Cllr. A. G. Stephens declared a personal interest in the following item as he was a Trustee and the Treasurer of Pro-Vision Llwynhendy.

Further to Minute No. 371, members received the report of the Community Development Officer informing of the progression of the Community Ownership Fund grant application and the receipt of tenders for the planned works to the branch library.

The council's appointed architect issued an invitation to tender to six local contractors on 14 February, 2024. The instructions were for the tenders to be returned by 13 March, 2024. A request was made by one of the invited contractors to extend the closing date to provide for a six week window for return in order to complete the tender package with actual cost prices rather than populating the tender with provisional sums in instances where their suppliers didn't have sufficient opportunity to price up supplies, materials and fixings. Due to the known time bound requirements of the grant application process at that particular time, this request was denied. Other contractors subsequently expressed concerns over the closing date not allowing them sufficient time to complete the tender. In total, four out of the six contractors got in touch to indicate that they would not be tendering. It was important to demonstrate a competitive tendering process to the grant funders.

Ironically, on 29 February, 2024, two weeks into the original tender time period, officers received an update from the administrators of the Community Ownership Fund, whereby they indicated a change to the expression of interest (EOI) stage. The instructions were that all applicants that had received an approved EOI prior to February, 2024, had to reapply. As the previous EOI acceptance received by the council was dated 16 November, 2023, a new formal EOI had to be made by the council for the project. Effectively starting again.

A new EOI was submitted on 7 March, 2024. The council received a positive response to the new EOI indicating that an invite would be made to make a full application in the upcoming grant funding window.

Prior to this, it was initially anticipated that the full application to the Community Ownership Fund was to be made in early April, however this was now likely to be extended into May 2024.

With more time available to facilitate the grant application as well as acknowledging the need to receive a broader range of competitive tenders, the tender window was subsequently rescheduled for 13 March, 2024 – 22 April, 2024. This would provide the additional time for contractors to positively respond to the tender invite without jeopardising the council's intention to submit a grant application to the Community Ownership Fund before the funding window closed.

Following discussion, it was

RESOLVED that the report be noted.

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**415. FELINFOEL RECREATION GROUND
FELINFOEL CRICKET CLUB**

Further to minute No. 253, members considered a letter from the Treasurer, Felinfoel Cricket Club requesting permission from the council for a leasehold agreement for a land parcel at Felinfoel Recreation Ground to cater for the installation of a practice facility and non-turf match pitch, which was to be supplied by the club via a grant.

The leasehold was required by the grant funders to demonstrate security of tenure, with permission for a seven year lease being sought from the council.

During discussion, members were informed the council in its capacity as the sole trustee of the King George V Playing Field, Felinfoel Recreation Ground was unable to enter into a leasehold agreement because the recreation ground was held in trust. However, officers suggested that as an alternative to granting a lease to the cricket club to simply satisfy the grant funding parameters for the provision of a practice facility and non-turf match pitch; the council could ascertain whether it could submit the cricket club's grant application in its name as a means of overcoming the grant funder's requirement for the club to demonstrate security of tenure by entering into a lease with the council. This was on the understanding the club would prepare the grant application for the council to submit. The feasibility of this proposal could be pursued with the cricket club with the outcome being re-presented to the Recreation and Welfare Committee for further consideration, and it was

RESOLVED that the necessary enquiries be made with both the cricket club and the grant funding body to ascertain whether it was permissible for the council to submit the grant application on behalf of the club given the charitable status of the recreation ground prevented the council from entering into a long term lease agreement to satisfy the grant funding parameters.

**416. YSGOL Y FELIN
VILLAGE OF FELINFOEL**

Cllr. E. M. Evans declared a personal interest in the following matter as her son attended Ysgol Y Felin and was a pupil of the class. Cllrs. N. Evans and R. E. Evans declared similar personal interests being they were the grandparents of Cllr Evans' son.

Members considered a letter from pupils in Year 3 and 4, Ysgol y Felin in regard to litter in the village of Felinfoel and whether more could be done to prevent the proliferation of litter through encouraging more recycling opportunities by providing extra waste bins in particular areas. The letter also sought environmental improvements to the recreation ground possibly through the planting of trees.

Following discussion, it was

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RESOLVED that:

1. The council shall engage with the school year over the suggestions for the areas under its direct control, namely the provision of bins in the recreation ground and the possibility of planting trees in the grounds. In regard to the general proliferation of litter in Felinfoel, the correspondence shall be forwarded for the further attention of the Principal Litter Authority, Carmarthenshire County Council.
2. A meeting shall also be brokered with school representatives and the local ward members and county council members for Felinfoel. The purpose of the meeting would provide an opportunity to have a general discussion about the points raised in the school letter and how the matters highlighted in item 1 above could be positively progressed through general collaboration between respective parties.

417. PUBLIC BODIES (ADMISSION TO MEETINGS) ACT, 1960

RESOLVED that in view of the confidential nature of the business to be transacted, the following matter be considered in private and that the power of exclusion of the public under Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960 be exercised.

418. FINANCIAL SUMMARY REPORTS -

- (1) DAFEN COMMUNITY HALL – 30 APRIL, 2022; 30 APRIL 2023.**
- (2) FURNACE COMMUNITY HALL – 31 DECEMBER, 2022; 31 DECEMBER, 2023.**
- (3) SARON COMMUNITY HALL – 31 DECEMBER, 2023.**
- (4) TRALLWM COMMUNITY HALL – 31 MARCH, 2022; 31 MARCH, 2023.**

Cllr. D. M. Cundy declared a personal interest in (4) above because as he was the Chairman of Trallwm Hall Management Committee. Cllr. T. M. Donoghue declared a personal interest in (3) above because her husband audited the accounts of Saron Hall Management. Cllr. Donoghue also declared a personal interest in item (4) above given both she and her husband were committee members of Trallwm Hall Management Committee. Cllr. S. N. Lewis declared a personal interest in (1) above because she was the Treasurer, Dafen Welfare Hall Management Committee. Cllr. A. J. Rogers declared a personal interest in (1) above because he was the Secretary, Dafen Welfare Hall Management Committee.

Members were circulated with the Statement of Accounts received from the above hall management committees.

RESOLVED that the annual grant of £400 be made to:

1. Dafen Community Hall for the two respective years ending 30 April, 2022 and 30 April, 2023.
2. Furnace Community Hall for the two respective years ending 31 December, 2022 and 31 December, 2023.
3. Saron Community Hall for the year ending 31 December, 2023.
4. Trallwm Community Hall for the two respective years ending 31 March, 2022 and 31 March, 2023.

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The Meeting concluded at 5.47 p.m.

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The afore-mentioned Minutes were declared to be a true record of the proceedings and signed by the Chairman presiding thereat and were, on 9 April, 2024 adopted by the Council.