## Crynant Community Council

The Community Centre, Woodland Road, Crynant. S10 8RG

Heidi Mortimer, Clerk,

29 The Crescent, Crynant,

 Neath. SA10 8RT

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***You are hereby summoned to attend a Meeting of the Council at 6:30pm on Thursday 28th February, 2019. To be held at the Community Centre. Please submit apologies directly to the Clerk.***

**AGENDA**

437: Apologies for absence/Reason given.

438: Register of attendance.

439: To receive Declarations of Interest (To provide opportunity for Member to declare any personal and/or prejudicial interests in any item on the agenda).

440: To approve and sign the Council meeting minutes.

441: Matters arising from the minutes (for information only).

442: To adjourn if necessary to receive public questions.

443: Presentation by Mr Ioan Richards on the role of NPT local area co-ordinator.

444: To receive Police report (for information only).

445: County Councillor Harris report.

446: To receive a report from any Member concerning meetings at which he or she represented the Council.

447: Clerks report to include (a) Bank reconciliation (b) Payment authorisations (c) Personnel report (d) Association report.

448: To receive Annual Report Independent Remuneration Panel for Wales. You can find the report by using the following link:

[Independent Remuneration Panel for Wales: annual report 2019 to 2020](https://beta.gov.wales/independent-remuneration-panel-wales-annual-report-2019-2020)

Section 13 relates specifically to Community and Town Councils. Copied below, full printed copy of report available.

449: To receive update on grants and project work

450: To receive progress report on Cefn Coed Museum.

451: Correspondence: Invitation letter Mayor’s Charity Dinner.

452: Any other business. (to include issues not directly covered under any of the above. These may not be described in the agenda but should be raised with the Clerk prior to the meeting)

 Cllr S Harris report 28 February 2019

* S106 money - £29,964 (Open Space) and £11,000 (Welsh Language) This will be paid £14,982 prior to the occupation of the 4th dwelling, £14,982 prior to occupation of the 14rh dwelling. £11,00 (Welsh Language) before the occupation of the 7th dwelling. Open space is to be used for the provision, enhancement, and improvement of and access to outdoor pitch and non-pitch sport areas and/or allotments with the ward of Crynant and for no other purpose. Welsh Language for the purposes of protecting, promoting and enhancing the welsh language with the ward of Crynant and for no other purpose. There are a lot of terms etc. Planning will liaise with me regarding the money once it has been received. I believe the developers are keen to put their ideas forward.
* Chasing up flooding issue in Treforgan – only interim response received so far.
* I have issued flyers regarding the gritting to every house in The Crescent area to explain the situation. Other than one resident email already received at this point, I received only one further email stating please do not take us from the gritting route. The council are monitoring the area now that the flyers have been issued and we will have to wait and see if the gritter is able to go down the area at the next grit. Council have stated they will be looking to take The Crescent from the route and issue grit bins if there is no compliance.
* Another photo sent re The Star area.
* 11th March – next steering group meeting of Cefn Coed – myself and Peter will bring update to next meeting.

451 Correspondence

MAYOR’S CHARITY DINNER - FRIDAY 15 TH MARCH 2019

The Mayor’s Charity Dinner is this year being held at The Orangery, Margam Park, Port

Talbot on Friday 15 th March, 2019 at 6.30 pm for 7.00 pm. This yearly fundraising event will

include a glass of fizz on arrival, a superb three course roast beef dinner, followed by a Grand

Raffle and entertainment with a dedicated Tribute to Sir Tom Jones, the fabulous Dean

Jones. Dean&#39;s Tom Jones Tribute shows have evolved from two amazing facts, Dean looks just

like the famous real Sir Tom Jones and sounds just like him too, and coming from a Welsh

heritage, has a great talent in music and singing. The MC for the evening will be the ever

popular Kevin John.

The Dinner is being held in aid of the Mayor’s Charity, and for this year the Mayor has chosen to

support Ty Seren, who provide care for young adult with autism, and Hafal, a mental health

charity providing help for young people in maintaining good emotional and mental well-being.

Both are LOCAL Charities who deliver an important and much needed service in our community.

Tickets will be just £35.00 each, which remains the same as last year, or £350.00 per table of 10.

Any other support in the form of sponsorship or donation or a raffle prize would be gratefully

appreciated, especially if you are unable to attend, for which due recognition will be given on

the toast list for the evening.

13. Payments to Members of Community and Town Councils

13.1 The Panel recognises a wide variation in geography, scope and scale across the 735 community and town councils in Wales, from small community councils with relatively minimal expenditure and few meetings to large town councils with significant assets and responsibilities.

13.2 Since producing the 2018 Annual Report, the Panel has met with over 244 Councillors and Clerks representing 243 community and town councils in 13 meetings it held across Wales. The Panel also gave evidence to the Welsh Government’s review of Community and Town Councils. The discussions reconfirmed the widely held view that the roles individual councils undertake varied significantly and in accordance with this wide variation, the responsibilities and accountabilities of councillors must also vary. Councillors managing income or expenditure of £1m and those delivering significant services, including some that might have been delegated from principal councils, are operating in a much more complex environment than a council with an annual budget of less than £30,000.

13.3 In the 2018 Annual Report the Panel formed 3 groups of community and town councils to reflect these differences based on the level of income or expenditure, whichever is the highest, in the previous financial year. These remain unchanged as set out in Table 9.

Table 9: Community and Town Council Groupings

Community and Town Council Group

Income or Expenditure in 2018-19 of: A £200,000 and above B £30,000 - £199,999 C Below £30,000

13.4 The discussions held with community and town councils during 2018 raised a number of queries in respect of which the following paragraphs provide further clarification.

13.5 In order to act and carry out duties as a member of a community or town council all persons are required to make a formal declaration of acceptance of office. Following this declaration, members of community or town councils are then holders of elected office and occupy a role that is part of the Welsh local government structure. It is important to note that a person who follows this path is in a different position to those in other forms of activity, for example such as volunteering or charitable work, typically governed by the Charity Commission for England and Wales.

13.6 Under the Local Government (Wales) Measure 2011, community and town councils are relevant authorities for the purpose of remuneration.

13.7 Consequently, individuals who have accepted office as a member of a community or town council are entitled to receive payments as determined by the Independent Remuneration Panel for Wales. It is the duty of the proper officer of a council (usually the Council Clerk) to make arrangements for correct payments to be made to all individuals entitled to receive them.

13.8 Members should receive monies to which they are properly entitled as a matter of course. There must be no requirement for individuals to ‘opt in’ to receive payments.

13.9 An individual may decline to receive part, or all, of the payments if they so wish. This must be done in writing and is an individual matter. A community or town council member wishing to decline payments must themselves write to their proper officer to do so.

13.10 The Panel wants any member who has personal costs, support needs or caring responsibilities to be able to fulfil their role. To reflect this, the Panel is mandating payment of a contribution to costs and expenses for members of all community and town councils as set out in Determination 40. The Panel is also mandating reimbursement of cost of care for all members of community and town councils as set out in Determination 46.

13.11 In each community and town council the proper officer should ensure there is ready access to proper reimbursements of costs of care to enable those eligible for reimbursement to participate in the democratic process. It is inappropriate for councils or councillors to create a climate, or otherwise pressurise others, in order to prevent persons accessing any monies to which they are entitled that may support them to participate in local democracy.

13.12 Members in receipt of a Band 1 or Band 2 senior salary from a principal council cannot receive any payment from any community or town council, other than travel and subsistence expenses and reimbursement of costs of care. However, this does not preclude them from holding a senior role (Leader, Deputy Leader) without payment.

13.13 Table 10 sets out the actions that community and town councils must take annually in respect of each determination that follows.

Payments towards costs and expenses

13.14 The Panel is mandating a payment of £150 as a contribution to costs and expenses for members of all community and town councils. Previously this was not mandated for all groups, but feedback expressed disappointment in this and the Panel felt that any member who wanted to receive this payment should be entitled to do so.

13.15 For the avoidance of doubt this determination now includes councils in Group C as well as Groups A and B. Receipts are not required for these payments.

Senior roles

13.16 The Panel recognises that specific member roles especially within the larger community and town councils, for example a committee chair, will involve greater responsibility. It is also likely that larger councils will have a greater number of committees, reflecting its level of activity. The Panel has therefore determined that councils in Group A must make available a payment for a minimum of one senior role and a maximum of five senior roles of up to £500 each. Councils in Groups B and C can pay up to five responsibility payments (of up to £500) for specified roles.

13.17 In all cases, a Councillor can only have one payment of £500 regardless of how many senior roles they hold within their Council.

13.18 Where a person is a member of more than one town or community council, they are eligible to receive the £150 and, if appropriate, £500 from each council of which they are a member.

Reimbursement of travel costs and subsistence costs

13.19 The Panel recognises there can be significant travel and subsistence costs associated with the work of community and town council members, especially where the council area is geographically large and/or when engaging in duties outside this area. Each council has an option to pay travel and subsistence costs and where it does the following determinations apply.

Determination 40: All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses.

Determination 41: Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

Determination 42: Community and town councils in Groups B or C can make an annual payment of up to £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses.

Compensation for financial loss

13.20 The Panel has retained the facility which councils may pay as compensation to their members where they suffer financial loss when attending approved duties. This figure had not been adjusted for a number of years and therefore the Panel has updated it in line with the most recent Office for National Statistics Annual Survey of Hours and Earnings - median salary for full time employees in Wales and Average Actual Weekly Hours of Work for full-time workers (seasonally adjusted). Members must be able to demonstrate that the financial loss has actually been incurred. Each council has an option to pay compensation for financial loss and where it does the following determination applies.

8 Where a member who is on official business is driven by a third party (not a member or officer of that authority), the member can claim mileage at the prescribed rates plus any parking or toll fees provided the authority is satisfied that the member has incurred these costs.

Determination 43: Community and town councils can make payments to each of their members in respect of travel costs for attending approved duties. 8 Such payments must be the actual costs of travel by public transport or the HMRC mileage allowances as below:  45p per mile up to 10,000 miles in the year.  25p per mile over 10,000 miles.  5p per mile per passenger carried on authority business.  24p per mile for private motor cycles.  20p per mile for bicycles.

Determination 44: If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members at the maximum rates set out below on the basis of receipted claims:

 £28 per 24-hour period allowance for meals, including breakfast where not provided.  £200 – London overnight.  £95 – elsewhere overnight.  £30 – staying with friends and/or family overnight.

Reimbursement of the costs of care

13.21 The purpose of this is to enable people who have personal support needs and or caring responsibilities to carry out their duties effectively as a member of an authority. The Panel believes that the additional costs of care required to carry out approved duties should not deter people from becoming and remaining a member of an authority or limit their ability to carry out the role.

13.22 The Panel recognises the issues relating to the publication of this legitimate expense. This is reflected in the options for publication as set out in Annex 4. To support current members and to encourage diversity the Panel urges authorities to promote and encourage greater take-up of the reimbursement of costs of care.

Determination 45: Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties as follows:

 Up to £54.00 for each period not exceeding 4 hours  Up to £108.00 for each period exceeding 4 hours but not exceeding 24 hours

Determination 46: All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month. Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. Reimbursement shall only be made on production of receipts from the carer.

13.25 For the avoidance of doubt, support in respect of, for example, transport (physical transport or mileage costs), secretarial support, charitable giving (purchasing tickets, making donations or buying raffle tickets) and clothing are not matters of personal remuneration for the individual holding the senior post. 13.26 These support costs relate to the tasks and duties of the roles and individual councils will make funding decisions in relation to such support, as they deem appropriate for the levels of civic leadership they have in place.

13.27 Recognising that some mayors and chairs of community and town councils and their deputies are very active during their year of office, the Panel has determined that community and town councils can make a payment to the individuals holding these roles. 13.28 This payment is to be used or retained at the individual's discretion and does not relate to the support costs set out above. 13.29 The Panel has determined that the maximum amount that can be paid to a chair/mayor of a community or town council is £1,500. The maximum amount that can be paid to a deputy mayor/chair is £500.

Determination 47: Community and town councils can provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Determination 48: Community and town councils can provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum of £500. This is in addition to the £150 payment for costs and expenses and the £500 senior salary if these are claimed.

Making Payments to members

13.30 Table 10 sets out each of the above determinations and if a decision is required by the council in respect of each one.

13.31 In respect of the mandated payments where no decision is required by a council, members should receive monies to which they are properly entitled as a matter of course.

13.32 Where a decision is required by the council, this should be done at the first meeting following receipt of the Annual Report.

13.33 A council can adopt any, or all, of the non-mandated determinations but if it does make such a decision, it must apply to all its members.

13.34 When payments take effect from is set out in paragraphs 13.38 to 13.40 below.

13.35 On receipt of the draft Annual Report the previous autumn, councils should consider the determinations for the next financial year and use this to inform budget plans.

**Determination Number Is a decision required by council? 40 - All community and town councils must make available a payment to each of their members of £150 per year as a contribution to costs and expenses. No - the payment of £150 is mandated for every member unless they advise the appropriate officer that they do not want to take it in writing 41 – Community and town councils in Group A must make available an annual payment of £500 each to a minimum of 1 and a maximum of 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses. Yes – a council must decide how many payments of £500 it will make – to between 1 and 5 members unless they advise the appropriate officer in writing that they do not want to take it 42 – Community and town councils in Groups B or C can make an annual payment of £500 each to up to 5 members in recognition of specific responsibilities. This is in addition to the £150 payment for costs and expenses. Yes – the payment of £500 is optional for up to 5 members 43 – Community and town councils can make payments to each of their members in respect of travel costs for Yes – the payment of travel costs is optional**

**47 attending approved duties. 44 – If a community or town council resolves that a particular duty requires an overnight stay, it can authorise reimbursement of subsistence expenses to its members.**

**Yes – the payment of overnight subsistence expenses is optional**

**45 – Community and town councils can pay financial loss compensation to each of their members, where such loss has actually occurred, for attending approved duties.**

**Yes – the payment of financial loss allowance is optional**

**46 – All community and town councils must provide for the reimbursement of necessary costs for the care of dependent children and adults (provided by informal or formal carers) and for personal assistance needs up to a maximum of £403 per month.**

**No - the payment is mandated for every member if they are eligible to claim, and wish to do so**

**47 – Community and town councils can provide a Civic Head payment to the mayor/chair of the council up to a maximum of £1,500.**

**Yes – the payment to a Civic Head is optional**

**48 – Community and town councils can provide a Deputy Civic Head payment to the deputy mayor/deputy chair of the council up to a maximum amount of £500.**

**Yes – the payment to a Deputy Civic Head is optional**

**49 - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) cannot receive any payment from any community or town council, other than travel and subsistence expenses and reimbursement of costs of care.**

**No - Members in receipt of a Band 1 or Band 2 senior salary from a principal council (that is Leader, Deputy Leader or Executive Member) can only receive travel and subsistence expenses and reimbursement of costs of care; if they are eligible to claim, and wish to do so.**

**13.36 All members are eligible to be paid the £150 as set out in Determination 40 from the start of the financial year (unless they are elected later in the financial year).**

13.37 Other amounts payable to members in recognition of specific responsibilities or as a civic head or deputy civic head as set out in Determinations 41,42, 47 and 48 are payable from the date when the member takes up the role during the financial year.