

19 November, 2024

LLANELLI RURAL COUNCIL

Minute Nos: 226 – 233

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 November, 2024 at 4.45 p.m.

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

Cllrs.

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

226. APOLOGIES FOR ABSENCE

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

227. MEMBERS' DECLARATIONS OF INTEREST

The following members declared an interest in the following matters:

<i>Minute No.</i>	<i>Councillor</i>	<i>Interest</i>
229	D. M. Cundy	Personal and Prejudicial – family member is the proprietor of Tiny Tots Town.
231(1)	S. N. Lewis	Personal interest – Treasurer, Dafen Welfare Management Committee.
231(2)	S. N. Lewis	Personal and Prejudicial – member, Dafen Cricket Club.
231(1) & (2)	A. J. Rogers	Personal interest – Secretary, Dafen Welfare Management Committee.
230	A. G. Stephens	Personal interest - Trustee and Treasurer, Pro-Vision Llwynhendy and member of Our Llwynhendy.

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228. COMMUNITY FACILITIES – MAINTENANCE WORKS

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

229. MANAGING COMMUNITY FACILITIES

Cllr. D. M. Cundy declared a personal and prejudicial interest in the matter concerning the car park at Trallwm Community Hall, due to a family member being the proprietor of Tiny Tots Town and left the meeting before discussion on that particular item took place. Cllr. A. J. Rogers chaired the meeting for that item of business.

Further to minute No. 349 (7 February 2024) members considered an update report from the Deputy Clerk on the management arrangements affecting certain council community facilities. Members were informed that officers were previously tasked with undertaking a comprehensive evaluation and review of the council’s community facilities management policy to assess whether the current model remained fit for purpose for the facilities originally identified at the February 2024 committee meeting (to which minute No. 349 refers). At the time the committee agreed that the initial focus of attention should concentrate on the council’s community halls and buildings management committees carrying a medium to high degree of risk of operational failure due to ongoing capacity issues associated with experiencing insufficient voluntary support to run those committees.

The Deputy Clerk stated the review process was well underway with it due to conclude in February 2025. However, due to recent developments it had been necessary for the council to intervene and take swifter action with the management arrangements of the following premises:

- Swiss Valley Community Hall – resignation of hall management committee officers.
- Phil Bennett OBE Community Resource Centre – resignation of building management committee officers.
- Furnace Community Hall – establishment of a management committee.
- Trallwm Community Hall – car park licence.

The Deputy Clerk then proceeded to guide members through the prevailing issues associated with each facility.

In regard to Swiss Valley Community Hall, the council was made aware in 2023 that the remaining core members of the hall management committee wished to relinquish their involvement in the running of the community hall. However, and rather unexpectedly the remaining committee members recently decided to cease their involvement with immediate effect and subsequently had handed back all management responsibility to the council, including the funds held in the hall committee bank account.

Similarly, the remaining members of the management committee at the Phil Bennett OBE Community Resource Centre had contacted officers expressing their desire to step away from the financial and core management responsibilities as soon as possible.

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Whereas in regard to Furnace Community Hall, for quite some time it had been managed by a sole active volunteer who undertook all key officer and administrative management duties as well as managing hiring activities. The hall was operating with no management committee and was running at a financial deficit with no improvement in hiring activity on the horizon.

The Deputy Clerk commented that to mitigate financial and operational risks and ensure that community services could continue without disruption, council officers had swiftly developed interim procedures in response to the sudden absence of community volunteers at Swiss Valley Community Hall. Officers were also preparing to cater for a similar situation at the Phil Bennett OBE Community Resource Centre. However, the Felinfoel Executive Committee which managed the Resource Centre was somewhat unique within the council's arrangements for managing community facilities being a Charitable Trust and a Company Limited by Guarantee. Additionally, the committee served as the licensor to the Hywel Dda University Health Board, which was granted a licence to occupy office space on the first floor of the Resource Centre in 2016. While the Health Board continued to occupy space at the Resource Centre, there were ongoing issues with the licence agreement that needed to be taken up and resolved and the council was best placed to do this because the Executive Committee members no longer had the capability and capacity to manage a business tenant. However, the remaining Executive Committee members had expressed a desire to maintain some involvement in the affairs of the Resource Centre going forward. They had offered their services to continue handling the hiring enquiries, day to day casual hire issues and key holding. The Deputy Clerk revealed that discussions with the remaining committee members also touched upon the committee's charitable status and activities, and the committee members' desire to retain the ability to issue grants under any revised management arrangement. Further discussions and an evaluation regarding the status of the Trust and the impact it had on the management relationship with the Resource Centre would be required before any decision could be made in regard to the future allocation of grants.

The Deputy Clerk then proceeded to discuss Furnace Community Hall and referred to the public meeting held at the hall on 2 October 2024, organised by Cllr. W. E. Skinner. The meeting sought to gauge interest from the community in forming a new management committee. Unfortunately, the limited interest from the small group of local residents who attended did not inspire confidence that a viable committee could be formed at this stage. To form a committee the next step would be to call an Annual General Meeting.

The Deputy Clerk then referred to the charitable status of the former trustees committee, responsible for managing the former community hall. The roles of the trustees serving the former hall had somehow become conflated during the transition to the opening of the council's new community hall. Unlike the former hall, the new community hall had never been registered by the council with the Charity Commission for it to be held and managed in trust. However, the remaining trustees of the former hall committee had mistakenly continued to serve in their roles when they agreed to transfer their support to help manage the council's new hall management committee, which was a completely separate entity to the former trustees committee. Consequently roles had become blurred. The situation was further complicated when the former hall was eventually sold by the trustees. The sale proceeds were deposited in the bank account under the control of the new hall management committee. This was the same bank account operated by the trustees of the former hall and which was still being used today by the remaining sole committee volunteer to manage the accounts of the new community hall. This would need to be addressed with the Charity Commission in due course. It was also apparent that the former Trust's statutory submissions to the Charities

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Commission was incomplete and not up to date. The Deputy Clerk opined that specialist charity law advice would need to be sourced to help untangle and resolve the current arrangements by separating the activities of the former trustees from the council's hall management committee's activities, including correctly accounting for the sale proceeds of the former hall, ultimately leading to the eventual dissolution of the Charitable Trust. It was believed that there were no surviving trustees left to deal with this.

Members were then guided through the potential future management arrangements available for the council to pursue for all three facilities including the possible roles to be adopted by the hall management committees, should they be re-established. The Deputy Clerk stated that the Welsh Government Rate Relief scheme (presently 40%) would not apply to the council should any of the buildings be managed in-house by the council. The council presently reimbursed hall committees for the rate charge, less the relief amount.

The Deputy Clerk then moved on to discuss the potential use of Trallwm Hall car park by the private enterprise occupying the neighbouring building and known as Tiny Tots Town. He reminded members that at the meeting of the Recreation and Welfare Committee held on 16 April, 2024 (Minute No. 449 refers), members considered correspondence from Tiny Tots Town requesting permission from the council for daily access to the council's car park situated at the rear of Trallwm Hall. While the matter had been held in abeyance for further discussions to take place with all parties, Trallwm Hall management committee, prompted by increasing traffic congestion at Amanwy, had recently approached the proprietors of Tiny Tots Town to reopen discussions regarding the potential shared use of the hall car park. Given this positive shift by the hall management committee, it was suggested that officers should now engage directly with the owners of Tiny Tots Town to formulate the terms of a licence. The terms of the licence would be agreed and enacted solely with the council as previously stipulated to all parties. Moreover, fees received from the licence would be ring-fenced as income in the council's accounts to be solely used for offsetting budget expenditure attributed to the upkeep and maintenance of Trallwm Community Hall. The Deputy Clerk suggested the proposed annual licence fee be set at £120 per month initially with the fee being uplifted incrementally in line with inflation but subject to a break clause being included to cover the first six months of operation only. Thereafter, the break clause would not apply when seeking to annually renew the licence. Furthermore, Tiny Tots Town should be solely responsible for all costs associated with formalising the licence agreement including any legal costs incurred by the council.

Following discussion, it was

RESOLVED that officers be authorised to:

1. Engage with the community with the aim of forming a new committee at Swiss Valley Community Hall. Following the forming of a committee that a hybrid management model be adopted where the council shall retain full responsibility for the financial and administrative management of the facility with the hall committee overseeing the hiring activities and serving in an advisory capacity, by assisting the council with the day-to-day monitoring of the building, including reporting on its condition and functionality.
2. Engage with the Felinfoel Executive Committee with the aim of adopting a hybrid management model for the future management of the Phil Bennett OBE Community Resource Centre. Under the arrangement, the council shall assume full responsibility for the financial and administrative management of the facility. The existing Executive Committee

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members would continue to oversee the hiring activities and serve in an advisory capacity, assisting the council with the day-to-day monitoring of the building, including reporting on its condition and functionality.

3. Engage with the community with the aim of forming a new committee at Furnace Community Hall. Following the forming of a committee that a hybrid management model be adopted where the council shall retain full responsibility for the financial and administrative management of the facility with the hall committee overseeing the hiring activities and serving in an advisory capacity, by assisting the council with the day-to-day monitoring of the building, including reporting on its condition and functionality.

4. Engage directly with the owners of Tiny Tots Town to formulate the terms of a licence to use a limited number of car parking spaces (to be mutually agreed) to the rear of Trallwm Community Hall. The terms of the licence would be set for 12 months and enacted solely by the council. The proposed annual licence fee be set at £120 per month initially with the fee being uplifted incrementally in line with inflation but subject to a break clause being included to cover the first six months of operation only. Thereafter, the break clause would not apply when seeking to annually renew the licence. Furthermore, Tiny Tots Town should be solely responsible for all costs associated with formalising the licence agreement including any legal costs incurred by the council.

FURTHER RESOLVED that officers be authorised to:

1. Conduct a comprehensive review of the charity status and governance arrangements of the former trustees' hall committee in Furnace with particular focus on compliance with charity law. The review shall also include an examination of the financial impact of the former hall sale proceeds on the council's hall accounts, including its banking arrangements and general fund balances because of the historical conflation of trustee roles in transferring their support to serve on the management committee of the council hall. Following the review, officers shall produce a further committee report including any recommendations impacting upon the hall committee's governance arrangements going forward and the necessary steps to be followed in dissolving the former Trust.

2. Conduct a comprehensive review of the charity status and governance structure of the Felinfoel Executive Committee and the impact of its management relationship with the Phil Bennett OBE Community Resource Centre. This review shall assess the current legal standing and operational framework of the committee, including its compliance with relevant charity regulations, its effectiveness in fulfilling its charitable objectives and the robustness of its governance practices. Following the review, officers shall produce a further committee report including any recommendations impacting upon the building committee's governance arrangements going forward.

3. Specialist charity law advice be sought to help resolve the points referenced in paragraphs 1 and 2 above, as well as seeking the provision of more general advice relating to the council's other facilities that are currently managed under charitable trust arrangements.

230. CAPITAL PROJECTS

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

The Deputy Clerk provided members with an update of the progress made with the following capital projects:

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- Llwynhendy, Gwili Fields - new children's play areas and environmental enhancements.
- Llwynhendy, Former Library – redevelopment of the former library building into a community hub.
- Bynea, Penygraig – New children's play area and ball court.
- Dafen, Clos Cilsaig – New children's play area.
- Hengoed, Stradey - New children's play area.
- Ponthenri - New children's play area.
- Phil Bennett OBE Community Resource Centre – New toilet facilities

Members were informed that all the capital projects were progressing as planned. The only exception to this being the Hengoed Ward new children's play area planned for construction on Stradey Estate land. A recent meeting was held with Mr Mansel-Lewis, Estate owner, to discuss progress with the land transfer to the council under a 99 year lease so that in turn, the council could commence the necessary project preliminary work. During the meeting Mr Mansel-Lewis reaffirmed the Estate's support for the project but explained the Estate was currently engaged in an exercise to review how it best managed its land and property holdings. The Estate was evaluating more effective ways as to how it used its assets to better support the community to encourage local enterprise and to promote ecological, social and wellbeing initiatives. Moreover, the Stradey Estate was also seeking to develop housing projects to generate funds for the upkeep of its properties, including Stradey Castle.

The Deputy Clerk stated this land use review was not a consideration when the Stradey Estate Office first agreed to give over land to the council and was therefore an unforeseen development. He stated that rather than giving over a land parcel now to the council to develop into a new play area, Mr Mansel-Lewis preferred to do this following the completion of the land use review exercise because the location of the play area might need to change with it being placed in a slightly different location within the Estate grounds in order to maximise the best use of the land available for other community initiatives. However, the project would re-commence when the Stradey Estate had completed the land use review which was anticipated to be completed by the Estate Office over the next two years.

Members having discussed at length the progress made with the above capital schemes and in particular the recent developments associated with the Hengoed Ward scheme and its potential impact on delivering the council's capital programme in a timely manner, it was

RESOLVED that:

1. The project overview information contained in the report relating to: phase 1 environmental enhancements and the community hub development at Llwynhendy; the children's play area and ball court at Penygraig, Bynea; the children's play area at Clos Cilsaig, Dafen; the completion of the new play area in Ponthenri and the new toilet facility planned for the Phil Bennett OBE Community Resource Centre, Felinfoel be noted.
2. The Hengoed Ward, Stradey Estate, new children's play area capital project be held in abeyance for the time being so that a suitable parcel of land for the project could be ultimately allocated by the Stradey Estate Office and conveyed to the council, once the Estate Office had completed its land use review. Furthermore and subject to receiving Welsh Government approval, the Hengoed Ward play scheme's £100,000 earmarked reserve be utilised by transferring it to offset the Llwynhendy Hub library building project costs in the interim, on the strict understanding that the earmarked reserve was fully re-instated to its original

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£100,000 sum over the next two years commencing from the 2025/2026 financial year and concluding no later than the 2026/2027 financial year, to coincide with the realisation of the Stradey Estate land use review and in order to complete the scheme before the onset of the ordinary local government elections scheduled in May 2027.

3. The remaining essential elements of the Llwynhendy, Gwili Fields Phase 2 environmental works identified and forming part of the current tender sum shortfall of £135,539 shall be completed and delivered as quickly as possible but subject to the tender sum shortfall being reviewed and reduced by identifying further cost savings with the contractor Emroch Landscapes Ltd and that the additional net funds required to complete the remaining essential elements be met from virements from the current financial year's budget; alternatively using general reserves or by raising the council precept or a combination of all of these measures, should the council be unable to secure additional funding from stakeholder pledges or grants.

**231. DAFEN PARK
(1) ASTROTURF FACILITY**

Cllrs. S. N. Lewis and A. J. Rogers declared personal interests in the following matter as Cllr. Lewis was the Treasurer, Dafen Welfare Management Committee and Cllr. Rogers was the Secretary, Dafen Welfare Management Committee.

Further to minute No. 80 (21 June, 2022, refers), correspondence was received from the Secretary, Dafen AFC requesting permission to extend the football club's block booking concession of the Astroturf facility in preference to other patrons.

Following protracted discussion, it was

RESOLVED that the matter be held in abeyance until a further assessment could be conducted of the club's general use of the facility. The following information shall be obtained to help inform the assessment: the club's current use of the facility; booking cancellations; transfer of booking slots to other clubs made by the club; unauthorised use including exceeding prescribed time slots or generally sharing security codes leading to unauthorised usage. Moreover, a more sophisticated automated access system shall be procured and installed to control and properly regularise the general hiring and use of the facility. The cost of procuring the technology shall be met from the facility's earmarked reserve.

(2) CRICKET PITCH GROUND MAINTENANCE

Cllr. S. N. Lewis declared a personal and prejudicial interest in the following matter as she was a member, Dafen Cricket Club and left the meeting before discussion commenced. Cllr. A. J. Rogers declared a personal interest in the following matter because he was the Secretary, Dafen Welfare Management Committee.

Further to minute No. 367 (18 January, 2022, refers), members considered correspondence from the Secretary, Dafen Cricket Club requesting permission to undertake joint preparation work with the council on maintaining the cricket pitch and outfield.

Following discussion, it was

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RESOLVED that in light of previous collaboration arrangement being untenable, the club’s offer of providing additional in kind or financial support towards the current ground maintenance programme provided by the council be declined. However, if the club wanted to have more direct involvement in the maintenance regime and if so desired the facility could be asset transferred to the club with it then taking on overall control and responsibility for its entire management and future upkeep.

Cllr. S. N. Lewis re-joined the meeting.

232. PROVISION OF GRIT BINS IN COUNCIL PARKS

In view of Cllr A. Evans, the local ward member being unable to attend the meeting to present the item, it was

RESOLVED that the matter be deferred to the next Recreation and Welfare Committee to be held on 17 December, 2024.

**233. FURNACE COMMUNITY HALL
(1) CONVERSION AND USE OF BASEMENT STORAGE AREA**

Further to Minute No. 448 (16 April, 2024), members considered further correspondence from committee members, Llanelli Woodturning Club, which once again requested permission for the club to use more basement space at the hall to service the expansion of its activities.

RESOLVED that the request be unequivocally declined.

(2)WOODTURNING CLUB - VISIT INVITATION

RESOLVED that the invitation extended to local ward members to visit the woodturning club be noted.

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The Meeting concluded at 7.15 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 10 December, 2024 adopted by the Council.